From: Scott Springhorn <sspringhorn@gmail.com>
Sent: Tuesday, January 19, 2021 8:49 AM
To: Rose, Kendall <krose@cityofpetaluma.org>; Bendix, Brittany <bbendix@cityofpetaluma.org>
Subject: Public Comments In Opposition the Petaluma Creamery WTF project

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Ms. Rose & Brittany,

Below is a link to a google folder that has 57 public comments made by myself and others during public comment time in HCPC, planning commissions, and city council meetings.

We would like you to please add these to the public record for the proposed wireless project on top of the Petaluma Creamery.

Instead of sending you 57 separate emails I thought this would be better so that you can either print each one out or just use the folder if needed. Please let me know if you have any questions or if I need to send it in a different format for you. Thanks for your help.

Scott Springhorn

Public Comments for Verizon WTF Creamery Project

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

The residents of Petaluma recognize the historical value of the Petaluma Creamery. On its website, the Creamery itself claims to be, and I quote, "the historical N. California creamery". The website also says, I quote again: "the Petaluma Creamery has served local dairy producers for over 100 years. It has played an integral role in ensuring the longevity and community of our family farms".

In 2013 When the Creamery turned 100, the Sonoma County Farm Bureau wrote an article by Tim Tesconi about the Creamery's history. I quote some excerpts here:

> "The venerable Petaluma Creamery, established in 1913 by a group of dairy farmers, has dutifully anchored the west side of downtown Petaluma for the last century, defining the town's agricultural roots and serving as the economic engine for the Sonoma-Marin Dairy Belt."

> "Some towns have bell towers, classic courthouses or breweries as their identity. Petaluma has its creamery – and is proud of it. Since its founding 100 years ago, the creamery has been a story about cows, people, rollercoaster milk markets and the trucks that move milk from farm to table. But the Petaluma Creamery is mostly a story about the people – names like Benedetti, Dei and Dondero – who have helped it thrive and prosper so farmers have an outlet for their milk."

The Petaluma Creamery has a regional significance as well. I quote again:

> "without the creamery, there would be fewer dairies in the two counties (known as the Sonoma-Marin Dairy Belt).

Ralph Sartori, who has deep roots in the Sonoma-Marin dairy industry and previously worked for Dairy Farmers of America, said the Petaluma Creamery is important to Petaluma and Sonoma and Marin counties.

> "The creamery has been the center of Petaluma for a century, the foothold for the town's economy and identity," said Sartori. "Over the last 100 years it has supported a lot of families and has been the driving force in supporting other businesses like feed mills and banking institutions."

In conclusion, I submit that the Petaluma Creamery has enormous historical value that is recognized by both our local and regional community.

I have expressed no matter of mere concern but solely matters of substance, fact and law.

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

The residents of Petaluma recognize the historical value of the Petaluma Creamery. On its website, the Creamery itself claims to be, and I quote, "the historical N. California creamery". The website also says, I quote again: "the Petaluma Creamery has served local dairy producers for over 100 years. It has played an integral role in ensuring the longevity and community of our family farms".

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In conclusion, I submit that the Petaluma Creamery has enormous historical value that is recognized by both our local and regional community. I have expressed no matter of mere concern but solely matters of substance, fact and law.

My name is Helen Grieco, a resident of Petaluma.

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

Thank you for all you are doing to help Petaluma during this National Emergency. ”On March 13, 2020, President Donald Trump issued a ”Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak.”

President Trump's proclamations states:

> “NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States, by the authority vested in me by the Constitution and the laws of the United States of America. . . do hereby find and proclaim that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020.”

This national proclamation led to similar state and local proclamations.

California Governor Newsom's Executive Order No. N-29-20 States

> "All residents are to heed any orders and guidance of state and local public health officials. including but not limited to the imposition of social distancing measures, to control the spread of COVID-19.

The Sonoma County Health Official Order [No. C19-03](https://socoemergency.org/order-of-the-health-officer-shelter-in-place/), Order [No. C19-05](https://socoemergency.org/order-of-the-health-officer-shelter-in-place-extended/) (Extended) and Order [No. C19-15](https://socoemergency.org/order-of-the-health-officer-c19-15-stay-well-sonoma-county/) (Extended Again) . . . which all say the same thing . . .

> All individuals living in the County are directed to shelter at their place of residence, except that they may leave to provide or receive certain essential services or engage in certain **essential activities and work for essential businesses**. . .

What are those essential activities?

Definitions and Exemptions.
> § 10(c) For purposes of this Order, individuals may leave their residence to provide any services or perform any **work necessary to the operations and maintenance** of “**Essential Infrastructure**,” including, a number of activities relating to water, sewer, gas, transportation and a single mention of **internet, and telecommunications systems**

So let's recap. We have a federal national emergency -- Novel Coronavirus Disease (COVID-19) Outbreak -- and a local county order that specifies that only the **work necessary to the operations and maintenance** of telecommunications services is essential.

This Does Not Cover the Building of New Wireless Telecommunications Facilities (WTFs)

Petaluma can and should join Simi Valley, CA, Easton, CT and Keene Nh and take full advantage of this novel set of circumstances to legally declare a moratorium -- a legal temporary delay on the processing of applications, placement, construction or operations of Wireless Telecommunications Facilities (WTFs) of any size and any G -- **until the federal national emergency has been declared over**. This is even expressly stated in FCC Order 18-133 which supersedes FCC Order 18-111, both mentioned below.

There are advantages to voting though such a moratorium:

1. The City will have the benefit of receiving two Ninth Circuit Court of Appeals Ruling in two important cases that were argued on Feb 10, 2020 in Pasadena:

- **a.** Case No. 18-72689, the City of Portland et al v. FCC re: the repeal of FCC Order 18-133, the FCC's Small Cell Streamline Deployment Order

- **b.** Case No. 19-70490, American Electric Power v. FCC re: the repeal of FCC Order 18-111, The Self-Help, One-Touch/Make Ready order

In the words of attorney Jonathon Kramer, who was in the courtroom on Feb 10:

> "As someone who was in the room watching the body language that didn't make the video feed . . . I thnk more significant portions of these Orders are doomed and maybe just all of both of them."

By passing Ordinance M, the Local Telecom Moratoria order, the City will have time to pass other important wireless ordinances to improve its wireless code, including Ordinance VHP to regulate power output and Ordinance WE-WANT-IT to ensure that the City has objective data upon which to base its siting decisions.

We request this Ordinance M - to be put onto the agenda for the next meetings of the Planning Commission and/or City Council, if executed as an Urgency Ordinance.

I have expressed no matter of mere concern but solely matters of substance, fact and law. I accept your oath of office.

Signed this 28th day of July, 2020

Helen Grieco <helengrieco@comcast.net>

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

I have lived in Petaluma for over ten years and have raised a wonderful family here. I am here to defend my home and talk to you about the Verizon Antenna Farm, that is being proposed for the roof at the Petaluma Creamery.

This means that just 75 feet above homes at **the edge of each corner** of the flat roof, Verizon is installing **four six-foot tall antennas**. These are major league macro tower antennas. **As a group of 16 total macro tower antennas**, they have the capability to output over **500,000 Watts** of Effective Radiated Power. That's a lot of power.

Since these antennas are designed to have a 3dB override, this means the antennas can actually output over **1 million Watts of ERP**. That's overkill in every sense of the word.

Do we need these antennas just 75 to 100 feet from homes? Well, of course, we do not because there is already substantial written evidence in the public record that proves there is **no significant gap** in telecommunications coverage.

Cities and towns around the country are taking important steps to better balance the needs of it residents (natural persons) and the needs these Wireless companies (artificial persons). That's what we need to do here.

We don't have to forever change the character of our residential neighborhoods just to bend to the whims of Verizon. All we need is for the the m-group — the contract Planners for Petaluma — to order an industry-standard Wireless Antenna Need Test that will accurately measure carrier-specific signal strength in Decibel-milliWatts (or dBm, for short) for every frequency. By putting that data in the public record the Planning Commission will be able to make objective decisions about how much, if any, additional Effective Radiated Power it is willing to add to any neighborhood that might need it to close a significant gap in Telecommunications service.

Monterey hired an independent RF engineer to do such Wireless Antenna Need Test in 2018. He found no significant gap in coverage outside of homes for telecommunications service. In a March 15, 2018 Planning Commission meeting, the Monterey Planning commissioners carefully listened to the results of the Drive Test, listened to public comments, and asked good questions. The commissioners overruled the staff recommendation and voted 7-0 to deny Verizon’s application for a Wireless Telecommunications Facility in the Monte Vista neighborhood of Monterey.

For over a month, we have been asking City of Petaluma to order a Wireless Antenna Need Test conducted by a neutral third party to give us the objective data that Petaluma needs. In the last four weeks, we have given Petaluma many vendor options and several ideas of how to

complete this Signal Strength test at no cost for the City of Petaluma. Petaluma has dragged it feet on this for a month. We must get this test done now in the next two weeks.

Only with objective data of Verizon telecommunications signal strengths, will the Planning Commission have the opportunity to make a findings to assess if there is a significant gap in telecommunications coverage.

Please read all about "significant gap in telecommunications coverage" and the "least intrusive means" to close any alleged gap in coverage in the 2005 Ninth Circuit Court of Appeals Ruling in MetroPCS v San Francisco. This is the rule of law in CA. The FCC has no authority to brush aside this CA case law.

I have expressed no matter of mere concern but solely matters of substance, fact and law.

On July 24th the city wrote a letter to Verizon stating they were going to recommend denial of the proposed major wireless facility on top of the Petaluma Creamery because its toxic & flammable ammonia cooling system was out of compliance and they had not done the work needed to get the permit. Right then the city had all it needed to deny. Verizon asked for more time to fix these problems.

Fast forward 6 months later and on December 21st the city again sent a letter to the creamery denying their CUPA permit for their toxic & flammable ammonia cooling system as they still had not fixed over 100 issues that were required. In addition they had their wastewater permit revoked after 34 fines and 1.4 million still owed.

Again the city has the opportunity to deny this application as this site is a safety and occupational hazard. Verizon has come out with 5 new documents saying this site is the least intrusive one available. Seriously?

This less intrusive site owes 1.4 million in back fines, Is NOT compliant with its toxic & flammable ammonia system, is NOT compliant with its boilers & emissions, has had 2 fires in 6 months, is not compliant with multiple fire codes, has constant complaints with trucks idling and is NOT compliant in it noise. In addition to these safety issues they changed the visual look and all of the equipment on top of the creamery will now be seen. But apparently this is preferred over all of the other sites.

The city has everything they need to deny this project on no gap in service, safety issues, non compliance, & loss of property value. The easiest thing the city can do is simply move this cell tower to a site that needs service, will not effect neighborhoods, and is actually safe. Thank you for your time.

In October of 2019 the California Accidental Release Prevention Program (CalARP) had its Seismic and hazard Review for the Petaluma Creamery. In these reviews it has stated the following,

There are “three levels of non compliance that are assigned to this action plan. Level 1, 2, & 3. Level 1 = a priority (meaning that a “ piece of equipment is in a state of gross non compliance and has been identified as an immediate safety hazard.”

There were 11 issues that this agency found to be in non compliance. 2 of these 11 issues are recognized in the category of priority 1. Meaning that at this point there are 2 issues at the Petaluma creamery that are an immediate safety hazard. There were 9 other issues to be found in non compliance that still also need to be addressed. In the recent project file that we were given on Friday October 23rd it shows nothing that these issues have been dealt with and are still in non compliance!

This same company also did a separate Hazard review of this same ammonia cooling system, in which it also identified many issues and states the following:

“The Ammonia detection system function is unknown by the facility personnel. Additionally, the ammonia detection sensors are currently not calibrated or futioning. It is recommended that the facility replace the bad ammonia sensors and update the ammonia detection system to function according to the requirements.”

The hazard review also had a list of over 10 items that were priority 1 that needed to be in compliance by September 1st 2020. There is nothing in this file that shows compliance is met in either of the above agencies I mention! How is this allowed to be out of compliance and additionally what a nightmare it will be to then add 550,000 watts of effective radiated power on top of this toxic system. Stop this project now!

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Verizon turned in an alternate site analysis for the proposed 16 antenna project on top of the petaluma creamery back in August of 2019. In this analysis they did not do an adequate job of showing alternate sites that this project is better suited for. In this report they showed 3 other places that were more feasible but they did not want to use them as they said it did not meet their goals. Apparently the only place that meets these goals is on top of a historical building that is out of compliance in many safety and operational issues while being surrounded by 95% residential. That is the exact opposite of being the least intrusive place available.

It should be stated that according to Verizon's website that the place that actually needs better wireless services is closer to site #8 that is specified in this analysis. Based on what Verizon is actually showing this should be very easy to solve. Verizon does not want to go to this site as they know they cannot have a major facility or have the power that they want to produce. It should also be noted that they are not going to comply with being a minor facility, and other city ordinances at the petaluma creamery site, but would comply with the city codes at the alternate site? How are they able to pick and choose what they will comply with and where? The city has codes in place to ensure that these WTFs are only able to go up in the most appropriate place. Verizon must comply with this ordinance as this is the city's choice and not the applicants.

Petaluma municipal code already exists that requires a cell tower to go up in the least intrusive place possible. There are other appropriate and feasible locations that will not effect citizens and business property values while still achieving phone service for all.

The Petaluma creamery is a historical building, is out of compliance in safety and hazard issues, and is surrounded by 95% residential. This is not an appropriate area for this WTF at all. The city needs to require the applicant to improve their site analysis and find a more appropriate and least intrusive site that actually goes somewhere where phone service is actually needed. Thank you for your time.

Verizon turned in an alternate site analysis for the proposed 16 antenna project on top of the petaluma creamery back in August of 2019. In this analysis they did not do an adequate job of showing better suited sites for the project.. In the report they showed 3 other places that were more feasible but they did not want to use them as they said it did not meet their goals. Apparently the only place meeting these goals is on top of a historical building that is out of compliance in many safety and operational issues while being surrounded by 95% residential. This is the exact opposite of being the least intrusive place available.

It should be stated that according to Verizon's website the location that actually needs better wireless services is closer to site #8 as specified in this analysis. Based on what Verizon is actually showing this should be very easy to solve. Verizon does not want to consider this site as they know they cannot have a major facility or have the power they want to produce. It should also be noted that they are not going to comply with being a minor facility, and other city ordinances at the petaluma creamery site, but would comply with the city codes at the alternate site? How are they able to pick and choose what they will comply with and where? The city has codes in place to ensure these WTFs are able to go up only in the most appropriate place. Verizon must comply with this ordinance as this is the city's choice, not the applicants.

Petaluma municipal code already exists requiring a cell tower to be put in the least intrusive place possible. There are other more appropriate and feasible locations that will not effect citizens and business property values while still achieving phone service for all.

The Petaluma creamery is a historical building, is out of compliance in safety and hazard issues, and is surrounded by 95% residential. This simply is not an appropriate area for this WTF . The city needs to require the applicant to improve their site analysis and find a more appropriate and the least intrusive site that goes somewhere where phone service is actually needed. Thank you for your time.

For over 13 years the Petaluma creamery and its equipment have not been in compliance. In June of 2019 the creamery signed an executed judgement that stated that they needed to have their permit by 12/31/20.

Today is January 11th and it should come as no surprise that again the creamery missed this date and is still not in compliance with its boilers and emissions. In a call with the BAAQMD it was stated that the creamery was late in finishing up their testing and still has not been issued a permit.

Not only did they not take care of this in the last two years but they have not taken care of this in the last 13 years. This site also is out of compliance with their toxic & flammable CUPA system, is out of compliance with its sound emissions, had its wastewater permit revoked, and now this. It should also be stated that both fires in the last 6 months came in this boiler room that housed this out of compliance equipment.

The thought of having over 500,000 watts of power running 24/7/365 at a place that puts no emphasis into the safety of its workers, residents, or the community is unfathomable. This is the absolute wrong place for this tower.

The city has everything that they need to deny this project on no gap in service, safety issues, non compliance, & loss of property value. Also the easiest thing that the city can do is simply move this cell tower to a place that needs service, will not effect people or houses, and is a place that is actually safe. Thank you for your time.

On November 10th the Petaluma Planning Department sent a letter to the applicant of the proposed 16 antenna major cell tower at the Petaluma Creamery asking for information that is needed regarding this project.

This 3 page letter asked for more than 15 pieces of information and many other important asks that the City needs in order to make the best decision on this project. The City has asked over and over for Verizon to submit this information.

As of today it has been more than 6 weeks and there is still nothing from this applicant??? It's another act of bad faith by the applicant. This continues to happen repeatedly, prolonging the process and wasting time and money.

Continual acts of bad faith, out of compliance with many safety issues, multiple fires in the last 6 months, prolonged non-compliance with multiple city ordinances, idling trucks, wastewater fines, unpaid fines to city and other agencies - the list goes on and on. The City has given this applicant and the Creamery over 18 months to get this done, but they cannot come into compliance and new issues keep happening.

Every night the Creamery owner and workers leave for their homes. WE LIVE HERE. Please consider our safety & our property values and do the right thing for the residents. Please stop giving the Creamery a pass on its multiple violations.

The city must take action against the Creamery and this applicant. Deny this project, put it in a more appropriate place, and force the creamery get into compliance with everything now! Thank you for your time and have a great holiday season.

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

I understand that the m-group is now looking at changes to the Petaluma Wireless Ordinance that was last updated in 2018.

We have some suggestions on what to include in that Ordinance:

Petaluma residents might incur injury from microwave radiation from Wireless Telecommunications Facilities of **Any G** near homes.

Our homes and lives are not adequately protected, when the ordinance allows the placement of insufficiently regulated 4G-5G antennas on utility poles very close to homes.

Per the 1996 Telecommunications Act, placement is not determined by the wireless industry, but rather by the local government. You must include the words “placement, construction, modification and operations” in the Purpose of the ordinance, and must add the vertical horizontal and power parameters of WTFs.

The City has policing power to limit the Effective Radiated Power (ERP) from WTFs in close proximity to where people live, eat, study, sleep, and heal. For close-proximity WTFs, the applicant must construct only necessary antennas, radios and other supporting equipment with no chance of exceeding a total of 0.1 Watt of ERP from the face of the antenna shroud.

This ERP suffices to provide telecommunications service a half-mile down the street: 5-bars on cell phone and 3,000 simultaneous calls handled by that WTF. No need to rely on FCC, since WTF operations are within your regulatory hands, per 47 U.S.C. §332 (c)(7)(B)(4).

Capping ERP at 0.1 Watts provides four main benefits:

- Provides coverage for Telecommunications service for about 1/2 mile from the source antenna (more than double the distance of the industry-claimed need of 1,000 feet down the block).
- Does not effectively prohibit telecommunications service, making this regulation legally defensible to wireless industry challenge.
- Adds the metaphorical "speed limits, seat belts and airbags" – the necessary protections that residents need to maintain the quiet enjoyment of streets – part of any city’s aesthetics powers.
- Complies with all FCC radiation exposure guidelines.

I have expressed no matter of mere concern but solely matters of substance, fact and law.

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

In the past 12 months, the Petaluma Creamery completed a Federal National Historic Preservation Act review as part of its application to install 16 Macro Tower Antennas on a roof of one of its buildings.

On this historic landmark, the Creamery's owner intends to point 16 six-foot tall wireless antennas -- antennas that have the capability to output more than 500,000 Watts of Effective Radiated Power -- directly at its neighbors that live within a three-mile radius of the Creamery.

Those on the hillsides above the Petaluma High and across Bodega/Washington will be in direct line of sight of the main beam of this 24/7 toxic pollutant -- a pollutant so potent that Lloyd's of London, Swiss re, AM Best and all of the major re-insurers of the world have decided they WILL NOT cover claims for injury, death and illness from such exposures.

This installation of such heavy industrial equipment on a light-industry, agricultural-processing facility would forever change the residential character of about 28 square miles of Petaluma, which is zoned more than 90% residential.

The antennas would cause many to lose up to 20% of their home values and would drive many out of their homes because they would not be guaranteed basic public safety in their own homes. That would be a violation of the CA constitution which grants us inalienable rights to both privacy and safety.

The application that the Planning Department has been working on with the applicant, Complete Wireless, -- which is a shell company, designed to shield Verizon Wireless from such claims for injuries, illnesses and deaths from this excessive amount of Effective Radiated Power -- proceeded in total secrecy for almost ten months.

Finally, the m-group the contract Planners for Petaluma on June 10, 2020 posted a web page about this project.

And they attempted to give the thousands of the residents affected -- only 13 days to defend their homes and their lives before this item was presented to the Planning Commission.

Well, Petalumans rose the challenge, formed Petaluma West VHP and --- despite City Hall being closed to the public due to Covid-19 Shelter in Place restrictions -- have defended their homes and families.

We left no stone unturned, compiled the evidence and placed that evidence in into the Petaluma Public Record to establish that the Petaluma Creamery **has already been recognized as a historic landmark property** by the State of California.

You see, the very process of going through the NHPA review did it. The property is now recognized by the State of California as a historic landmark -- completely independent of any local opinion, even the opinion of the landowner. This is a done deal. Complete Wireless did this to the very location upon which the hope to install this massive antenna farm. Oops.

I have expressed no matter of mere concern but solely matters of substance, fact and law.

Scott Springhorn, who will be speaking later will give you the details of what the Petaluma Municipal Code actually says about projects such as these. Because this is being intsallled on a recgonized historical landmark, is more than three antennas it must reduce the size of the installation so the antennas have no chance of outputting more than 1,500 Watts of Effective Radiated Power.

Thanks to previous generations of Planning Staff, we have protective Wireless Code in place, code that can be improved, but Code that will not enable this project -- as designed -- to proceed forward. It would be great to call up Scott Springhorn, next, if you don't mind.

uly 27, 2020

Dear Village Officials:

My name is Paul McGavin, a resident of Petaluma. I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

Tonight I am Introducing an Ordinance to be considered by the Petaluma Planning Commission and City Council -- The Written Evidence — Wireless Antenna Need Test in Telecommunications Ordinance -- this has the memorable acronym of **WE-WANT-IT**. Clever, huh?

The WE-WANT-IT Ordinance requires a Comprehensive Wireless Signal Strength Test to be conducted every six months by an independent RF Engineer, who will log, second-by-second, the Wireless signal-strength levels in dBm (decibel-milliWatts) of every carrier-specific licensed and unlicensed wireless frequency that is being transmitted to the streets of Petaluma. The full data file for each WE-WANT-IT test will be placed in the Petaluma public record for anyone to view, analyze and verify and will serve as the basis for local decisions, regarding:

- the need for any additional Wireless infrastructure; and

- the placement, construction, modification and operations of WTFs of Any G within the authority's borders.

The Cost for each WE-WANT-IT test would be paid by antenna operators on a pro rata basis: the share of each Wireless Company's antenna capabilities, meaning the percentage of the sum of the maximum Effective Radiated Power that could be transmitted by each antenna operating within the authority's borders.

This simple ordinance would give the Petaluma the objective data to preserve the Quiet Enjoyment of Streets (and Homes). By passing this WE-WANT-IT Ordinance, the City would be following the sage advice of the number one Telecom attorney in the US, Andrew Campanelli who advised Village Board members of Woodstock, NY on July 23 to do the following:

> "Usually, when it is a site developer, such as Crown Castle or Extenet, it is not the best location. So local governments have to force the applicant to give them probitive evidence, just like anybody else would. The applicant will come in with propagation maps, many of which are bogus. Without the data behind the maps, the municipality does not know if the propagation map is worth the paper it is written on. The truth is that no Federal Court would take a propagation map without verification."

> "The first thing a town should say to a wireless applicant is "Do you have a gap in telecommunications service? Do a drive test and give me the drive test results. Very cheap. They take take a phone [or RF meter], attach a recording device and they drive through town.

The recording device records the signal strengths every few milliseconds and it will give you a precise reading of all the signal strengths on the streets of the town. That hard data will show you if there is a gap in telecommunications service, where it is and what it’s boundaries are."

These simple, common sense actions truly serve the best interests of the residents of Petaluma.

I have expressed no matter of mere “concern”, only matters of substance, fact and law. I accept your oath of office.

Signed this 28th day of July, 2020

Paul McGavin

The proposed 16 antenna farm cell tower on top of the Historic Petaluma Creamery is not needed because there is now substantial written evidence in the public record that proves that Verizon has NO SIGNIFICANT GAP in telecommunications service in a three- mile-radius area surrounding the Petaluma Creamery . . . about 28 square miles.

Those who live near the Creamery have continued to ask the city since early June to order a Wireless Antenna Need Test -- what the industry calls a drive test. This test would place -- in the public record - objective, verifiable data about the signal strength of each Verizon telecommunications frequency on the streets of Petaluma within these 28 square miles.

Importantly, this dive test could be executed at NO COST to the city.

NO COST . . . [pause] . . . because The Wireless Carrier involved recorded $132 billion in consolidated revenues in 2019. Verizon can easily afford the $10-$20,000 cost for this drive test. (<https://www.verizon.com/about/sites/default/files/2019-Verizon-Annual-Report.pdf>)

This critically important Wireless Antenna Need Test, executed by a Professional Engineer, would give Petaluma incontrovertible evidence to make a finding of NO SIGNIFICANT GAP in coverage, which would protect the City from any law suit from the applicant.

The data would also confirm what Petaluma VHP has already established with its own substantial evidence in the public record -- that there is NO SIGNIFICANT GAP in Verizon Telecommunications service at about 30 locations in the 3-mile-radius area surrounding the creamery.

Please watch the video at <https://unsafeatanyg.com/petaluma/nogap> or read the pdf that we emailed to each of you today and can be downloaded from that page.

All we heard from the m-group -- for over four months -- is that they are "looking into it". No commitments. No progress. A big fat nothing burger. We have not heard from the m-group even one good reason not to order the Drive test. Frankly, the members of Petaluma VHP are dumbfounded by this lack of effort by the m-group.

Once again, we are asking that the City Council give explicit direction tonight to the m-group to immediately order this critically important, zero-cost-to-the-city drive test.

As the top Telecom attorney in the US, Andrew Campanelli clearly explains on this webpage:

<https://scientists4wiredtech.com/camapanelli>

the "coverage analysis which has been included in the application materials" by Verizon is not substantial written evidence of a NEED for the cell tower, because it it only a projection of Verizon' s desires and is not based on any actual measurements of RF Microwave radiation made in the three-mile radius area surrounding the Petaluma Creamery This unverifiable

projection is mere fiction and must be stricken from the record, as it is not substantial written evidence.

In addition to the drive test we have also asked the m-group to get from Verizon the anonymous call logs for this area to objectively establish if there is a significant number of dropped calls. The m-goup wrote a letter to Verizon asking for the data twp weeks ago the City has received nothing. The applicant has this data and could make a 300-minute database query to provide the data. Verizon not doing so is another act of bad faith.

In short, the HCPC and the Planning Commission need substantial written evidence in the record to support their findings -- evidence that will stand up in court. The data from the Drive Test is what the City of Petaluma needs to prevent the City from getting sued by the applicant.

This is essentially zero-cost insurance. Why are we delaying any longer? Please direct the m-group tonight to order the drive test.

Thank you.

My name is Paul McGavin. I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

Here is the finding you can make to deny the 16 Antenna WTF:

This WTF has the capability to output more than 500,000 Watts of Effective Radiated Power and therefore violates a key part of the 1996-Telecommunications Act:

47 U.S. Code Section 324 – Use of minimum power
> "In all circumstances . . . all radio . . . shall use the **minimum amount of power** necessary to carry out the communication desired."

The word "**Shall**" here means must, folks. You get that, right? That means there **is no wiggle room**.

The application does not prove that these 16 antennas are operating at the **minimum** amount of power necessary to carry out the communication desired.

As of October 1, 2019 in a DC Circuit Ruling in Mozilla v FCC, we learned that the "communication desired" is **only** Wireless Telecommunications service --- the ability to make an outdoor wireless phone call.

The applicant's must be confusing their business interests to transmit other wireless data with what the preemption law addresses -- preemption only outdoor wireless phone calls.

The 1996-TCA is only about **personal wireless service (i.e. wireless phone calls**) and the preemption only has to do with not unreasonably discriminating among providers of **functionally equivalent services**.

Well, functionally equivalent services is **also** only wireless phone calls. It says so right in the 1996-TCA Conference Report, which was recognized as law by the US Supreme Court in 2005 in Palos Verdes v Abrams.

> "When utilizing the term ‘‘functionally equivalent services’’ the conferees are referring only to personal wireless services as defined in this section that directly compete against one another."

Planning Commissioners. the regulation of the operations of Wireless Telecommunications Facilities was never preempted from local zoning authority. You can make a finding to require this WTF follow Section 324, and require that the applicant downsize the maximum power output of these antennas to use the **minimum amount of power** necessary to carry wireless phone calls -- **and no higher.**

If the plans do not do this, then you have a finding to deny the application.

Look, I am speaking today to defend my home and my family from a dangerous and unnecessary invasion — densified 4G/5G Wireless Telecommunications Facilities (or WTFs for short) being constructed next to our homes

No one — and I mean no one — wants to live closer than 2,500 feet from a cell tower of any G because there is already real evidence of harms from around the US, due to insufficient regulation of maximum Effective Radiated Power from these WTFs :

- public safety harms
- privacy harms and
- and property value harms.

Apparently, this is 16 antenna monster is being installed smack in the middle of a residential zone due to a grandfathered-in light-industrial agricultural processing site being **mis-zoned** as Heavy Industrial.

Let's not do this. I have expressed no matter of mere concern but solely matters of substance, fact and law.

The Petaluma creamery is still out of compliance in its dangerous ammonia cooling system, has had many permits revoked, has had 2 fires in 6 months, and still currently owes the city over 1.4 million dollars in wastewater fines and back payments.

In addition to the many safety issues above the creamery has now not completed its court required compliance with the BAAQMD. Based on documents known by the city and the creamery there was supposed to be compliance with its boilers and emissions by 12/31/20. That date has come and gone. These issues have not been taken care of for the last 13 years. That means that now there are two different safety issues that have not been in compliance for over a decade. How is that even possible?

The fire that broke out in this boiler area for the second time in 6 months was exactly the same area as this out of compliance issue. The city has to take action and get this site into compliance as well as protect this city and it citizens by denying the proposed major antenna facility or moving it to another appropriate site that is the least intrusive possible.

Thank you for your time.

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

The Petaluma Creamery is still out of compliance with its Ammonia cooling system as well as out of compliance with the Bay Area Air Quality Management District.

On July 24, 2020 the m-group sent a letter to the applicant about this 16-antenna wireless antenna farm: The m-group cited that the Creamery's old Ammonia refrigeration system is not safe and must be fixed or replaced by the Creamery owners. Why the City of Petaluma is allowing the Creamery owners to continue pursuing this fraudulent application for a rooftop Wireless Antenna Farm — when they have been out of compliance for decades — is hard for anyone to understand. **Where is code enforcement in the City of Petaluma? Where is Public Safety?**

Given the safety problems detailed in these reports, the m-group also determined that it could not recommend support of the proposed Wireless Antenna Farm and was prepared to recommend denial of the project at the Planning Commission. The applicant and Verizon then asked for the tolling agreement date to be pushed out to have more time to address these issues. **Why did the City of Petaluma agree to give the applicants more time?**

The m-group stated that in order for this application to be eligible for approval the Creamery needed to fix or replace the ammonia cooling system and submit a new project plan that would be consistent with its status as a minor wireless facility. **Neither have been completed to date.**

According to the Bay area air quality management district, the Petaluma Creamery has been out of compliance with its boilers and certain emissions since 2007! Yes that is 13 years and counting. **Why has the City looked past these problems for so many years?**

The Creamery, in bad faith, has opened and closed multiple applications to complete this work, while doing nothing to achieve compliance. The Petaluma creamery repeatedly incorrectly filed applications with the BAAQMD — and everyone looked the other way.

The most recent application states that the work must be completed by December 31, 2020. Is this why the m-group allowed Verizon et al. to extend their Wireless application tolling agreement to the end of Jan 21, 2020? **We think so. That does not look good for the m-group.**

As of today still this work is NOT complete. The Creamery remains out of compliance. The City should simply cancel this Wireless application due to the bad faith perpetrated by all parties proposing this project:

1. The owners of the Petaluma Creamery

1. Complete Wireless

3. Verizon Wireless

The Creamery owners have not dealt with these issues for decades and even after 16-months of an active application, have still addressed nothing to achieve compliance. They have been given ample time. **They have been given too many second chances.**

Please DO NOT let the creamery or Verizon push out the tolling agreement. Set a deadline for considering this project no later than Dec 1, 2020. Use non-compliance with BAAQMD and City codes as the findings for denial.

The Petaluma Creamery is not a well-managed business. They should not be entrusted with the added responsibility of ensuring public safety of such an **additional installation of major industrial equipment next to a residential area: 16 six-foot tall antennas capable of outputting 500,000+ Watts of Effective Radiated Power.**

I have expressed no matter of mere concern but solely matters of substance, fact and law.

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

Here is the finding you can make:

We deem the Petaluma Creamery incapapable of hosting antennas that are classified as Heavy Industrial Equipment on this Light Agriculural Processing Facility because the record shows this Creamery Owner does not conistently maintain his equipment. The fire danger would be too great a risk to public interest.

The Petaluma creamery has been out of compliance with the Bay Area Air Quality Management District for over a decade. The creamery has been out of compliance with its boilers and powdered milk emissions. Is powered milk flammable? We need to determine that.

13 years ago, in 2007, the Petaluma creamery's steam boilers were found to be non-compliant with its nitrous oxide emissions. This facility was required to either retrofit the existing boilers or install new boilers to comply

What happened? **The creamery did nothing**. . . leading to a cancellation of the application in Sept 2010 -- **with no enforcement.**

Then what? Five years clock by before a new application is filed in Nov 2015

What happened? **Again, the creamery did nothing**. . . leading to a cancellation of the application in Mar 2017 -- **again with no enforcement.**

Then in January of 2018, the Bay Area Air Quality Management District staff discovered additional equipment without required permitting.

What happened? You guessed it, **the creamery did nothing**. . . leading to a cancellation of the application in Dec 2018 -- **without any enforcement.**

Finally in January of 2019 under a signed executed judgement, the Creamery submitted a new application for this work and got the permitting to complete this work by no later than December 31, 2020. It is late October . . . tick, tick, tick. Here we are 13 years later and **STILL this work has not been done!**

And the city is going to trust this ne're do-well Creamery Owner who also owes the City hundreds of thousands? millions? in back taxes . . . to responsibly operate his light agricultural processing machinery with a brand new Heavy Industrial RF factory installed on the roof of its drying building?

Now . . . let's add 500,000 Watts of power. . . **Can you say Kaboom?**

Folks, you have to deliver public safety. You have to use some common sense and good judgment, here.

How is it appropriate -- **at all** -- to allow this irresponsible business owner to add this proposed cell tower on top of this same building that houses non compliant equipment.

Due to the creamery not being in compliance with the BAAQMD then this project cannot move forward. This must be denied and not allowed to move forward.
I have expressed no matter of mere concern but solely matters of substance, fact and law.Thank you for your time.

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

Here is the finding you can make:

We deem the Petaluma Creamery incapapable of hosting antennas that are classified as Heavy Industrial Equipment on this Light Agriculural Processing Facility because the record shows this Creamery Owner does not conistently maintain his equipment. The fire danger would be too great a risk to public interest.

The Petaluma creamery has been out of compliance with the Bay Area Air Quality Management District for over a decade. The creamery has been out of compliance with its boilers and powdered milk emissions. Is powered milk flammable? We need to determine that.

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Due to the creamery not being in compliance with the BAAQMD then this project cannot move forward. This must be denied and not allowed to move forward.
I have expressed no matter of mere concern but solely matters of substance, fact and law.Thank you for your time.

FINDING: The Creamery project has not met the requirements of Petaluma's Muncipal Code, specifically Section 14.44.190(C) which states “no telecommunication facility shall be installed unless a finding is made that no other location is technically feasible.”

The Petaluma creamery is the wrong place for this project. It is a one block historical light industrial property that is surrounded by 28 square miles of residential and historic areas, which makes the project ** INAPPROPRIATE** and not consistent with the Petaluma General Plan.

The applicant completed an inaccurate alternate site analysis, considering 11 other options. Most of them were businesses that the applicant said were too small and therefore not “feasible”. This simply is not true and not supported by the evidence in the record.

Property #8 on the list that was feasible and appropriate. Yet the analysis used loaded words like “cramped”, “difficult” and “does not meet our goal”. The location is “feasible” in every sense of the word, especially as multiple other wireless carriers are already use the same site -- which is the very definition of feasibility.

Property #11, A second “feasible” site where the owner was actually interested and was in the search ring, had no reasons to disqualify it . . . all that was written was an incomplete sentence with no substantial written evidence.

The City of Petaluma has worked hard to pass good and protective ordinances. We can rely on these ordinances to say no to this inappropriate wireless facility. If the applicant will not comply with these ordinances, then the city has the right to hold them accountable or to not do business with them. An alternate site is the answer for this project because Petaluma does not have a NEED for a Wireless facility at the Creamery.

Thank you for your time.

The Petaluma Creamery is STILL out of compliance with the BAAQMD. This non compliance has been going on for 13 years and counting. The Petaluma Creamery is coming up on a very important date, they need to be in compliance with their boilers and emissions by December 31st, 2020. Failure to do so would mean what, exactly? The creamery has been asked to stay compliant and no consequences have been given.

Please remember that the creamery has had a record of not meeting the dates the last 4 times over 13 years to be in compliance. Where is the creamery only 20 days away now from its deadline, in relation to what work needs to be done?

It should also be noted that in addition to this specific issue many others STILL remain. The creamery is STILL out of compliance with their ammonia cooling system and this had to be in compliance with over 10 vital safety measures by September 1st. This work has not been done and this non compliance leaves this community at a safety risk every single day it is not enforced.

It should also be noted that only two weeks ago the city fire department gave a citation to the creamery. STILL there continues to be old and new issues at this site. This site is NOT the least intrusive or most appropriate site for this proposed cell tower. Deny this application or put it somewhere else that is most appropriate and the least intrusive just like our city code demands. Thank you for your time.

The proposed 16 antenna major cell tower on top of the Petaluma creamery, which caught fire again for the 2nd time in 6 months, will cause a loss of property values for thousands of people near the property which will in turn cause the city of Petaluma to lose millions of dollars each year and for generations to come.

Local real estate brokers and agents have been writing letters to let everyone know that there will be a significant loss of property value and lack of buyers to buy these homes in the area around the Petaluma creamery. These are professionals that are stating real evidence of this fact happening.

According to these brokers, agents, and many studies that are published there is a loss of up to 20% on property values to these houses near cell towers. All of these people who live here are now put in a situation where their lives and livelihoods are being changed and they have no choice in the matter. Home owners are required to disclose that they live near a cell tower when they go to sell their houses.

This would mean a loss to current Petaluma residents, loss of potential new business, and progress for this city. Every house that sells for below what it is actually worth due to living near a cell tower will also mean that the city loses this property tax money. At a time when our city's budget is already experiencing cuts, imagine what this will do to a budget when the city is losing out on these incoming funds each year for generations to come.

It should also be stated that this proposed project at the creamery is a complete mess. In addition to this project causing loss of property values, it is out of compliance with its toxic & flammable ammonia cooling system, out of compliance with BAAQMD, the applicant continues to not take action in bad faith, and most importantly there is no need for this tower as good phone service already exists. There was another fire at the creamery last week, literally as I was making my comments to the city council during their meeting. That is 2 fires in the last 6 months. This is not an appropriate place for this tower.

The city has many options in order to protect the city's public safety, privacy, and property values. This proposed project can be moved to a more appropriate site where cell service is actually needed as well as far enough away from residential properties which is the least intrusive to everyone.

This project is a choice by one individual who will gain from this while thousands of current and future citizens, businesses, and city programs and projects will be affected now and for generations to come. Make the right and best decisions to continue to do what is best for this city and its residents. Thank you for your time.

The proposed 16 antenna major cell tower on top of the Petaluma creamery, which caught fire again for the 2nd time in 6 months, will cause a loss of property values for thousands of people near the Petaluma creamery which will in turn cause the city of Petaluma to lose millions of dollars each year now and for generations to come.

Local real estate brokers and agents have been writing letters to let everyone know that there will be a significant loss of property value and lack of buyers to buy these homes in the area around the Petaluma creamery.

These brokers, agents, and many studies that are published that there is a loss of up to 20% on property values to these houses near cell towers. All of these people who live here are now put in a situation where their lives and livelihoods are being changed and they have no choice with this issue. Home owners are required to disclose that they live near a cell tower when they go to sell their houses.

This would mean a loss to current Petaluma residents, loss of potential new business, and progress for this city. Every house that sells for below what it is actually worth due to living near a cell tower will also mean that the city loses this property tax money. At a time when our city's budget is already experiencing cuts, imagine what this will do to a budget when the city is losing out on these incoming funds each year for generations to come.

This project is a choice by one individual who will gain from this while thousands of current and future citizens, businesses, and city programs and projects will be affected now and for generations to come. Make the right and best decisions to continue to do what is best for this city and its residents. Thank you for your time.

Welcome to the new city council members

The proposed major wireless facility on top of the Petaluma creamery is over 18 months old. They still cannot come into compliance with many safety and operational issues, continue to act in bad faith, and the building that would house the towers continues to light on fire.

As of December 21st the city denied the creamery's CUPA permit for the decade old out of compliance ammonia cooling system, revoked thier wastewater permits, and will no longer be allowing ammonia on site.

This is a step in the right direction to get this facility into compliance and now the city has many legal ways in which they can deny this proposed major wireless facility project.

The creamery also had its wastewater permit revoked as they have been fined over 30 times in the last two years for not following city and environmental codes for its wastewater. They still owe over 1.4 million dollars to the city in fines and late bills.

The city has also asked the applicant to provide important data many many times so that you the decision makers can make the right decision for this city and it citizens.

On November 10th the city has asked the applicant to provide crucial information that would prove the level of cell service that actually exists around the creamery. It has been 8 weeks and still the city has not received anything! This is only one of many occasions where the applicant can provide info that will prove the level of service and time and time again they will not provide it. The reason is that it would show that right now there is service around the creamery and no need for this major tower.

The city has what is needed to deny this project or move it to another site that is appropriate, safe, and the least intrusive site possible. Thank you for your time.

The city has an ordinance 14.44.190(C) that allows cell towers to be put up at a site only if there are no other places that are technically feasible. The creamery is not the least intrusive or the only site technically feasible.

In Verizon's new alternate site analysis it shows 8 sites and goes on to cite Petaluma city code as a way to rule out sites that do not work for them, and cite Petaluma city code that make it work for the creamery. Again picking and choosing which city codes to use or discard. The city has these strong ordinances in place to protect the city and citizens and its time to use them.

They list the creamery at the "least intrusive & most feasible" site on this document. The creamery is a historic site that is surrounded by thousands of residences, over 5 schools, churches, had its wastewater permit revoked after 34 fines, Is NOT compliant with its toxic & flammable ammonia system and had its CUPA permit denied, is NOT compliant with its boilers & emissions, has had 2 fires in 6 months, and has constant complaints with truck idling, and is NOT compliant in it noise measurements. This site is the exact opposite of least intrusive by definition.

There are many sites in both of Verizons old & new alternate site analysis that can work instead of the creamery, are less intrusive, and technically feasible! Especially as Verizon is starting to try and use city code you the city have the power to use it as well to make the right decision and move this tower somewhere else, and you have other ways to deny the project outright. Just because they state that the creamery is the most feasible and least intrusive to them doesn't make it true. That is for the city to decide.

The city has everything that they need to deny this project on no gap in service, safety issues, non compliance, & loss of property value. The easiest thing that the city can do is simply move this cell tower to a place that needs service, will not effect people or houses, and is in a place that is actually needs cell service. Thank you for your time.

July 28, 2020

My name is Scott Springhorn, a resident of Petaluma. I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

Petaluma can **LOCALLY REGULATE** the maximum allowed Effective Radiated Power (ERP) from wireless infrastructures in Petaluma.

Few realize that all that is needed is 0.1 Watts of ERP for telecommunications service . . . the ability to place a wireless phone call.

Tonight, Petaluma West VHP is proposing the Ordinance VHP. in order to protect public safety and preserve the quiet enjoyment of streets.

For wireless antennas:

- **V** stands for vertical distance off the ground.

- **H** stands for horizontal-distance -- how many feet away from homes

- **P** stands for power. The maximum possible Effective Radiated Power which the antenna can output -- right off the antenna spec sheet.

If the City doesn't regulate all three as a set V, H and P, the city will have achieved nothing effective.

A workable VHP recipe for years has been :

1. **Vertical:** antenna is about 200 feet from the ground

2. **Horizontal:** antennas is 2500+ feet from homes, schools

3. **Power:** Petaluma can LOCALLY CAP the maximum allowed Effective Radiated Power from wireless infrastructures in Petaluma.

We are placing tonight into the Petaluma public record evidence from Sacramento, CA from a Verizon 4G Small Cell with an Amphenol antenna -- the same company who makes many antennas for the WTFs in Santa Rosa.

I will read the following account from Noah Davidson in Sacramento:

> "We hired certified Building Biologist Eric Windheim to take measurements in and around our home. The 4G readings inside my nieces’ bedroom were some of the highest he had ever measured indoors, 50,000 average microwatts per square meter; significantly higher than

typical macro cell antenna exposure. It is no surprise to me now that my nieces (and other family members) started experiencing health problems (headaches, nosebleeds, inability to sleep, flu symptoms — all well-documented symptoms of microwave radiation sickness) soon after the antenna was installed and powered on. Eric helped us to install shielding in the home -- at a cost of $10,000 -- and suggested we move the children into a back room away from the antenna. About a week after taking these steps, their symptoms went away."

Don't let this happen in Petaluma. Consider placing Ordinance VHP on the agenda for August

I have expressed no matter of mere concern but solely matters of substance, fact and law. I accept your oath of office

Signed this 28th day of July, 2020

Scott Springhorn

I attest and affirm that the following statements are true, accurate, and within my personal knowledge. I have spoken publicly many times about the critical need for

- **A.** a Wireless Antenna Need Test conducted by a professional engineer and
- **B.** a 12-month report of anonymous Verizon wireless call logs

. . . for the three-mile area around the Petaluma Creamery.

We have been told many times by the m-group that they working on it, but, so far . . . nothing has been accomplished.

The current tolling agreement for this project extends the deadline for a final decision to January 29, 2021. This date may seem far away, but it is not.

1. Nov: Historical & Cultural Preservation Committee for its advisory statement
2. Dec: Planning Commission for a decision
3. Jan: City Council for appeal of Planning Commission decision

The m-group, therefore, must order drive test asap.

The m-group also told us that there has been no new submittals from the applicants. Therefore, it is safe to conclude that the applicants are sticking with their original plans and **not respecting** our local Municipal code which calls for them to **scale their project back** from a maximum of 500,000+ Watts ERP to 1,500 Watts ERP. That decision by Verizon et al. is setting up a real fight — which could land the City in court.

The applicants are not being respectful neighbors, but are only interested in their bottom line at the expense of the public safety, privacy and property values of Petaluma residents in the surrounding area.

This is nuts, because **there is no need** for additional telecommunications service in this part of town. Petaluma residents proved this already by placing data in the public record showing that there is **No Significant Gap in Verizon telecommunications service** in the three-mile radius surrounding the Creamery. The City, however, needs a professional engineer to conduct the wireless signal strength drive test so the City has the data to make a finding that will stand up in court. There are no excuses for delaying this drive test any longer.

Verizon is also unwilling to voluntarily provide the requested anonymized call logs to show the percentages of completed vs. dropped Verizon calls in a three-mile radius of the Petaluma creamery. **Unless the City demands these records, it is safe to assume Verizon will not provide them**. This is easy data for Verizon to provide.

Not providing this data is bad faith on Verizon's part, which is in addition to

1. Applicants have still not submitted a new proposal to address the new minor facility status
2. They are not up to compliance with its ammonia cooling system,
3. They are out of compliance with the bay area air quality management district,
4. They are hiding information requested by the City.

I ask again to ensure that the City council gives direction to the the m-group to order the drive test and require Verizon to submit the call logs.

By doing so, the City is doing the best it can to protect itself from a law suit.

I have expressed no matter of mere concern but solely matters of substance, fact and law.

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

On Dec 8, most likely, the HCPC and the Planning Commission will conduct a joint meeting to make a decision that may -- forever -- ruin the quiet enjoyment of streets and that of many homes in Southwest Petaluma.

Your decision to approve or deny a 16-antenna farm on the roof of the Petaluma Creamery must be solely based on the substantial written evidence in the record .

One problem right now is the record is full of false and misleading information.

The key to the future of our neighborhoods is to equip the HCPC members and the Planning Commission members with the information to do the following:

1. **Spot and disregard fraudulent information** in the City of Petaluma record -- there is a lot of false and misleading statements there right now from the applicants.

2. **Please Be disciplined when making the findings** that will support your decision. Unfortunately if you roam into very common-sense conversations in your deliberation, then that can taint reasoning for the findings -- a mistake that Wireless cos. often exploit to overturn your decision in court.

3. **Support your findings** with the local values as expressed in your General Plan and existing Municipal Code. There is no reason to shy away from your code, you have every right to defend it. Your current local Muni code needs no tweaking.

4. **Make a solid six or seven findings** so any one of them can carry the day.

Other speakers tonight will concentrate on one finding that you can make to say no to this unnecessary and dangerous Wireless Telecommunications Facility.

In short this Creamery Rooftop Antenna Farm project is a mess. It is clearly not what is best for our community.

You can learn **How to say No** from several top Telecom expert attorneys on a **Video Conference call on Wed. Nov 4 that we are hosting from 6:00 to 7:00 pm** -- specifically for you. We will invite each of you to attend. For those that cannot make the 4th. we will host a make up session on Wed Nov 11, also from 6:00 to 7:00 pm.

This would count as an ex parte educational communication not unlike the many ex parte communcations from the applicants which has occurred from June 2019 through May 2020, the month the public first learned about this project.

The details are at <https://unsafetatanyg.com/training>

Please take advantage of this opportunity. Thank you for your time.

The city of Petaluma currently has good ordinances that outline very specifically how wireless facilities can operate in the city limits. These ordinances help to ensure public safety, privacy, and property values.

Why is it that the wireless industries do not have to comply with these ordinances? In the proposed major 16 antenna project on top of the Petaluma creamery the applicant is picking and choosing which city ordinances it will and will not follow.

Per Section 14.44.190(C) of PMC, states “no telecommunication facility shall be installed unless a finding is made that no other location is technically feasible.” Another great ordinance set in place to make sure that wireless facilities are not put in the wrong place. The Petaluma creamery is the wrong place for this project. It is a one block historical light industrial property that is surrounded by miles of residential and historic areas. NOT APPROPRIATE.

The applicant did an alternate site analysis showing other places that this proposed project could go. 11 places were said to be “alternatives” to the creamery. Most of them were schools & businesses that were too small and had no chance of ever being a “feasible” place. This list needs to be updated to have real alternate spots for this project to go that are the least intrusive to this city and its residents.

There were multiple places that were on the list that was feasible and appropriate. Yet they use words like “cramped”, “difficult” and “does not meet our goal”. These places are “feasible” in every sense of the word. Especially as multiple other carriers are on that same site. Another “feasible” site that was in the search ring was not described as what was wrong with it; only an incomplete sentence was written.

The city must ensure that this ordinance as well as the other ordinances that the city has worked hard to build for its citizens and businesses be upheld to everyone! If the applicant will not comply with these ordinances, then the city has the right to hold them accountable or to not do business with them. Thank you for your time.

It should also be said that there is still zero evidence in the public record that shows there is an actual need for this cell tower which the city can still deny this application for not doing so.

(3 min Version)
Yesterday the M-group notified the public that they will conduct a drive test in the next few weeks. This is excellent news and this is evidence that will go into the public record to show that there is no significant gap in service and no need for the proposed cell tower on top of the Petaluma Creamery. Great job to the city for getting this done!

Tonight we just found out that the tolling agreement will be pushed out for the 6th time in over 17 months and will push this project to March 2nd, which is a length of almost 2 years.

In this same email the city stated that the reason for the extension is for the drive test to conclude and for the applicant to provide additional information requested by the city. Please make this time count!

The city has asked for more information because it was not given to the city even when asked for. The applicant is not giving information on purpose to keep pushing out this process to their advantage. The longer this goes on the easier it is for them to address all of these continuous issues.

The reason that the applicant wants more time is again they are still out of compliance for their ammonia cooling system, out of compliance with BAAQMD, and other safety & operational issues. They are still not giving the city the information that it has asked for many times as well as not complying with multiple city codes. Last week the creamery was even cited by the fire department. The applicant wants more time to try and fix all of the issues and they still have not done so in almost 17 months. This project still continues to be a mess!

If the city is really interested in getting all of the information that is needed then please show the city and its residents who count on you that you will come through with all of the following.

Get the raw drive test data into the public record as as soon as possible. Please require the call logs that you have been asking for over 3 months into the public record as soon as possible. This evidence is just as vital as the drive test you just ordered. Require the applicant to improve and actually produce an honest alternate site analysis. The project at the creamery is not the least intrusive site available and there are alternate spots that are available. Getting all of this done and into the record gives time for all city staff to know what is really going on and gives them what they need to know to make the right decision.

You now have even more time to get all of the data you want and is needed, and this town and its residents are counting on you to get this done in order for the right decisions to be made. Please make this time count!

Thank you for your time

Verizon is continuing to act in bad faith with the city of Petaluma. The city has been asking Verizon to produce the 12 month call logs for the 3 mile radius around the creamery for over 3 months now. Verizon has refused to give up this information.

They have now stated that they WILL NOT hand over this vital data. This data, which can be generated in a matter of minutes, is completely free, and shows exactly the level of good service that lives in a 3 mile radius around the creamery. They refuse to give this information as it would show that there is no significant gap in verizon telecommunication service. This would mean that there is no need for this tower and this application would be denied. This refusal of data by verizon is not acceptable and continues to show that they are acting in bad faith and doing whatever they want to not comply with the city and its ordinances.

What is even more unsettling is that if you go on to verizon's main website and go to the national coverage map and type in 611 Western Ave, which is the address to the creamery, you will see they are showing that there is full 5G nationwide and 4GLTE coverage in ALL of Petaluma. How can they say there is FULL service on their business website, but then submit completely different information to the city that there is not this service? The answer is that there is no gap in service anywhere in Petaluma, especially around the creamery.

These call logs can show this and that is why the applicant will not provide it. Those of you who can and will make decisions about this project cannot allow an outside company to provide inaccurate information, bad faith, and zero evidence to do business here in Petaluma. Thank you for your time.

Last Monday, At 7:05 a resident was making a public comment to the city council about the current fire danger of the creamery. At the exact same time that this neighbor was speaking a fire actually broke out at the Petaluma Creamery again! In the exact same building as June and again there was no alarm that sounded. The fire department has now required the creamery to install an alarm system. This is another issue that the creamery has to now become compliant in. These two fires started in the boiler room which is under where the proposed cell tower would be put up, and close to the building that houses the toxic, flammable, and out of compliance ammonia cooling system. This facility continues to be a safety hazard to the creamery, its employees, and to this neighborhood. In addition to this liability & safety issue Verizon continues to act in bad faith.

The city has asked Verizon to produce the 12 month call logs around the creamery for over 3 and half months now. Verizon has refused to give up this information. They have now stated that they WILL NOT hand over this vital data, which can be generated in a matter of minutes, is completely free, and shows exactly the level of good service that lives around the creamery. Why are they refusing to give this information? The reason is that this data would show that there is no significant gap in verizon service which would mean that there is no need for this tower and this application would be denied.

What is even more unsettling is that if you go on to verizon's main website and go to the national coverage map and type in 611 Western Ave, which is the address to the creamery, you will see they are showing that there is full 5G nationwide and 4GLTE coverage in ALL of Petaluma. How can they say there is FULL service on their business site, but then submit completely different information to the city that there is not this service? The answer is that there is no gap in service anywhere in the Petaluma area, especially around the creamery. These call logs can prove this and that is why Verizon will not provide it.

This commission who makes decisions about this project cannot allow an outside company to provide inaccurate information, bad faith, and zero evidence to do business here in Petaluma. Please hold the creamery and Verizon accountable. Thank you for your time & have a great holiday season.

During the last city council meeting a resident was making a public comment about the current fire danger of the creamery. At the exact same time that this neighbor was speaking a fire actually broke out at the Creamery again! In the exact same building as June and again there was no alarm that sounded. Both fires started in the boiler room which is under where the proposed cell tower would be put up, and close to the building that houses the toxic, flammable, and out of compliance ammonia cooling system.

Not only does this proposed project site continue to light on fire, it has continual acts of bad faith, out of compliance with many safety & hazard issues, not following multiple city ordinances, new citations from fire department, idling trucks, wastewater fines, unpaid fines to city and other agencies, and the list goes on and on.

The city can make one easy decision to deny or just move this proposed major wireless project to another appropriate place where cell service is actually needed and that is not near thousands of residential properties. The city needs to do the right thing and take action on this site and project now. Thank you for your time.

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

The Petaluma Creamery has already already been recognized as a historic site at the national and state levels.

In the State Historic Preservation Office (SHPO) materials that were given to Petaluma planning department by Terracon, a consulting firm hired by the applicant, in June of 2019 there are two letters from SHPO.

In both of these letters, Julianne Polanco the head State Historic Preservation Officer states that the Petaluma Creamery is eligible for the National Historical Register under criteria A & C. Properties determined eligible for listing in the National Register (NR) or the California Register (CR) will have status codes assigned to them based on going through a Federal Section 106 NHPA process.

California has assigned a Historical Resource Status Codes 2S2 to the Petaluma Creamery at 611 Western Ave, in Petaluma: an individual property determined eligible for the National Register by a consensus as a result of completing a Federal Section 106 process.

A consensus determination occurs when a federal agency makes a determination under Section 106 for an undertaking determining that a historic property is eligible for the National Register, and SHPO concurs with that (hence consensus). This property is automatically listed in the California Register through this process.

Based on the Petaluma Creamery being eligible for the National Registry and that it is automatically listed on the California Registry means that it has been automatically determined as a historic site.

Per the City of Petaluma municipal code 14.44.020 (S.4.I) it defines a Minor telecommunication as minor IF THE “telecommunication facilities are on a structure recognized as a historic landmark.”

I emphasize the term **recognized** is distinct and separate from the term **designated** --

Per the Petaluma municipal code, this project should immediately go back to its original status, meaning it must no longer be treated as a major wireless facility and must return to its initial designation as a minor wireless facility. This is solely based on a plain language reading of the Petaluma Municipal Code.

In addition, based on the City of Petaluma Historical and Cultural preservation committees municipal code 15.040 (A) states that “landmarks shall be defined as buildings or sites listed on

the state office of historic preservation's directory of historic properties", this property is recognized at the state level as historic.

This means that the HCPC should now have the opportunity to also recognize this as a local historical site and now have oversight that comes already outlined in the Petaluma Municipal Code.

I have expressed no matter of mere concern but solely matters of substance, fact and law.

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

The proposed Petaluma Creamery 16 antenna major wireless facility project started back in May of 2019. That is over 15 months in which this has been an active project here in Petaluma.

Verizon, in their application stated that they did a drive test that showed that there was a gap in service for the area that is surrounding the Petaluma creamery. The data from this “gap in service” test that they have done is NOT in the application, nor in any part of the public record. That also means that our citizens, planning department, and planning commission does not have all of the relevant independent information to make the most fair and best decision for the city of Petaluma and its residents.

The importance of this test is vital to show if there is an actual need to have a cell tower in this residential heavy area. In addition, the size and scope of the project does not have to be as big as proposed for just improving cell service. Furthermore, it now can now only be a minor facility because of its historical status by the state of California.

The West Petaluma neighborhood was told about this proposal in late May 2020, one year after the original start of this project. The West Petaluma neighborhood has asked many times via email, phone call, and virtual meetings with the M group & planning department to do an independent “gap in coverage” drive test for everyone to have the data available to make the right decisions based on what is shown. The planning department has not asked for the data from Verizon nor asked for an independent drive test to this date.

The neighborhood has put into public records and have spoken at previous planning commission meetings and city council meetings about the need for an independent drive test as well as how the city can legally ask Verizon to pay for this test FREE of cost for the city. Again to my knowledge them-group & planning department has not done this.

We are again asking, especially as now the tolling agreement has been pushed again to January 29th, 2021 to have this drive test done so that the HCPC, the planning commission, and the city council can have the real independent data that shows a need for this project or not. The planning commission can also ask the M -group & planning department to help you so that you have all of the correct information so that when you are asked to make a decision on this project you have what is needed to make a decision that is right and legal for your city of Petaluma. Please order this test immediately

Thank you for your time.

Scott Springhorn

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

We are back, talking about that unnecessarily large cellular antenna farm planned for the roof of the Petaluma Creamery: 16 six-foot tall antennas that can pump out over 500,000 Watts of Effective Radiated Power . . .

That much power deployed in a neighborhood is a weapon system because cell towers that can output that much power are **NOT** for telecommunications services they are for wireless services that have **nothing** to do with making wireless phone calls which is the **only wireless service** for which Verizon or any other Wireless carrier has preemption over local authority.

You must understand that with the passage of **The 2012 Spectrum Act** . . . which was all of 150 words slipped into the Middle Class Relief Act, the FCC wrote hundreds of pages of regulations to implement these 150 words. This is when the FCC dreamed up shot clocks, a figment of the FCC's imagination.

The legislative intent of the 1996 TelecommunicatIons Act was to not give preferential treatment to the personal wireless service industry in the processing of cell tower applications.

In the 1996-TCA Conference Report, which was recognized in 2005 by the US Supreme Court as Federal Law, it says . . .

> "Decisions are to be rendered in a reasonable period of time, taking into account the nature and scope of each request. If a request for placement of a personal wireless service facility involves a zoning **variance or a public hearing or comment process, t**he time period for rendering a decision will be the usual period under such circumstances.
>
> **It is not the intent of this provision** to give preferential treatment to the personal wireless service industry in the processing of requests, or to subject their requests to any but the generally applicable time frames for zoning decision."

Other speakers will enlighten you about the 24/7 surveillance and crowd control features that 500,000 Watts of Effective Radiated Power can deploy in residential neighborhoods services that are completely able to squash our inalienable and constitutional rights to privacy and safety in our own homes and communities.

I have expressed no matter of mere concern but solely matters of substance, fact and law.

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

I am a realtor and I have lived Western Ave. for ten years and am raising a wonderful family here. I am here to defend my home and talk to you about the Verizon Antenna Farm, that is being proposed for the roof at the Petaluma Creamery.

This means that just 75 feet above our homes at the edge of each corner of the flat roof, Verizon is installing **four six-foot tall antennas**. These are major league macro tower antennas. We have looked at the antenna specs. **As a group of 16 total macro tower antennas**, they have the capability to output over **525,000 Watts** of Effective Radiated Power. That's a lot of power.

Since these antennas are designed to have a 3dB override, this means the antennas can actually output over **1 million Watts of ERP**. That's overkill in every sense of the word.

Do we need these antennas just 75 to 100 feet from homes? Well, of course, we do not because there is already substantial written evidence in the public record that proves there is **no significant gap** in telecommunications coverage.

As a realtor, I know I am going to see a 20% to 30% drop in the value of my home if this project is approved. That's many millions of dollars when you consider all the houses affected. That's a taking of resident property and a giving to a multi-billion Wireless Co..

Towns and Cities around the country are taking important steps to better balance the needs of it residents (natural persons) and the needs these Wireless companies (artificial persons). That's what we need to do here.

We don't have to forever change the character of our residential neighborhood just to bend to the whims of Verizon. All we need is for the Planning Dept to order an industry standard drive test that will accurately measure carrier-specific signal strength in dBm for every frequency. By putting that data in the public record we can make objective decisions about how much, if any, additional Effective Radiated Power we are willing to add to any neighborhood that needs it for Telecommunications service..

Monterey hired an independent RF engineer to do such a Drive Test. He found no significant gap in coverage outside of homes for Telecommunications service. In a March 15, 2018 Planning Commission meeting, the Monterey Planning commissioners carefully listened to the results of the Drive Test, listened to public comments, and asked good questions. The commissioners overruled staff and voted 7-0 to deny Verizon’s application for a Wireless Telecommunications Facility in the Monte Vista neighborhood of Monterey.

We are hereby asking that the Planning Dept. order a Drive Test conducted by a neutral third party to give us the objective data that we need.

I have expressed no matter of mere concern but solely matters of substance, fact and law.

Shad Clooney

By law, Verizon must only install in the least intrusive location - yet in their application, Verizon dismissed all other listed locations -- all of them substantially less-intrusive than the Creamery residential neighborhood. Dismissed them without providing substantive reasons. Verizon just says they don't like the less intrusive locations.

Why? Profitability.

The fact is the Creamery location is cheap for Verizon. That's because the other, less-intrusive locations carry infrastructure expenses such as putting in a road; laying wire to connect to the electric grid; grading the lot; and constructing a tower for the antennae. Industry standard expenses Verizon would rather not pay.

Our City has the legal right to deny Verizon's application and tell them to put it in a less intrusive location. Further, the law protects cities from any bullying from telecom carriers - if carriers try to sue cities they are NOT entitled to recover any expenses. Even if a carrier were to win, the sole cost to cities would be their own expense.

This Verizon application has taught us we need a stronger wireless ordinance -- for example an ordinance with application requiring proof that there is a gap in their service -- such as the Drive Test and Call Logs that citizens have been talking about.

The #1 People's wireless attorney in the US is Andrew Campanelli. He has a track record of protecting the rights of people and municipalities from the wireless industrial complex. He offers full city code review and bullet-proof wireless ordinance writing for less than $10,000. Neighbors and myself ask the City to hire Mr Campanelli to ensure our city has the very best protection -- of the peaceful enjoyment of our streets, our public safety, and our property values.

This is an opportunity for our City -- Because any one of us -- City Council members, staff, and citizens alike -- could wake up one morning , look out our window and discover a microwave-blasting antennae has been installed just outside our bedroom window.

Thank you.

This project is not about coverage. It’s about setting a precedent with one facility. Claiming a facility is just 4G is meaningless because legally they could increase it to 5G, 6G… Any G! As long as there’s no change in size of equipment. Also, once this gets in, other carriers can follow --- each with their own facilities, collectively cross-blasting 5G, 6G, any G -- of radiated power over and through our homes, schools and businesses.

To stop this, the City will have to see through the routine of false and vague assertions made by both the applicant and M Group's Telecommunications consultant. They will try to obfuscate the difference between relevant coverage issue and irrelevant capacity issue.

The City can only do this by requiring the applicant to prove 2 things.

1) Prove that Verizon suffers from a gap in coverage -- not capacity

- The best and safest way to handle this is requiring “probitive evidence” that there is a gap in coverage. That is done by requiring a drive test with complete data set submission-not a summary of the data.

- This is important because the applicant will come in with propagation maps, which are typically bogus. Without the data behind the maps, the City will not know if the propagation map is worth the paper it is written on.

- Andrew Campanelli, the number one Telecom Attorney in the US, who has litigated more than 7,000 cases over the last 27 years, winning about 80% of them, advises: "The first thing a town should say to a wireless applicant is "Do you have a coverage gap in telecommunications service? Do a drive test. There must be hard data to show if there is in fact a gap in coverage.”

2) Prove that installing facility in a residential neighborhood atop the historic Creamery is a) the least intrusive means of remedying that gap and b) there is no possible less intrusive alternative location

It all comes down to making the applicant prove these two points. But further, it must be done with "substantial written evidence" in the public record. Only if the applicant can prove those two things, would Petaluma have to issue the permit.

So, if we don’t force applicant to prove those 2 things, we would be forced to approve facility — even if it violates our zoning code -- and the City would be riddled with these unproven-safe 5G, 6G, 10G radiated power facilities.

Finally, how do we prove? City must make this finding:

“The substantial written evidence in the record proves there is no significant gap in Verizon telecommunications service, Therefore, the applicants have not proven that there is a need for any of these antennas at this Petaluma Creamery location.”

I have expressed no matter of mere concern but solely matters of substance, fact and law.

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

A Drive Test is the best way to stop Petaluma from losing it's 9th Circuit Court-protected right to deny Verizon's Major Wireless Facility.

Only with a Drive Test's COMPLETE and VERIFIABLE data can Applicant force City to install this Facility. They know that, which is why they don't want to do it. City has the legal right to REQUIRE proof that there is an ACTUAL NEED for this Facility.

Verizon submitting its biased, doctored coverage maps and analyses is NOT COMPLETE and VERIFIABLE data and is not to be trusted.

Drive Test data is CRUCIAL -- to ALLOW the City to be able to make the SPECIFIC WRITTEN FINDING to STOP this Facility. Only this data will constitute
-->"substantial written evidence"

that will allow the City to make the Finding:
-->"The substantial written evidence in the record proves there is no significant gap in Verizon telecommunications service, Therefore, the applicants have not proven that there is a need for any of these antennas at this Petaluma Creamery location."

The Public has been demanding a Drive Test for months -- and we still have no confirmation a Drive Test will be done.

M-Group has been processing the Application for over 16 months, but STILL has not ordered a Drive Test to collect COMPLETE and VERIFIABLE data.

A Drive Test is crucial for the City to be able to deny the Verizon Wireless Facility application. Citizens are again tonight demanding a Drive Test.

I have expressed no matter of mere concern but solely matters of substance, fact and law.

The Verizon Major Wireless Facility is about Profit at the expense of People. It is about lease revenue and Verizon's high-profit business plan -- to deploy major Wireless infrastructure within our City.

It is about getting this facility installed … and then turning up the signal.

It's not about 4G because legally, once installed, its power output can be increased without City approval or even them telling the City as long as size of equipment follows FCC Order 20-153, which says, once facility is installed, Local Governments are Obligated to Approve Modification Requests including Under Section 6409(a) of the Spectrum Act of 2012 (WT Docket No. 19-250; RM-11849)" --> https://docs.fcc.gov/public/attachments/FCC-20-153A1.pdf]

Allow existing antennas to be modified to be 10% higher, up to 20 feet higher, whichever is greater

Allows the addition of four or more additional ancillary equipment cabinets with no cumulative limitation

The fact is Applicant will not have to get another permit to go 5G. The upgrade will be a purely administrative process.

Further, The FCC does not keep track of individual antennas on towers.

From the FCC: "Only towers above 200 feet tall are required to be registered with the FCC. However, even some that are that height or taller are not registered because the tower owners haven't provided the info to the FCC."

Also, FCC DOES NOT actually check the towers [after] additional antennas have been added to ensure the guidelines are being met.

From the FCC: "No, it is the licensee's responsibility to take into account the fields that are already existing before they add their antennas to the tower."

Source: https://anticelltowerlawyers.com/links/government-related-informat.html

To stop this, the City must not trust the Applicant or Verizon -- or any of their consultants, and certainly not Telecom Law Firm, which the City apparently hired (yet that's not quite confirmed). Telecom Law Firm is renown for misguiding cities out of their wireless ordinances.

Watch the 2018 Monterey Planning Commission meeting of how it was citizens -- not city staff, uncovered the misguidance and untruths of the Applicant and Telecom Law Firm: https://mystreetmychoice.com/monterey.html
Read why City of Malibu replaced Telecom Law Firm after citizens uncovered misguidance and untruths of Telecom Law Firm: https://scientists4wiredtech.com/mccollough-memo/

Do not trust parties with a vested interest in getting this installation approved.

I have expressed no matter of mere concern but solely matters of substance, fact and law.

Petaluma real estate brokers and agents are informing residents that the Verizon wireless facility at the Creamery will cause up to 20% loss of property values for homes and businesses near the Creamery per national data analysis. Such is the case that homeowners are required to disclose that they live near a cell tower when they go to sell their houses.

The data-analysis-proven truth is no one wants to live or do business near a wireless facility.

Further, consider that 20% lower property values, in turn, lower property tax revenue for a city.

Consider what that means for our City's budget -- each year now and for generations to come and what that impact will look like when CalPERS obligations come to full maturity.

Terrifyingly, the Downtown Petaluma residents and business owners are now, with this proposed facility, put in a situation where their lives are being impacted, their property values and livelihoods and taken. Taken -- because they have no choice.

And, pardon me, it must be stated that the Creamery is a complete mess and a not-good neighbor.

It is out of compliance with its toxic & flammable ammonia cooling systems and air quality. Fires break out there regularly, the most recent just a few weeks ago.

I recently learned the International Firefighters Association will not allow cell facilities on any fire houses. How can our City even consider placing cell towers on top of this flimsy corrugated metal tower and dimpled roof, directly over tanks of ammonia?

This wireless facility must not be allowed to financially benefit one individual, while costing thousands of current and future citizens so dearly.

This wireless facility must be moved (somewhere else more appropriate and less intrusive) to a site away from homes and businesses.

Thank you for your time.

The proposed 16 antenna major cell tower on top of the Petaluma creamery will cause a loss of property values for thousands of people near the Petaluma creamery which will in turn cause the city of Petaluma to lose millions of dollars each year.

Local real estate brokers and agents have been writing letters to the city of Petaluma to let them know that there will be a significant loss of property value and lack of buyers to buy these homes in the area around the Petaluma creamery. These are professionals that are stating real evidence of this fact happening.

According to these brokers, agents, and many studies that are published that there is a loss of up to 20% on property values to these houses near cell towers. All of these people who live here are now put in a situation where their lives and livelihoods are being changed and they have no choice with this issue. Home owners are required to ….. When they go to sell their houses.

This would mean a loss to new residents to Petaluma, loss of potential new business, and progress for this city. Every house that sells for below what it is actually worth due to living near a cell tower will also mean that the city loses this property tax money. At a time when our city's budget is already experiencing cuts, imagine what this will do to a budget when the city is losing out on these incoming funds each year.

It should also be stated that this proposed project at the creamery is a complete mess. In addition to this project causing loss of property values, it is out of compliance with its toxic & flammable ammonia cooling system, out of compliance with BAAQMD, applicant continues to not act in bad faith, and most importantly there is no need for this tower.

The city has many options in order to protect the city's public safety, privacy, and property values. This proposed project can be moved to a more appropriate site where cell service is actually needed as well as far enough away from residential properties.

This project is a choice by one individual who will gain from this while thousands of citizens, businesses, and city programs and projects will be affected now and for generations to come. Make the right and best decisions to continue to do what is best for this city and its residents. Thank you for your time.

Two weeks ago the city of Petaluma sent a letter to the owner of the Petaluma creamery revoking its wastewater permit. Great job to the city for taking action against a site that needs to be brought into compliance with this as well as numerous other safety issues.

As of today the creamery still owes the city over 1.4 million dollars for non payment of bills and over 30 violations. These violations arise from the creamery constantly not following city or environmental codes. Violations have ranged from too much grease, oil, and other chemical particulate limits being reached, not monitoring its PH levels, and letting out too much wastewater. Multiple times the violations were for letting out more wastewater than allowed for 30 times in a calendar month. There were a total of 34 violations in 2019 & 2020 alone.

The creamery has repeatedly shown over the last 15 plus years that it is not going to follow the rules and keep Petaluma safe. In addition to holding this the city needs to deny the 16 antenna major wireless facility. With all of the existing issues at this site the city has everything it needs to deny the wireless project and get the creamery into compliance. Thank you for your time.

In their new revised project statement Verizon NOW tries to state that there is a significant gap which they use the word 11 times, try to say facility is the least intrusive, and use terms like visual and environment impact to disqualify other sites that would work.

For over 18 months Verizon has not been following city codes, side stepping tasks, and acting in bad faith. In new documents that Verizon has re submitting they now site over 10 times how what they are following city codes. They are now citing city codes that help them and still do not comply with city codes that do not help them. They are picking and choosing city codes that work for them. This bad faith has continued over the last 18 months.

What is the most puzzling is that in these new documents they are stating that alternate sites are not feasible due to visual & Environmental impacts and that the creamery site IS the most feasible and least intrusive.

So a historic site that is surrounded by thousands of residences, over 5 schools, churches, had its wastewater permit revoked after 34 fines, Is NOT compliant with its toxic & flammable ammonia system and had its CUPA permit denied, is NOT compliant with its boilers & emissions for over 13 years, has had 2 fires in 6 months, fire permit issues, and has constant complaints with truck idling, and is NOT compliant in it noise. This site is a liability, safety, and environmental issues by definition.

Verizon has now changed the visual plan of the tower. Before they had a 10 foot screen planned so you can not see anything. Now they have changed it to a 1 foot screen and you can see all equipment in full view 360 degrees. Again this is apparently not a visual issue but they again say it is better then the other places.

The city has everything that they need to deny this project on no gap in service, safety issues, non compliance, & loss of property value. Also the easiest thing that the city can do is simply move this cell tower to a place that needs service, will not effect people or houses, and is a place that is actually safe. Thank you for your time.

Last week another fire occurred at the Petaluma Creamery. This was the 2nd fire in the past 6 months in the same location -the boiler room- located in the same building the proposed Cell tower would be placed. With both of these fires - No Alarm was triggered.
The circumstances of these fires demonstrate that the Creamery is a high risk facility which places our neighborhood in jeopardy, and not a safe location for a Cell Tower.
The potential danger from a Cell Tower fire could become a catastrophic accident; where lives and homes are put in harm's way.
The owner of the Creamery has not demonstrated good faith in the upkeep of his facility, he has not shown he can be trusted with the responsibility and liability of having a cell tower on his building. These recent fires show the danger in choosing the Creamery site and the potential harm which could occur.
The Creamery does Not meet the stipulation for being the 'least intrusive location' for a cell tower. A large Cell Tower does not belong in the middle of our neighborhood, with homes, daycare centers, churches and open space nearby.
The Cell Tower application should be denied. The Creamery is a high fire risk facility and absolutely the wrong place for a large Cell Tower.

Thank you city of Petaluma for commissioning a firm to conduct a drive test to measure the level of telecommunications service in a 3 mile radius around the Petaluma Creamery.
We've been told that CTC consultants have completed the drive test, and now it's very important to place the results into the public record.
These results MUST include the Raw Data which shows the actual service levels measured, and it's critical that the city and public have the opportunity to review these findings.
This ensures that regardless of whatever information the consultants present, that it's the actual Raw Data which drives the truth.
Verizon has stated that there is a need for greater capacity but this term is not legally viable and is not in the 1996 TCA.
The Raw Data will show what is important, that there is no significant gap in Verizon telecommunications service within a 3 mile radius of the Creamery.
On Verizon's website, their coverage map shows 'No Significant Gap' in coverage within a 3 mile radius of the Creamery.
The basis of need for a Cell Tower on top of the Creamery is unfounded.
We're asking the City to immediately put the 'Raw Data' into the public record.
Thank you for your time.

The 1996 Telecommunications Act is the Law for wireless communications.
In paragraph A it states that local governments have the power to regulate the placement of wireless facilities. The goal is to have smart planning provisions to achieve 3 objectives simultaneously:
1) To allow wireless carriers to saturate a municipality with COVERAGE.
2) To minimize the number of towers to provide that COVERAGE.
3) To avoid or prevent the irresponsible placement of facilities which would adversely impact residential neighborhoods and individual homes.
It's most important to recognize that the law talks about COVERAGE specifically. And COVERAGE is defined as 'the ability to make a cell phone call' and that's it.
Verizon has suggested there is a need for a cell tower at the Creamery location based on a gap in wireless service in the surrounding area. It is their legal burden to prove that there is a gap in coverage, and that it is 'a significant gap with dropped calls'.
If this can't be proved then there are legal grounds for denying their application.
Verizon's maps show that wireless coverage is adequate for phone calls in the targeted area.
The city's responsibility is to base their decision on factual determination. The applicant has the legal burden to prove that there is a significant gap in coverage.
If this can't be proved, then the city has the legal power to deny this application.
It's also important to understand that 'threats of litigation are hollow' meaning that if applicant sues in court and wins,the town doesn't have to pay them a penny.

I've obtained this legal information from Andrew Campanelli, a leading litigation lawyer for wireless communication cases. He's handled cell tower law for 2 decades and the past 7 years has lectured local governments about the 1996 TCA.
Thank you

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

Here, once again, is the most important finding the Planning Commission can make.

FINDING: **The substantial written evidence in the record proves there is no significant gap in Verizon telecommunications service and no need for the antennas at the Petaluma creamery.**

The burden of proof is on the applicant to prove that there is a NEED for these cellular antennas by proving there is a significant gap in Verizon telecommunications service, which is simply the ability to make an outdoor call in the target area.

This is often done by measuring frequency/band specific signal strength in deciBel-milliWatts, aka dBm. If you have anything in the range of -85 to -125 dBm, then that's sufficient to make an outdoor wireless phone call and no telecommunications gap exists. There is nothing in the 1996-TCA which requires in-building or in-vehicle wireless phone calls. Nothing about wireless broadband. Only making wireless phone calls. That is it. That's the test.

The applicant has provided **no verifiable data at all** to establish that there is a significant gap in Verizon Wireless telecommunications service in the target area.

One cannot accept the applicants' RF propagation maps as substantial evidence because the data behind these maps has **not** been placed in the public record for any third party -- **including the public** -- to verify. That makes these maps nothing more than a comic book . . . light entertainment but, not substantial written evidence.

At the bottom of these applicants' fictional RF maps, it states

> “confidential & proprietary materials for authorized Verizon personnel and outside agencies only”.

That says it all. Not substantial, verifiable evidence. Not placing verifiable data in the public record is an act of bad faith on the applicant's part, which is another finding that can be used to deny the application.

I have expressed no matter of mere concern but solely matters of substance, fact and law.

The proposed 16 antenna farm on top of the Petaluma creamery will quickly become a 5g tower. Citizens of Petaluma have been asking the city to clarify if this tower will be 5G and how this process happens.

The tower is going to be 4G and if the applicant wants to move to 5G then they will have to apply for a new permit. Doest this permit come from the planning department? Does city staff have a say in this? Does the community have a say in this? These are all questions that need to be answered immediately.

If this tower goes up then the city does not have any control what happens after that. The applicant legally can upgrade their towers each year. And yes they will be upgrading to 5G as soon as they possibly can.

In emails from the city to the public and even city officials they have been stating that this tower will not be 5G and that the applicant has said they have an understanding with the city to get a permit if or/when they go to 5G. Again this is not correct.

The applicant is already not abiding by many city codes, is not giving the city the information that it is asking for, and has acted in bad faith over and over again. So why would this agreement be any different. Also this is not about an agreement, it is about following city codes and local authorities rules and regulations. Thank you for your time.

The city of Petaluma has made the right decision for this town and its residents by ordering a drive test that will measure the level of telecommunications service in a 3 mile radius around the Petaluma Creamery. With that said it is very important that once this test is completed the “raw data” needs to be put in the public record as soon as possible. The city has hired CTC consultants to do this drive test. Most likely they will provide a report of what they found but the raw data MUST also be put in the record as well to show what was actually found so that everyone can see.

This raw data shows the actual service level that was found. That way the city and the public have a chance to view this data. It also ensures that no matter what consultants may say or try to show that the data actually drives the truth. There is no reason to not put this information as soon as it is available in the public record.

Verizon has stated that there is a need for capacity. This term and idea is not legally viable and is nowhere in the 1996 TCA and no matter what Verizon says about capacity and its needs or goals. That is why we must have the raw data to show the only thing that is important is that there is no significant gap in verizon telecommunications service within a 3 mile radius of the Petaluma Creamery.

We have been told that the drive test has been completed already. We ask the city to put this raw drive test data in the public record as soon as possible so that we all may look at it now. Thank you for your time.

CTC which is the consultants that the city has hired to do the drive for the city that will show there is no significant gap in verizon phone service. This company has already completed this test. The city is now waiting for them to present their report and give the data from this test.

Neighbors have asked the city to get the "raw data" from this test ASAP and put it in the record so everyone can see what the test showed now. There is no need to wait for the report and then look at the data. By doing this now it ensures that all city staff and our citizens can look at the true data.

CTC will put in a report and no matter what they say on that report the data will show the real story. We have asked the city to get this drive test "raw data" from CTC last week and we are still waiting to hear from them. There is no reason that this ask from its citizens cannot be taken care of right away. This data is public information and needs to be put in public record now. It the city wants to be transparent and know the truth then this needs to be done now.

In addition, we ask the city to take action against the creamery and the mess that this project continues to be after 18 months. Deny this project and move it to a more appropriate place away from residential areas. Thank you for your time.

Bendix, Brittany

From: Taryn Obaid <taryn_obaid@hotmail.com>
Sent: Friday, January 15, 2021 12:49 PM
To: Flynn, Peggy; Bendix, Brittany
Cc: D'Lynda Fischer; -- City Clerk
Subject: opportunity to turn verizon project into City benefit

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
[City Clerk, please forward this email to All City Council Members, Planning Commissioners, and HCPC members. Thank you.]

I'm sure you recall this neighborhood "pitch" from several public meetings, but I just wanted to repeat it...

City can turn this Verizon project into a benefit for City. The City could capture revenue and get a public road built "for free" if we make the tower go up at Dana Ridge.

We could also have them make the tower look like a old water tower (like photo that accompanied recent Argus article) or a tree, like that tower that's on the east side of the freeway near San Antonio Creek.

A win-win solution.

Thank you,
Taryn

Violation/Issue	Description or Link
Bay Area Air Quality Management District	https://www.baaqmd.gov/~/media/files/board-of-directors/hearing-board/final-orders/2017/20170419_spring_hill_jersey_cheese_inc-pdf.pdf?la=vi-vn
Bay Area Air Quality Management District	https://www.baaqmd.gov/permits/public-notices/page-resources/table-data/2020/030320-29733/petaluma-creamery
Bay Area Air Quality Management District	https://www.baaqmd.gov/~/media/files/board-of-directors/hearing-board/final-orders/2018/20180122_spring_hill_jersey_cheese_inc-pdf.pdf?la=en
Bay Area Air Quality Management District	https://www.baaqmd.gov/~/media/files/board-of-directors/hearing-board/final-orders/2018/20180122_spring_hill_jersey_cheese_inc-pdf.pdf?la=en
Bay Area Air Quality Management District	See history of reports to BAAQMD re: incidents of odor issues and dust/particles related to the Creamery at the corner of English and Upham Streets. Most recent complaints for both odor and flotom
SF Bay Area Regional Water Quality Control Board - Stormwater Discharge Vi	https://www.waterboards.ca.gov/northcoast/board_info/board_meetings/11_2014/pdf/shjc/ProsecutionCaseInChief.pdf
SF Bay Area Regional Water Quality Control Board - Stormwater Discharge Vi	https://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2020/February/SpringHill/Spring_Hill_Jersey_Cheese_R2-2020-1019.pdf
Fire Onsite - June 19, 2020 (third in as many years)	No supporting documentation, but Fire Department did respond. Neighbhors all reported that no alarm sounded which is concern given the fire took place in the building where amonia is stored - which happens to be the building on which the Cell Towers are proposed. The Creamery facility sustained a major fire in 1975 which if would occur today, with the hazardous waste now being used, would be devasting to the surrounding neighborhood - not just residences, but two pre-schools at the Synagogue and at Elim Church, Petaluma high school with 1400 students+faculty/staff, and 3 houses of worship.
Fire and Hazardous Waste Risk	As part of the CUPA program, the Operations are required to complete a Process Hazard Analysis (PHA) every 5 years. The Creamery is currently not in compliance with all the adjustments/repairs/modications identified in the PHA.
Fire Hazard	The Creamery Operator often has large amounts of debris that clearly appears to be a fire risk in various locations on site
History of failure to address noise violations.	Letter of 11/05/2014 from Joe Garcia to the Petaluma Creamery with mitigation requirements was never addresssed, at least to the knowledge of the neighbhors - and certainly the significant noise issues have continued in the subsequent years.
History of failure to address noise violations.	Issues identified in noise survey of March 6, 2015 have yet to be addressed, at leat to the knowledge of the neighbors - and certainly the significant noise issues have continued in the subsequent years.
History of failure to address noise violations.	The cooling towers are currently (Spring/Summer of 2020) causing the neighbhors great distress. The Creamery Operator has verbally confirmed that one of the cooling towers generates up to 80 decibles, although it's the low vibration noise that is causing the neighbhors even more grief. The Creamery Operator has indicated that the cost of the Cooling Tower repair is too significant to warrant a fix.
History of idling trucks	The Creamery Operator has indicated that it's not their responsibility to monitor idling trucks onsite, and have directed neighbors to report idling trucks to the Police Department. On occasion, the neighbhors will call the Police Department when it's particularly eggrgious - idling for more than 2 hours, or between the hours of midnight and 5am. However, in most cases, we prefer not to distract our police department from their important work.
History of non-payment of fees and fines to City of Petaluma	https://www.pressdemocrat.com/article/news/petaluma-creamery-owes-city-hall-604000/
OSHA Violation	https://www.osha.gov/pls/imis/establishment.inspection_detail?id=316439009
National Labor Relations Board Violations	https://www.nlrb.gov/case/20-CA-080629 https://www.nlrb.gov/case/20-CA-080495 https://www.nlrb.gov/case/20-RC-077725 https://casetext.com/case/natures-one-inc-v-spring-hill-jersey-cheese-inc-2
Air Quality - Summer 2020 per Purple Air	Sensor at Creamery showing elavated air quality issues on Purple Air, even when the rest of West Petaluma shows good Air quality.
Organic Dairy Scorecard - Poor Ranking	https://www.cornucopia.org/scorecard/dairy/ https://www.mamavation.com/food/organic-milk-best-and-worst-organic-dairies.html
Legal Issues	
Lawsuit that mentions milk being delivered to the Creamery from Texas	https://casetext.com/case/natures-one-inc-v-spring-hill-jersey-cheese-inc-2
Federal Failure to Appear for Deposition.	https://www.govinfo.gov/content/pkg/USCOURTS-ohsd-2_15-cv-02820/pdf/USCOURTS-ohsd-2_15-cv-02820-2.pdf

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Thursday, January 21, 2021 3:16 PM
To: Hines, Heather; Flynn, Peggy; Bendix, Brittany
Cc: Scott Springhorn; Taryn Obaid; Rose, Kendall; -- City Clerk
Subject: When will Public Comments be Posted for File No. PLUP-19-0004 project 16-Antenna Creamery Wireless Telecommunications Facility?

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
January 21, 2021

To:
Ms. Heather Hines, m-Group (Contractor)
City of Petaluma
11 English Street
Petaluma, CA 94952
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

To:
Ms. Brittany Bendix, m-Group (Contractor)
Ms. Peggy Flynn, Petaluma City Manager

cc:
Ms. Kendall Rose
Ms. Samantha Pascoe
Petaluma VHP Members

[City Clerk Kendall Rose, will you please add this email/letter to the Petaluma Public record for File No. PLUP-19-0004 a WTF antenna farm that has the capability of outputting 2,372,480 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA (see https://unsafeatanyg.com/petaluma/creamery)? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

When will Public Comments be Posted for File No. PLUP-19-0004 project 16-Antenna Creamery Wireless Telecommunications Facility?

It is now **Thu Jan 21, 2021 at 3:15 pm** and all we see at https://petaluma.granicus.com/MetaViewer.php?view_id=31&event_id=44976&meta_id=478917 is the following:

CITY OF PETALUMA, CALIFORNIA
MEMORANDUM

Planning Division, 11 English Street, Petaluma, CA 94952
(707) 778-4470 *Fax (707) 778-4498* *E-mail: petalumaplanning@cityofpetaluma.*

DATE: January 21, 2021

TO: Planning Commission/HCPC

FROM: Evelyn Ellis, Planning Analyst

SUBJECT: Verizon Wireless Facility at Petaluma Creamery Building– Item 5A, Attachment O

The meeting materials for Item 5A, Attachment O – Public Comments is still being compilate and will be uploaded later today. Please let me know if you have any questions. Thank you.

>>> Paul McGavin wrote on 1/21/2021 8:54 AM:

January 21, 2021

To:
Ms. Heather Hines, m-Group (Contractor)
City of Petaluma
11 English Street
Petaluma, CA 94952
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

To:
Ms. Brittany Bendix, m-Group (Contractor)
Ms. Peggy Flynn, Petaluma City Manager

Dear Ms. Hines,

The Jan 26, 2021 Petaluma Planning Commission agenda and packet is posted . . . but seems to be **missing a link to the staff report** for the Petaluma Creamery WTF.

Where do I find a link to the staff report for Project Nos: PLMA-20-0003; PLUP-19-0004?

- **Agenda** --> https://petaluma.granicus.com/GeneratedAgendaViewer.php?view_id=31&event_id=44976

- **Zoom Link** --> https://zoom.us/j/93745161422

- **Tips for Attending** a Virtual Meeting: https://cityofpetaluma.org/tips-for-attending-a-virtual-meeting/

- 5.A OLD BUSINESS: **Verizon Wireless Facility at Petaluma Creamery Building**– Conditional Use Permit (CUP) and Historic Site Plan and Architectural Review (Historic SPAR) for the proposed installation of a minor telecommunications facility consisting of sixteen (16) total panel antennas contained within four (4) seven-foot tall radomes and associated supporting equipment mounted on the roof of the existing building at the Petaluma Creamery, a local historic landmark | Staff: Brittany Bendix, Deputy Planning Manager | Location: 611 Western Avenue | **Project Nos:** PLMA-20-0003; PLUP-19-0004

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Thursday, January 21, 2021 3:02 PM
To: Hines, Heather; Bendix, Brittany; Ellis, Evelyn; Flynn, Peggy; Brian Barnacle; Fischer, D'Lynda; Healy, Mike; King, Dave; McDonnell, Kevin; Dennis Pocekay; Heidi Bauer; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart
Cc: Danly, Eric; Rose, Kendall; -- City Clerk; Mark Pollock
Subject: Continued Violation of California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 re: File No. PLUP-19-0004 project 16-Antenna Creamery Wireless Telecommunications Facility -- FINAL NOTICE
Attachments: 2021-0121-9-10-am-Agenda-w-links-only-to-gas-station-land-use.pdf; 2021-0121-11-00-am-Agenda-w-links-now-added for-Verizon Creamery-WTF-application.pdf

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
January 21, 2021

To:
Ms. Heather Hines, m-Group (Contractor)
City of Petaluma
11 English Street
Petaluma, CA 94952
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

To:
Ms. Brittany Bendix, m-Group (Contractor)
Ms. Peggy Flynn, Petaluma City Manager
Ms. Evelyn Ellis <eellis@cityofpetaluma.org>

To City of Petaluma Council Members:
Brian Barnacle Council Member
D'Lynda Fischer, Vice Mayor
Mike Healy, Council Member
Dave King, Council Member
Kevin McDonnell, Council Member
Dennis Pocekay, Council Member

To: City of Petaluma Planning Commissioners
Heidi Bauer, Planning Commissioner
Sandi Potter, Planning Commissioner
Richard Marzo, Planning Commissioner
Blake Hooper, Planning Commissioner
Scott Alonso, Planning Commissioner

To: City of Petaluma HCPC Members
Christopher Caputo, HCPC Chair
Kit Schlich, HCPC Vice Chair
Terry Kosewic, HCPC Member

John Perlis, HCPC Member
Bill Rinehart, HCPC Member

cc:
Mr. Eric Danly, City Attorney
Ms. Kendall Rose, City Clerk
Samantha Pascoe, Deputy City Clerk
Attorney Mark Pollock
Petaluma VHP Members

Re: Continued violation of California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 re: File No. PLUP-19-0004 project 16-Antenna Creamery Wireless Telecommunications Facility -- FINAL NOTICE

Dear Ms. Hines,

[City Clerk Kendall Rose, will you please add this email/letter to the Petaluma Public record for File No. PLUP-19-0004 a WTF antenna farm that has the capability of outputting 2,372,480 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA (see https://unsafeatanyg.com/petaluma/creamery)? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

It looks like Petaluma City staff and contractors fixed the incomplete June 26, 2020 Planning Commissin agenda **sometime after 9:00 am, but before 11:00 am on Thu Jan 21, 2020**. We will now do our Quality Assurance on this set of documents.

This is the FINAL NOTICE to **cease and desist from illegally blocking the public** from being able to complete our QA on the paper records at City Hall re: File No. PLUP-19-0004 project 16-Antenna Creamery Wireless Telecommunications Facility. Blocking our access to this inspection from 9/23/2020 to Jan 21/2021 evidences a willful plan to hide information from the public, which is a violation of California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 re: File No. PLUP-19-0004 project 16-Antenna Creamery Wireless Telecommunications Facility.

When will the City of Petaluma **stop blocking the public's right to inspect** the paper files stored at Petaluma City Hall for completeness? We still have a need -- **and a right** -- to inspect these documents in person (just as we already did on June 12, 2020 and Aug 4, 2020).

Will you please respond to set a a90-minute immediate records inspection of the contents of the public record for the Petaluma Creamery project; we need to know what has made it into the public record through 1/21/2021 and to determine if what has been placed online is complete or not.

Thank you.

Evidence for the public record (attached):
The current agenda for the Jan 26, 2021 Planning Commission meeting is here --> https://petaluma.granicus.com/GeneratedAgendaViewer.php?view_id=31&event_id=44976

- I viewed the attached at the link, above, **on Jan 21, 2021 at 9:00 am** --> 2021-0121-9-15am-Agenda-w-links-only-to-gas-station-land-use.pdf (**see evidence attached**)

- I viewed the attached , above, **on Jan 21, 2021 at 11:00 am** --> 2021-0121-11-00am-Agenda-w-links-now-added for-Verizon Creamery-WTF-application.pdf (**see evidence attached**)

>>> Hines, Heather wrote on 1/21/2021 9:57 AM:

Mr. McGavin,

If you go to the granicus link to the agenda there is a live link to the staff report for the item. I just verified that it is there and correctly linked to the staff report for next week's consideration of the Verizon WTF.
Your comment letter of today will be added to the agenda item as late mail and posted on Granicus as such.

Heather

Heather Hines
Planning Manager
City of Petaluma

>>> Paul McGavin wrote on 1/21/2021 8:54 AM:

January 21, 2021

To:
Ms. Heather Hines, m-Group (Contractor)
City of Petaluma
11 English Street
Petaluma, CA 94952
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

To:
Ms. Brittany Bendix, m-Group (Contractor)
Ms. Peggy Flynn, Petaluma City Manager

Dear Ms. Hines,

The Jan 26, 2021 Petaluma Planning Commission agenda and packet is posted . . . but seems to be **missing a link to the staff report** for the Petaluma Creamery WTF.

Where do I find a link to the staff report for Project Nos: PLMA-20-0003; PLUP-19-0004?

- **Agenda** --> https://petaluma.granicus.com/GeneratedAgendaViewer.php?view_id=31&event_id=44976
- **Zoom Link** --> https://zoom.us/j/93745161422
- **Tips for Attending** a Virtual Meeting: https://cityofpetaluma.org/tips-for-attending-a-virtual-meeting/
- 5.A OLD BUSINESS: **Verizon Wireless Facility at Petaluma Creamery Building**– Conditional Use Permit (CUP) and Historic Site Plan and Architectural Review (Historic SPAR) for the proposed installation of a minor telecommunications facility consisting of sixteen (16) total panel antennas contained within four (4) seven-foot tall radomes and associated supporting equipment mounted on the roof of the existing building at the Petaluma Creamery, a local historic landmark |

Staff: Brittany Bendix, Deputy Planning Manager | Location: 611 Western Avenue | **Project Nos:** PLMA-20-0003; PLUP-19-0004

>>> Paul McGavin wrote on 1/19/2021 3:00 PM:

January 19, 2021

To:
Mr. Eric Danly, City Attorney
City of Petaluma
11 English Street
Petaluma, CA 94952
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4362

To: Ms. Peggy Flynn, Petaluma City Manager
Ms. Heather Hines, m-Group (Contractor)
Ms. Brittany Bendix, m-Group (Contractor)

To City of Petaluma Council Members:
Brian Barnacle Council Member
D'Lynda Fischer, Vice Mayor
Mike Healy, Council Member
Dave King, Council Member
Kevin McDonnell, Council Member
Dennis Pocekay, Council Member

To: City of Petaluma Planning Commissioners
Heidi Bauer, Planning Commissioner
Sandi Potter, Planning Commissioner
Richard Marzo, Planning Commissioner
Blake Hooper, Planning Commissioner
Scott Alonso, Planning Commissioner

To: City of Petaluma HCPC Members
Christopher Caputo, HCPC Chair
Kit Schlich, HCPC Vice Chair
Terry Kosewic, HCPC Member
John Perlis, HCPC Member
Bill Rinehart, HCPC Member

cc:
Kendall Rose, City Clerk
Petaluma VHP Members

Re: Continued Violation of California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 re: File No. PLUP-19-0004 project 16-Antenna Creamery Wireless Telecommunications Facility

Dear Mr. Danly et al.

I am writing to inform you that you, Ms. Flynn, Ms. Hines and Ms. Bendix are in **continuing violation** of California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 ("CPRA") with my 9/23/2020 on-site of inspection of records request. The City of Petaluma has **blocked my request** — by not responding in any reasonable way — to allow me to perform on-site inspection and quality assurance on the packet for File No. PLUP-19-0004 project that will be distributed to the Planning Commission and the HCP Committee.

I need to ensure that all my previous correspondence on File No. PLUP-19-0004 project — which I generated at great cost and effort — will be included in the packet, as I have requested in paragraphs similar to the red paragraph above. I have received no assurance from any City staff member about this, despite many voicemails left for you, Ms. Flynn, Ms. Hines and Ms. Bendix.

>>> Paul McGavin wrote on 10/21/2020

October 21, 2020

Dear Mr. Danly,

>>> Danly, Eric wrote on 10/21/2020 7:37 PM: (emphases added)

[Petaluma Respondent],

I have nothing to add to my previous email to you. Please refer to that email and the email Ms. Green recently sent to you in response to the issues you have raised. Thank you.

Eric W. Danly

City Attorney, City of Petaluma

As you can read in Appendix A, Ms. Green promised on 10/14 that "**you [can] come to City Hall to inspect the file**." Therefore, we choose to hold the City of Petaluma to its earlier commitment, and reject your proposal for only the "the project file being assembled electronically [being] the entire project file,[that] we intend to transmit to you . . . electronically."

As I wrote to you earlier, we have solid reasons for choosing Ms. Green's earlier commitment for us to to inspect the files in person at Petaluma City Hall, **just as we did** on **June 12** and **August 4** (about 2.5 months ago):

We do not trust that the possible filtering of (and the needless extra work to digitize) the records will result in a complete record of everything that will be used as the basis for the HCPC members' and Planning Commissioners' deliberations on the Verizon PLMA-20-0003/PLUP-19-000 Project. It would be far more efficient for us to compare our previous database of photos of the records in the file to the actual paper files and then scan for new information, revision dates and anything else that we can see that has been added to the file, since we saw it last on August 4, 2020. Then we can take photos of only the most recent files. We are happy to receive digital files on a USB stick (as we did before) or via a cloud drive, in addition to the inspection of the paper files.

Tomorrow is Oct 22, 2020, which is only 9 business days from Nov 3, 2020 — the likely deadline to submit our analysis for inclusion in the packet that will go to the HCPC members Planning Commissioners for their deliberations on Nov 10, 2020. In short, we are running out of time and need this weekend to review the new file additions.

We recognize that many of the physical paper files are oversized pages; these pages reflect the applicant's construction plans for this project. We need to verify if the plans have been updated in any way in response to City of Petaluma requests, dating back to July, 2020.

We need to see **if any substantial written evidence** of NEPA review for the project **has been added** to the file, as **such evidence was missing on both June 12 and on August 4**.

We need to gather information about all vendors that the City of Petaluma had considered or is currently considering to hire for this project — regardless of contract status — including, but not limited to the following: drive test vendors, outside technical consultants, outside legal consultants and any other experts whose opinions the City of Petaluma is considering adding to the final record upon which the HCPC members' and Planning Commissioners' will rely for their deliberations on the Verizon PLMA-20-0003/PLUP-19-000 Project. The selection of these experts is very important and germane to our preparation and our ability to defend our homes and lives from this dangerous and unnecessary Verizon PLMA-20-0003/PLUP-19-000 Project.

We need to read in any Drive test vendor proposals the various methodologies considered and equipment to be used for the Drive tests that will establish dBm Signal Strength readings for Verizon's telecommunications frequencies/bands that Verizon has licensed for the three-mile radius of the Petaluma Creamery, as listed in Exhibit B. We cannot stand by and trust that the City of Petaluma staff or the m-grouip will get these details right. Too much depends on the methodology of this drive test.

Please note that we will also need a listing of all records that the City of Petaluma chooses to redact and the reason for the redaction. That means for every redacted record, we need to receive

Date of record | >From | To | Title | Reason for redaction

As I wrote earlier today, Mr. Danly . . . "Will you please return my call at 707-981-5522 today so we can schedule our requested and needed inspection of records for a 90-minute slot to start at a specified time between 9:00 am and 3:30 pm on Fri Oct 23, if not sooner?" This is our plan and we are asking for some cooperation from the City of Petaluma, because, the significant stonewalling and hiding of information from the public by the Petaluma City staff and the m-group from Aug 4, 2020 through Oct 21, 2020 has eroded any trust that may have existed at one point. As in all matters, trust is either earned or squandered.

I was disappointed today, Mr. Danly, that I did not receive a return call from you. Will you please call me tomorrow, so we can resolve this problem to the public's satisfaction?

There are many open issues in my 10/21/2020 email that you, the City of Petaluma staff and the m-group have not addressed . . . just as there are many unaddressed issues right here → https://www.unsafeatanyg.com/petaluma/creamery/#latest (about 26,000 words of relevant information, analysis and questions denoted by "Q:" , which makes it easy to search for the still-unaddressed questions).

Does your two-sentence reply, above, communicate . . .

a. that you have no information that can address these open issues or , more likely

,

b. that you have the information and are refusing to share it?

Perhaps, there is another scenario or two I am not listing , but it is very hard to believe that [a], above is true, so we are going to have to assume that [b] is much more likely.

That makes in-person inspection of the records all the more important.

Thank you.

—

Regards,

[Petaluma resident]

Appendix A: Key Emails re: Records Requests in Sept/Oct 2020

>>> [Petaluma resident] wrote to Heather Hines on 9/23/2020 12:24 PM:

I am reasonably requesting a return call today on Sept 23, 2020 from the m-group with a substantive update on the Petaluma Creamery project, including copies emailed to me of all evidence of all communications between the m-group/Petaluma city staff to following parties:

- The applicants of the Petaluma Creamery project (Complete Wireless, Verizon or others)
- Any wireless consultants the m-group or the city staff has communicated with in the last eight weeks in any wireless matter (any project or any wireless ordinance changes being considered)
- Any parties involved in getting substantial written evidence of Verizon wireless signal strength coverage or call records that can establish if a significant gap in telecommunications coverage exists in Petaluma in the three-mile radius surrounding the Petaluma Creamery.

>>> [Petaluma resident] wrote to Brittany Bendix on 9/23/2020 4:04 PM:

I will be laser focused on making the m-group and the applicants fully accountable to a proper planning process from this day forward. I am very detail-oriented. Let's hope that the information that we are seeking is given to us in a timely manner so we can commence this work as soon as possible.

We are demanding that our US Constitutional 14th amendment rights be respected here: equal protection under the law, which implies equal time and equal consideration as that given to the other stakeholders in this project. We will tolerate no "preferential treatment" given to the personal wireless service industry, as confirmed in Federal law.

The 1996-TCA Conference Report recognized by the US Supreme Court in a 2005 Ruling (Abrams v Palos Verdes) is the "law of the land" and it applies to the entire US. The Conference Report is accepted as the definitive source for the legislative intent of the 1996-TCA:

> "It is not the intent of this provision to give preferential treatment to the personal wireless service industry in the processing of requests, or to subject their requests to any but the generally applicable time frames for zoning decision."

You should also take careful note of the following in the 1996-TCA (see https://scientists4wiredtech.com/readinglaw/)

47 U.S. Code § 324 – Use of minimum power

> "In all circumstances, except in case of radio communications or signals relating to vessels in distress, all radio stations, including those owned and operated by the United States, shall use the minimum amount of power necessary to carry out the communication desired."

Finally, please let me know when can we schedule the following?

- A 60-Minute Zoom call between members of Petaluma for Wireless Safety and the m-group personnel (Heather Hines, Brittany Bendix and Justin Shiu — to ensure that all m-group personnel who are touching this project are avavilable to answer our questions (obviating the need to check with "a, b or c", who could not attend the meeting. We wish all three of you to be present for accountability reasons.

- A 90-minute immediate records inspection of the contents of the public record for the Petaluma Creamery project; we need to know what has made it into the public record through 9/23/2020 or whatever date we can schedule the inspection.

>>> Green, Jordan wrote on 10/14/2020 2:55 PM: (relevant quote with emphases added)

Dear [Petaluma Resident],

. . .

The City's Planning Department is working to make a hard copy of the file current. Once that file is complete, we will provide you with a few dates and times for you to come to City Hall to inspect the file. If you have any further PRA requests, please submit them through the City Clerk's Office at the following web address: https://cityofpetaluma.org/request-for-public-records/

. . .

Sincerely,

Jordan Green
Assistant City Attorney, City of Petaluma

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Thursday, January 21, 2021 9:16 AM
To: Hines, Heather; Bendix, Brittany; Flynn, Peggy; Brian Barnacle; Fischer, D'Lynda; Healy, Mike; McDonnell, Kevin; Dennis Pocekay; Heidi Bauer; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart
Cc: Rose, Kendall; -- City Clerk
Subject: Missing a link to the staff report for the Petaluma Creamery WTF as of 9:00 am on Jan 21, 2021
Attachments: 4G-5G-RF-EMR-Comment-FCC-No-19-226.pdf; 5G-SARS-CoV-2-Findings.pdf; The-Microwave-Delusion-Press-Release.pdf

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
January 21, 2021

To:
Ms. Heather Hines, m-Group (Contractor)
City of Petaluma
11 English Street
Petaluma, CA 94952
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

To:
Ms. Brittany Bendix, m-Group (Contractor)
Ms. Peggy Flynn, Petaluma City Manager

To City of Petaluma Council Members:
Brian Barnacle Council Member
D'Lynda Fischer, Vice Mayor
Mike Healy, Council Member
Dave King, Council Member
Kevin McDonnell, Council Member
Dennis Pocekay, Council Member

To: City of Petaluma Planning Commissioners
Heidi Bauer, Planning Commissioner
Sandi Potter, Planning Commissioner
Richard Marzo, Planning Commissioner
Blake Hooper, Planning Commissioner
Scott Alonso, Planning Commissioner

To: City of Petaluma HCPC Members
Christopher Caputo, HCPC Chair
Kit Schlich, HCPC Vice Chair
Terry Kosewic, HCPC Member
John Perlis, HCPC Member
Bill Rinehart, HCPC Member

cc:
Kendall Rose, City Clerk
Samantha Pascoe, Deputy City Clerk
Petaluma VHP Members

[City Clerk Kendall Rose, will you please add this email/letter to the Petaluma Public record for File No. PLUP-19-0004 a WTF antenna farm that has the capability of outputting 2,372,480 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA (see https://unsafeatanyg.com/petaluma/creamery/#power)? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

Dear Ms. Hines et al.,

The following email and attachments arrived this morning, so I thought I would forward it along to you.

If there is still time, since the Jan 26, 2021 Petaluma Planning Commission agenda and packet is posted . . . but it seems to be **missing a link to the staff report** for the Petaluma Creamery WTF, perhaps you can include the following in the packet. If not, please read the email and attachments as they are **very relevant to approving or denying** unnecessary Wireless Telecommunications Facilities (WTFs), such as the Petaluma Creamery WTF.

I find no link to the staff report for Project Nos: PLMA-20-0003; PLUP-19-0004.

- **Agenda** --> https://petaluma.granicus.com/GeneratedAgendaViewer.php?view_id=31&event_id=44976
- **Zoom Link** --> https://zoom.us/j/93745161422
- **Tips for Attending** a Virtual Meeting: https://cityofpetaluma.org/tips-for-attending-a-virtual-meeting/
- 5.A OLD BUSINESS: **Verizon Wireless Facility at Petaluma Creamery Building**– Conditional Use Permit (CUP) and Historic Site Plan and Architectural Review (Historic SPAR) for the proposed installation of a minor telecommunications facility consisting of sixteen (16) total panel antennas contained within four (4) seven-foot tall radomes and associated supporting equipment mounted on the roof of the existing building at the Petaluma Creamery, a local historic landmark | Staff: Brittany Bendix, Deputy Planning Manager | Location: 611 Western Avenue | **Project Nos:** PLMA-20-0003; PLUP-19-0004

Please read the following 1/21/2021 email and attachments from Jonathon Mantle:

From: jonathan mantle jonathanmantle@hotmail.com
To: André Fauteux, Editor/Publisher La Maison du 21e siècle magazine
Subject: THE MICROWAVE DELUSION BOOK MEDIA RELEASE
Date: Jan 21 2021

Regarding the notion, often presented by industry and in the news media, that Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) at millimeter wavlengths (mmWaves) will not affect human health because they are entirely absorbed by skin, is **absolutely misleading**.

Skin is not just a "physiologically inert overcoat." Skin is involved in regulation of the immune response, cardiovascular functions, and neurological functions.

>>> From Call for Moratorium on Dense 4G/5G Deployment

> "E. W. Kellogg III" alef1@msn.com wrote :
>
> Hi André -

Actually, if you think about it, it becomes obvious that this notion involves not just one, but a number of fallacies. quite a number of fallacies, including the assumption that skin seems to be the only target.

See attached Filing I sent to the FCC on surface effects of 5G Docket No. 19-226.

See, below, some relevant excerpts.

Ed

First, while the skin does absorb a higher percentage of shorter pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) at millimeter wavlengths (mmWaves) than it does at longer RF-EMR wavelengths, **it does not eliminate exposure to deeper tissues**.

Even visible light - a much higher frequency - with wavelengths much much shorter than mmWave RF-EMR (10^{-3} meters) - 450 to 780 nanometers (10^{-9} meters) — **penetrates deeply**, as a flashlight held to ones palm in a very dark room - once your eyes have dark adapted!

This simply visibly demonstrates the facts when you look at the other side of your hand.

5G near-mmWaves and actual mmWaves (25,000 MHz to 100,000 MHz) do **penetrate all the way through**, but the deeper they go, the more attenuated they become. So, at what level of intensity does exposure become safe?

Industry lobbyists tacitly, covertly and falsely assume that safety occurs when mmWave RF-RF-EMR depoyed from satellites and so-called "small" Wireless Telecommunications Facilities (sWTFs) falls below the FCC RF thermal absorption limit of 1.6W/kg. This has proven to be nonsense, since the 1960's.

Industry lobbyists are pushing the **false idea** that RF-EMR is butterflys and magic and that the tissues of all living organisms in the path of RF-EMR **does not get exposed at all**. Animal studies have **proven** this false idea wrong time and time again.

These studies show that RF-EMR exposures less than 1/100,000th of the FCC General population RF-EMR exposure limit can cause leakage of the blood brain barrier and a host of other harmful biological effects. (See my "RF Health and Safety Research: 2018 Science Summary", pdf also filed, with additional references and links.)

Second, unsafe penetration and bioactivity depends not just on the frequency of the RF exposure, and on the intensity of RF exposure, but as **Panagopoulos pointed out in a 2019 comprehensive review** ("Comparing DNA damage induced by mobile telephony and other types of man-made electromagnetic fields" Mutation Research-Reviews in Mutation Research 781 (2019) 53–62), on the degree to which **RF carrier signals emit variable information moment to moment** — due to transforming and modulating the wave so it can carry digital data — which in turn makes the RF-EMR vary in waveform (very erratic) intensity, frequency, and puslation. This creates a toxic hellstew of electromagnetic power through the air.

4G and 5G will, as Panagopoulos documented in the review paper cited above, expose users to more harmful bio-active RF-EMR, given the higher variability and complexity of 5G signals due to the marked increase of information transmitted per unit time and the presence of multiple, simultaneous frequencies all at the same time. See an example of Verizon, AT&T, T-Mobile and Dish frequency licenses for just one city (Petaluma, CA) in the pdf attached [xxx.pdf].

Third, in focusing on the skin and the surface of the body for mmWave RF-EMR, both the Telecom industry AND many opposition advocates have somehow forgotten that the **body has HOLES through which mmWave RF-EMR, can enter**. Ear canals, nostrils, and of course the mouth.

As Dr. Joel Moskowitz (Director Center for Family and Community Health School of Public Health. at U.C. Berkeley) put it in a 2019 article in *Scientific American* "*We Have No Reason to Believe Dense 4G/5G Is Safe*.")

> "Millimeter waves are mostly absorbed within a few millimeters of human skin and in the surface layers of the cornea. Short-term exposure can have adverse physiological effects in the peripheral nervous system, the immune system and the cardiovascular system. The research suggests that long-term exposure may pose health risks to the skin (e.g., melanoma), the eyes (e.g., ocular melanoma) and the testes (e.g., sterility)."

I believe **Dr. Moskowitz underestimates the problem** and the human impact.

- First, exactly because millimeter waves "are mostly absorbed within a few millimeters of human skin and in the surface layers," these layers will **have much higher and more concentrated doses of RF radiation from 5G devices than they have ever gotten exposed to before**.
- Second, because the areas of the body which would have the highest exposure, and where mm RF would have its major biological impact, includes not just the sensory nerves in the skin, or the cornea of the eye, but the eardrum in the ear, and the sensory nerves in the nose and in the tongue.

In short, the areas that will have the greatest exposure to mmWave RF-EMR puts at risk a person's ability to see, to hear, to smell, to taste, and to touch.

Without setting exposure guidelines based on actual research, rather than on a scientifically disproven theory that at best only applied to longer waveforms and less penetrating RF-EMR, it seems plausible that long-term human exposure may well cause blindness, deafness, and peripheral neuropathies of all kinds. In short, impairment of almost all of the senses that make life worth living."

--
Regards,

Paul McGavin
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Thursday, January 21, 2021 8:55 AM
To: Hines, Heather; Flynn, Peggy; Bendix, Brittany
Cc: Scott Springhorn; Taryn Obaid
Subject: Jan 26, 2021 Petaluma Planning Commission agenda seems to be missing the staff report for the Petaluma Creamery WTF.

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
January 21, 2021

To:
Ms. Heather Hines, m-Group (Contractor)
City of Petaluma
11 English Street
Petaluma, CA 94952
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

To:
Ms. Brittany Bendix, m-Group (Contractor)
Ms. Peggy Flynn, Petaluma City Manager
Mr. Lee Afflerbach (Contractor)

Dear Ms. Hines,

The Jan 26, 2021 Petaluma Planning Commission agenda and packet is posted . . . but seems to be **missing a link to the staff report** for the Petaluma Creamery WTF.

Where do I find a link to the staff report for Project Nos: PLMA-20-0003; PLUP-19-0004?

- **Agenda** --> https://petaluma.granicus.com/GeneratedAgendaViewer.php?view_id=31&event_id=44976
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--
Regards,

Paul McGavin

My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Wednesday, January 20, 2021 1:32 PM
To: Hines, Heather; Lee Afflerbach; Flynn, Peggy; Bendix, Brittany; Brian Barnacle; Fischer, D'Lynda; Healy, Mike; Dave King; McDonnell, Kevin; Dennis Pocekay; Heidi Bauer; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart
Cc: Rose, Kendall; -- City Clerk; Scott Springhorn; Taryn Obaid
Subject: Will Petaluma City Staff Ever Address the Still Many Unaddressed Issues for Verizon Telecommunications Project: 611 Western Avenue — File No. PLUP-19-0004?

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
January 20, 2021

To:
Ms. Heather Hines, m-Group (Contractor)
City of Petaluma
11 English Street
Petaluma, CA 94952
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

To:
Ms. Peggy Flynn, Petaluma City Manager
Ms. Brittany Bendix, m-Group (Contractor)
Mr. Lee Afflerbach (Contractor)

To City of Petaluma Council Members:
Brian Barnacle Council Member
D'Lynda Fischer, Vice Mayor
Mike Healy, Council Member
Dave King, Council Member
Kevin McDonnell, Council Member
Dennis Pocekay, Council Member

To: City of Petaluma Planning Commissioners
Heidi Bauer, Planning Commissioner
Sandi Potter, Planning Commissioner
Richard Marzo, Planning Commissioner
Blake Hooper, Planning Commissioner
Scott Alonso, Planning Commissioner

To: City of Petaluma HCPC Members
Christopher Caputo, HCPC Chair
Kit Schlich, HCPC Vice Chair
Terry Kosewic, HCPC Member
John Perlis, HCPC Member
Bill Rinehart, HCPC Member

cc:

Kendall Rose, City Clerk
Samantha Pascoe, Deputy City Clerk
Petaluma VHP Members

Will Petaluma City Staff Ever Address the Still Many Unaddressed Issues for Verizon Telecommunications Project: 611 Western Avenue — File No. PLUP-19-0004?

Dear Ms. Hines et al.,

[City Clerk Kendall Rose, will you please add this email/letter to the Petaluma Public record for File No. PLUP-19-0004 a WTF antenna farm that has the capability of outputting 2,372,480 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA (see https://unsafeatanyg.com/petaluma/creamery/#power)? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

Thank you for your emails from June 19, quoted below, in Section B. Please let us know as soon as possible about correcting that **missing Professional Engineer's stamp** on the CTC Technology data and final report.

>>> [Petaluma resident] wrote to Peggy Flynn and Samantha Pascoe on 1/15/2021 12:32 PM:

> "Thanks for the drive test report. This report needs a Professional Engineer's stamp with the license credentials of the author. That is standard practice.
>
> Taxpayers paid for it, I see no reason why we should not demand our vendor conform with industry standard practice and stand behind his work.
>
> Please confirm that this vendor will stand behind their work by placing their professional stamp on it. Thank you very much."

In typical fashion, however, you, Ms. HInes have chosen to address **only one** issue in each email . . . leaving tens of critically important open issues **still unaddressed.** Why are you **still ignoring** the vast majority of open issues on this Verizon Telecommunications Project: 611 Western Avenue — File No. PLUP-19-0004?

Q: Is File No. PLUP-19-0004? even complete enough to proceed to the Planning Commission/HCP Committee?

Q: Is there substantial written evidence of National Environmental Policy Act (NEPA) review for the Verizon Telecommunications Project: 611 Western Avenue — File No. PLUP-19-0004? **Will you please email me the substantial written evidence that proves this?**

There are many other **unaddressed questions** easily found by searching for **"Q:"** on this web page --> https://www.unsafeatanyg.com/petaluma/creamery/#latest (the content of which is in the City of Petaluma public record).

Remember, Planning Commissioners and HCP Committee members, you **must base your decisions** on the Verizon Telecommunications Project: 611 Western Avenue — File No. PLUP-19-0004 **only upon substantial written evidence that has been placed in the public record**. You will find over 80 pages (calculated at 350 words per page) of such content from me alone. Ms. Hines has assured me that all of that content will be in your packet (see Section B, below).

Note: Read here --> https://scientists4wiredtech.com/action/nepa-strategies/ to learn what we have **already established with the FCC** on Dec 12, 2019, Feb 20, 2020 and October 19, 2020 regarding **NEPA compliance**:

Oct 19, 2020 comment by Ms. Garnet Hanly, Division Chief of the Competition & Infrastructure Policy Division, FCC Wireless Telecommunications Bureau:

> "The FCC when it modified its rules [Title 47, C.F.R. § 1.1312(e) by its October 2019 Order that became effective on Dec 5, 2019], after the DC Circuit issued its mandate [in its Ruling of Case No. 18-1129 Keetoowah v FCC] we [the

FCC] took the position that we were reviewing all Wireless Facilities as [Federal] undertakings and major Federal actions, pursuant to the DC Circuit decision and that is what we've been doing."

Feb 28, 2020 Conversation with FCC NEPA Attorney, Erica Rosenberg

> **At 0:25** –> Erica Rosenberg: "All Wireless Telecommunication Facilities applications need a NEPA review. **That is correct**."
> **At 1:00** –> Erica Rosenberg: "If one of those circumstances are met, then an Environmental Assessment is triggered. In other words, if the RF is above our limits, they need to do an Environmental Assessment."
> **At 6:00** –> Erica Rosenberg: "[When] it triggers an Environmental Assessment, that gets public review and notice and also people can file complaints and sometimes we can order more environmental processing."

Will you please also address the many other **still open issues** listed at the following links (**many open issues that you have ignored since July 2020**) ?- This is content which I sent in email form yesterday and which I have placed in the public record.

1. https://www.unsafeatanyg.com/petaluma/data/
2. https://www.unsafeatanyg.com/petaluma/creamery/#latest

A. Jan 19, 2021 Open Issues from CTC Technology Signal Strength Data Collection from Nov 17-18, 2020

From https://www.unsafeatanyg.com/petaluma/data/

Key Questions re: CTC Technology Methodology, dBm Readings and Verizon Signal Strength Analysis

1. Of the three columns of dBm data collected, why did CTC include only one of the three columns, the one with the **lowest** readings in the final report? (see data here) It is important to note that the difference between "Best Signal" and the data shown in the CTC report is very large, as you can clearly see here: **as much as 20,000 times different**.

2. Since the data shows that the CTC instruments used to measure dBm power levels of pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) **connected to only one** Wireless Telecommunications Facility (WTF) **— Tower ID 65535 | 2147483647 —** then which Verizon WTF was this, the one on the Petaluma Golf Course? **Will you please confirm**?

3. What was the specific methodology and equipment configuration used by CTC to collect this data and is there a photo of the meter set up, as we would expect in any professional RF-EMR signal strength analysis, as one can see here?

4. Where is the certificate of current calibration for the meters and antennas used, similar to certificates of calibration shown here?

5. **Why has Lee Afflerbach, a Professional Engineer (PE), omitted his PE stamp from this report?** A PE stamp on the data/report means that Mr. Afflerbach stands behind the data and conclusions of the report, which was the main benefit for having CTC Technology complete the work in the first place. May we please have Lee Afflerbach stamp this report with his PE seal to make the report the strongest written substantial evidence, possible? **If not, why not?**

6. Why is writing about any alleged download/upload speeds material to the deliberations about establishing if there is a significant gap in wireless telecommunications coverage?

7. What establishes wireless performance as the cause of any alleged download/upload slowdowns since the data travels on wirelines 95% of the way and wirelesss only for the last 5% of the way?

8. Why was this raw, unfiltered signal strength dBm data **willfully hidden from the public from Nov 19, 2020 through Jan 14, 2021 by Petaluma City Staff and CTC Technology**, in violation of a Dec 10, 2020 California Public Records Act request, requiring the Jan 14, 2021 letter from attorney Mark Pollock to the City of Petaluma?

>>> On Nov 3, 2020 Petaluma Resident wrote to Ms. Barrrett, Ms. Flynn, Mr. Danly, Mr. Afflerbach et al., **None** of which was addressed in a timely manner . . .

Here are the questions we would like Mr. Afflerbach to answer by no later than Nov 5, 2020 (Thank you).

From Nov 3, 2020 Email	The Result
1. When will the Drive Test start?	**Result**: Flynn wrote only on **Dec 3** that drive test data collection was **complete** — meaning the public had no input into the test methodology, which **barred** the public from participating and contributing to the best solution, one that could best serve the public interest.
2. What will be the methodology of the drive test?	**Result**: Nothing communicated in time; the details are **still** sketchy . . .
3. What equipment will the CTC use to collect and log the data?	**Result**: Despite Lee Afflerbach admitting to me that CTC technology owns a professional HP Spectrum Analyzer, CTC chose to use a consumer grade RF-Explorer — with no current antenna calibration — a choice which has significant impact on the quality of the data collected (see here).
4. Will CTC report its significant gap in Verizon telecommunications/coverage analysis in dBm? Is CTC doing some other analysis, which may not be necessary? If so, which other tests and why are those tests considered necessary?	**Result**: The public only learned on Jan 14, 2021 that CTC completed unnecessary upload/download analyses, which have **no bearing on** determining if a significant gap in wireless telecommunication coverage exists.
5. Will the CTC place the raw data of the Drive test into the public record?	**Result**: CTC did and there are problems with the data.
6. Is the City asking CTC for a written report?	**Result**: Despite asking for this data from Nov 3 through Jan 13, we only received the data on Jan 14,2021, which **robbed from the public and the City the valuable time needed to address the shortcomings in CTC Technology's work** on this project.
7. Will CTC communicate the format of the data **before** the test is ordered/conducted?	**Result**: No, nothing was communicated.
8. Will CTC agree that it does not have any medical or biological expertise and therefore will **refrain from making any claims about safety**, biological impacts or negative health consequences from pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR)?	**Result**: We will insist that any claims of safety made by CTC Technology, Hammett & Edison or Verizon be stricken from the record as **NONE** of these parties have the medical expertise to make any statements about safety. All these firms can claim is **compliance** with certain RF-EMR guidelines, **guidelines which do not insure public safety**.
9. Will CTC agree to only make assessments about compliance with the FCC RF-EMR Maximum Public Exposure Guideline? — since we all must recognize that compliance with the FCC RF-EMR MPE guideline **does not** and **cannot** insure pubic safety	**Result**: See preceding result.

Next, considering the information in **Appendix A:** *FCC Human Exposure to RF-EMR: Guidelines for Cellular Antenna Sites* which states the following:

The FCC permits an effective radiated power (ERP) of up to:

- **A: 500** Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP

The majority of cell sites in urban and suburban areas operate at:

- **B: 100** Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP
- An ERP of 100 watts **corresponds to** an actual radiated power of 5-10 watts.

In **URBAN AREAs**, cell sites commonly emit an ERP of 10 watts/channel or less.

- **C:** 10 Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP

We ask Lee Afflerbach to answer these questions by no later than Nov 5, 2020 (Thank you). **Result**: Nothing was addressed.

B. Jan 19, 2021 Emails from Heather Hines

>>> Hines, Heather wrote on 1/19/2021 9:31 PM:

> Mr. McGavin,
>
> Thank you for your voicemail of earlier today and the follow up email.
>
> I have sent an inquiry regarding the absence of the engineer's stamp on the final drive test report and will confirm as soon as I have more information.
>
> Heather
>
> Heather Hines
> Planning Manager
> City of Petaluma

>>> Hines, Heather wrote on 1/19/2021 9:20 PM:

> Mr. McGavin,
>
> Thank you for your voicemail of earlier today and the follow up email.
> I have sent an inquiry regarding the absence of the **[professional]** engineer's stamp on the final drive test report and will confirm as soon as I have more information.
>
> Heather
>
> Heather Hines
> Planning Manager

City of Petaluma

Thank you.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Tuesday, January 19, 2021 5:55 PM
To: Bendix, Brittany; Flynn, Peggy; Hines, Heather; Danly, Eric; Brian Barnacle; Fischer, D'Lynda; Mike Healy; King, Dave; McDonnell, Kevin; Dennis Pocekay; Heidi Bauer; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart
Cc: Rose, Kendall; -- City Clerk; Taryn Obaid; Scott Springhorn
Subject: Re: Full Data Set from CTC Technology, Collected Nov 17-18, 2020 for File No. PLUP-19-0004
Attachments: 2020-1118-CTC-Technology-Petaluma-Signal-Str-dBm.pdf; FCC-Wireless-Telecom-Licenses-Petaluma.pdf

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
January 19, 2021

To:
Ms. Brittany Bendix, m-Group (Contractor)
City of Petaluma
11 English Street
Petaluma, CA 94952
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4314

To:
Ms. Peggy Flynn, Petaluma City Manager
Ms. Heather Hines, m-Group (Contractor)
Mr. Eric Danly, City Attorney

To City of Petaluma Council Members:
Brian Barnacle Council Member
D'Lynda Fischer, Vice Mayor
Mike Healy, Council Member
Dave King, Council Member
Kevin McDonnell, Council Member
Dennis Pocekay, Council Member

To: City of Petaluma Planning Commissioners
Heidi Bauer, Planning Commissioner
Sandi Potter, Planning Commissioner
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Scott Alonso, Planning Commissioner

To: City of Petaluma HCPC Members
Christopher Caputo, HCPC Chair
Kit Schlich, HCPC Vice Chair
Terry Kosewic, HCPC Member
John Perlis, HCPC Member
Bill Rinehart, HCPC Member

cc:
Kendall Rose, City Clerk
Samantha Pascoe, Deputy City Clerk
Petaluma VHP Members

Re: Full Data Set from CTC Technology, Collected Nov 17-18, 2020 for File No. PLUP-19-0004

[City Clerk Kendall Rose, will you please add this email/letter to the Petaluma Public record for File No. PLUP-19-0004 a WTF antenna farm that has the capability of outputting 2,372,480 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA (see https://unsafeatanyg.com/petaluma/creamery/#power)? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

Dear Ms. Bendix,

Please add this email and its attachments and links to the Planning Commission/HCPC packet for File No. PLUP-19-0004 as in introduction to the data collected by CTC Technology (CTC). This data is more representative than the data published in the CTC report. It was aggregated from all of the spreadsheets that CTC provided showing **all three columns of dBm data** collected. See the pdf of aggregated dBm readings attached as **2020-1118-CTC-Technology-Petaluma-Signal-Str-dBm.pdf** and the current FCC Wireless Telecom Licenses as **FCC-Wireless-Telecom-Licenses-Petaluma.pdf**

It is extremely important for Lee Afflerbach of CTC Technology to stamp both the final data and the final report with this **Professional Engineer's stamp**. I spoke to Lee Afferbach today at 410-745-5958 and learned from him that his PE stamp is current and valid, but that the City of Petaluma did not ask him to stamp the report and data. I have **left two messages** for Mike Afferbach (Lee's son who conducted the test) at 252-349-1490, but received no returned calls.

Not requiring the PE stamp on the data/report is a large mistake by the City of Petaluma that must be corrected. The main reason for hiring CTC was to ensure that the data collected was blessed by a Professional Engineer's Stamp, in order to make this **substantial written evidence as strong as possible** -- which has the benefit of **warding off potential lawsuits** from Verizon. Hammett & Edison, on behalf of Verizon has stamped its report. CTC's report has no stamp. Let's fix that, OK? I left voicemail messages about this with you, Brittany, and with Ms. Hines, Ms. Flynn and Mr. Danly.

The following images and tables communicate important attributes of the data set of wireless Signal strength data collected by CTC Technology in Petaluma, CA on Nov 17-18, 2020.

From https://www.unsafeatanyg.com/petaluma/data/ , one can read the following:

A. Important Background: What's a dBm? Well . . . dBm means deciBel-milliWatt

- As explained in detail here, **dBm (deciBel-milliWatt)** is an abbreviation for the power ratio in decibels (dB) of the measured power referenced to one milliWatt (1 mW = 1/1,000 of a Watt). It is used in radio, microwave and fiber-optic communication networks as a convenient measure of absolute power because of its capability to express both very large and very small values in a short form.

- **Since 0 dBm is already a high level of electromagnetic power** though-the-air, dBm values sufficient for Wireless Telecommunications coverage are expressed as negative numbers (lower than 0 dBm). Cell phones work with electromagnetic power levels that range from **-125 dBm up to -85 dBm**, which yields "5-bars" of personal wireless services on virtually all cell phones. Anything higher than -85 dBm is **excessive** electromagnetic power that ruins the quiet enjoyment of streets.

- **Quiet enjoyment of streets** is local value that Cities can protect, per the California Supreme Court 2019 Ruling in T-Mobile v San Francisco: a local authority can limit electromagnetic power through-the-air to that which provides wireless telecommunications service — **and no higher**.

Verizon-dBm-in-Petalu...

Nov 17-18, 2020 Best Signal Strength Data (dBm) measured by CTC Technology & Energy

2 views

SHARE EDIT

Verizon-dBm-in-Petaluma.csv

- -90 - -84
- -83 - -81
- -78 - -77
- -76 - -75
- -72 - -71
- -70 - -69
- -68 - -64
- -63 - -61
- -60 - -59
- -57 - -56

B. Key Conclusions re: CTC Technology dBm Readings and Verizon Signal Strength Analysis

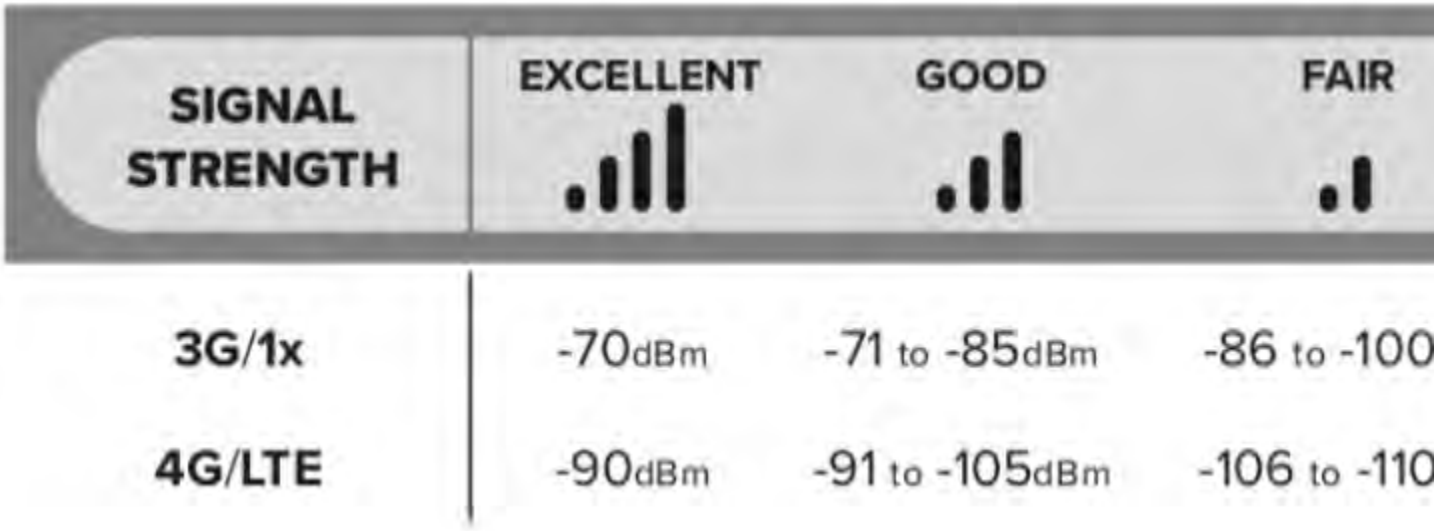
1. All substantial written evidence in the public record **proves that there is NO Significant Gap in Verizon Telecommunications coverage:** videos/slides showing Verizon calls were reliably made by Petaluma residents in target area, dBm measurements of Verizon specific frequencies/bands/channels by Petaluma residents and dBm measurements of Signal Strength by CTC Technology.

2. The burden of proof is on the applicant to prove there is a significant gap in wireless telecommunications service, but there is **NO substantial written evidence in the record** that proves such a gap in wireless telecommunications service exists.

3. **It is simply immaterial when Verizon writes** "*Verizon Wireless has identified a significant gap in its fourth-generation (4G) longterm evolution (LTE) service in the south Petaluma area*." because the only service for which Verizon has preemption of local authority is for **personal wireless service** (the ability to make wireless phone calls, outdoors).

4. As discussed here, Verizon has no federal preemption of local authority, once sufficient Verizon-specific telecommunications coverage is in place (**at least -125 dBm**), which is clearly the case is in the entire target area for this proposed WTF.

5. According to the *Best Signal* dBm data collected by CTC Technology Verizon LTE signal strength is between **-90 dBm to -57 dBm** throughout the target area. This is **Excellent signal.**



C. Key Questions re: CTC Technology Methodology, dBm Readings and Verizon Signal Strength Analysis

1. Of the three columns of dBm data collected, why did CTC include only one of the three columns, the one with the **lowest** readings in the final report? (see data here) It is important to note that the difference between "Best Signal" and the data shown in the CTC report is very large, as you can clearly see here: **as much as 20,000 times different**.

2. Since the data shows that the CTC instruments used to measure dBm power levels of pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) **connected to only one** Wireless Telecommunications Facility (WTF) **— Tower ID 65535 | 2147483647 —** then which Verizon WTF was this, the one on the Petaluma Golf Course? **Will you please confirm**?

3. What was the specific methodology and equipment configuration used by CTC to collect this data and is there a photo of the meter set up, as we would expect in any professional RF-EMR signal strength analysis, as one can see here?

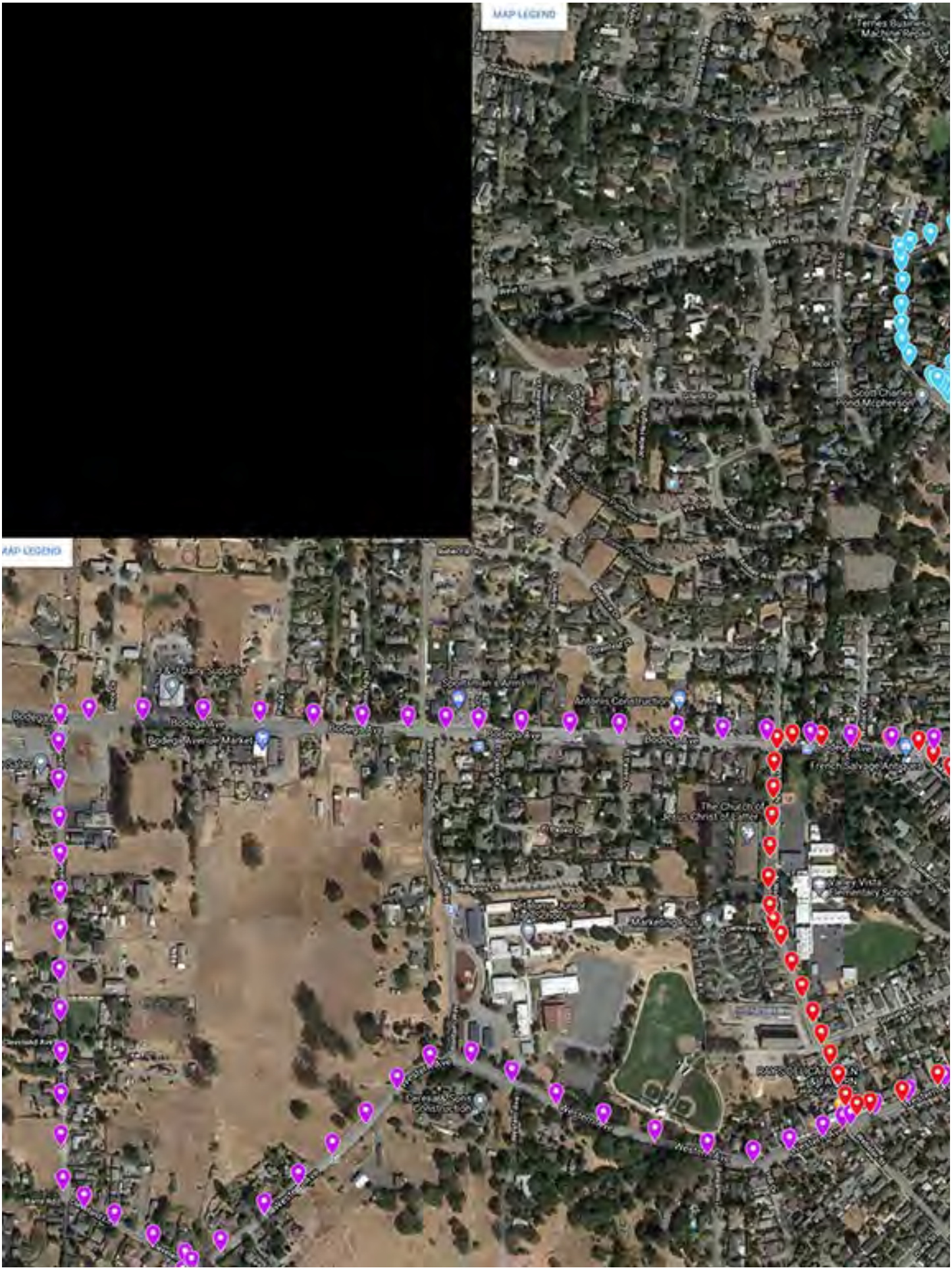
4. Where is the certificate of current calibration for the meters and antennas used, similar to certificates of calibration shown here?

5. **Why has Lee Afflerbach, a Professional Engineer (PE), omitted his PE stamp from this report?** A PE stamp on the data/report means that Mr. Afflerbach stands behind the data and conclusions of the report, which was the main benefit for having CTC Technology complete the work in the first place. May we please have Lee Afflerbach stamp this report with his PE seal to make the report the strongest written substantial evidence, possible? **If not, why not?**

6. Why is writing about any alleged download/upload speeds material to the deliberations about establishing if there is a significant gap in wireless telecommunications coverage?

7. What establishes wireless performance as the cause of any alleged download/upload slowdowns since the data travels on wirelines 95% of the way and wirelesss only for the last 5% of the way?

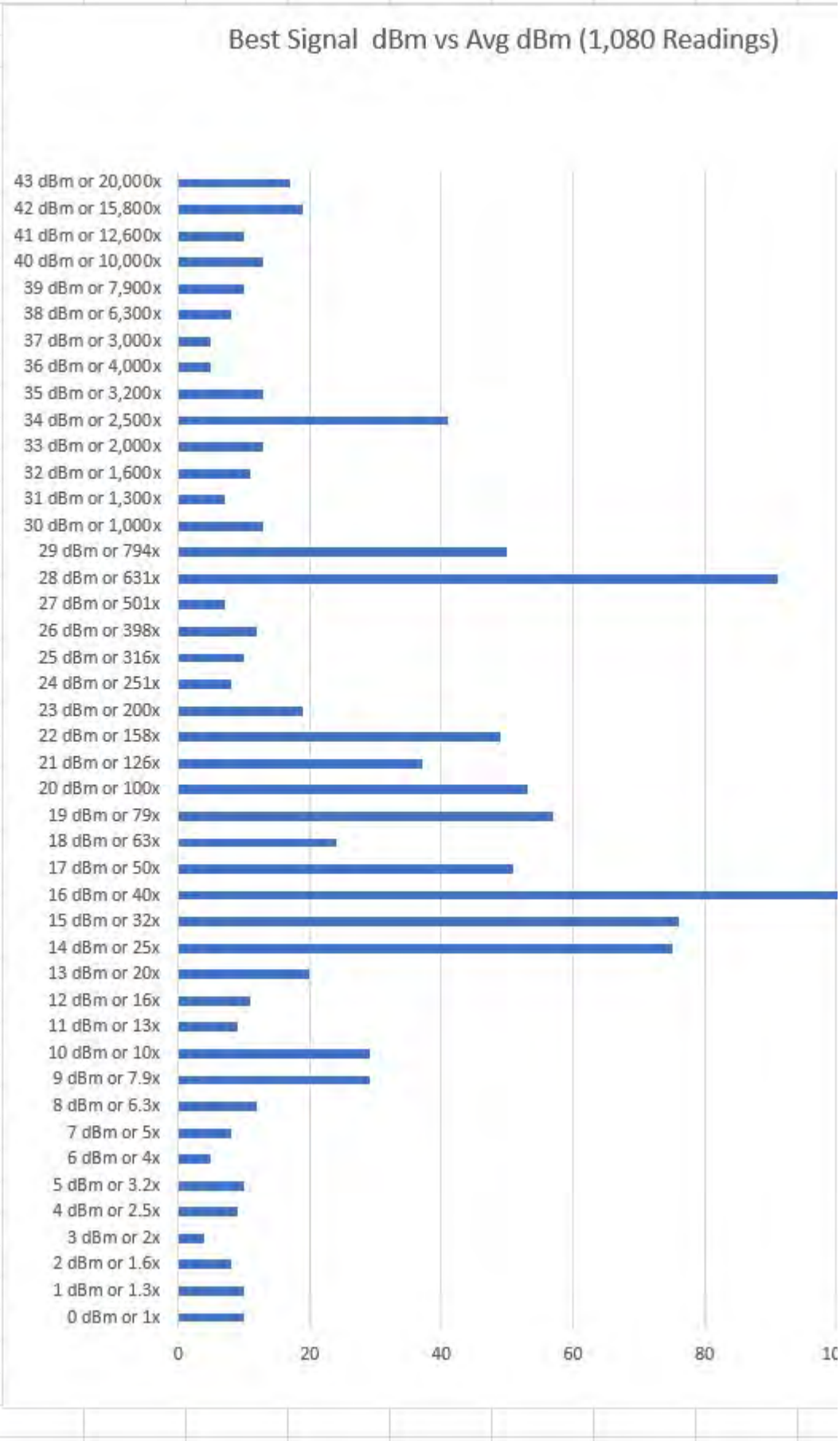
8. Why was this raw, unfiltered signal strength dBm data **willfully hidden from the public from Nov 19, 2020 through Jan 14, 2021 by Petaluma City Staff and CTC Technology**, in violation of a Dec 10, 2020 California Public Records Act request, requiring the Jan 14, 2021 letter from attorney Mark Pollock to the City of Petaluma?


MAP LEGEND
MAP LEGEND

D. Best Signal Strength is the Column to Use -- take a look at how different "Best Signal" is from the Data reported by CTC Technology

"Best Signal" is between **2x** and **20,000x** higher than the column reported by CTC. The following is the Histogram (count of data difference values) between the two columns.

Difference vs Avg	Count
0 dBm or 1x	10
1 dBm or 1.3x	10
2 dBm or 1.6x	8
3 dBm or 2x	4
4 dBm or 2.5x	9
5 dBm or 3.2x	10
6 dBm or 4x	5
7 dBm or 5x	8
8 dBm or 6.3x	12
9 dBm or 7.9x	29
10 dBm or 10x	29
11 dBm or 13x	9
12 dBm or 16x	11
13 dBm or 20x	20
14 dBm or 25x	75
15 dBm or 32x	76
16 dBm or 40x	102
17 dBm or 50x	51
18 dBm or 63x	24
19 dBm or 79x	57
20 dBm or 100x	53
21 dBm or 126x	37
22 dBm or 158x	49
23 dBm or 200x	19
24 dBm or 251x	8
25 dBm or 316x	10
26 dBm or 398x	12
27 dBm or 501x	7
28 dBm or 631x	91
29 dBm or 794x	50
30 dBm or 1,000x	13
31 dBm or 1,300x	7
32 dBm or 1,600x	11
33 dBm or 2,000x	13
34 dBm or 2,500x	41
35 dBm or 3,200x	13
36 dBm or 4,000x	5
37 dBm or 3,000x	5
38 dBm or 6,300x	8
39 dBm or 7,900x	10
40 dBm or 10,000x	13
41 dBm or 12,600x	10
42 dBm or 15,800x	19
43 dBm or 20,000x	17
Total Readings	1,080



"**Best Signal**" is the best column of data to use for the following reasons:

1. CTC was supposed to be measuring **outdoor** signal strengths, yet placed the RF-Explorer equipment and antenna **inside** the car, allowing the car roof, doors, windows and windshields to degrade the dBm signal strength

2. CTC chose to use a Consumer Grade RF-Explorer **without** a **calibrated** antenna, which would not have been my choice

3. I can get detailed affidavits from Professor Trevor Marshall, PhD (IEEE Senior Fellow), Merry Callahan and myself (all RF-Explorer owners) that explain the **shortcoming** of the RF-Explorer (we know the person who created the device) and why we would choose to not use this device for reliable professsional RF-EMR Signal Strength measurements. CTC owns a proper Hewlett Packard spectrum analyzer, but **chose** not to use it.

4. MIke Afflerbach collected data for a total of **only two hours**

5. CTC should have done narrow sweeps of the following Verizon Frequencies, bands and channels, as I specified on Nov 3, but we cannot get a straight answer from them on how they configured their instruments (and it is not specified in the report)😟

E. Current Verizon Frequencies/Bandwidths that can be transmitted by Commscope NHH-45B-R2B Antennas in Petaluma

1. 746-757 MHz
2. 776-787 MHz
3. 835-845 MHz
4. 846.5-849 MHz
5. 880-894 MHz
6. 891.5-894 MHz
7. 1895-1910 MHz
8. 1975-1990 MHz
9. 1720-1730 MHz

There is more to refute in the CTC, Hammett & Edison and Verizon RF-Reports.

As I complete further analysis, I will publish it here --> https://www.unsafeatanyg.com/petaluma/creamery/rf-mw-reports-rebutted/

Thank you.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Tuesday, January 19, 2021 3:01 PM
To: Danly, Eric; Flynn, Peggy; Hines, Heather; Bendix, Brittany; Brian Barnacle; Fischer, D'Lynda; Healy, Mike; King, Dave; McDonnell, Kevin; Dennis Pocekay; Heidi Bauer; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart
Cc: Rose, Kendall; -- City Clerk
Subject: Continued Violation of California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 re: File No. PLUP-19-0004 project 16-Antenna Creamery Wireless Telecommunications Facility

Follow Up Flag: Follow up
Flag Status: Completed

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
January 19, 2021

To:
Mr. Eric Danly, City Attorney
City of Petaluma
11 English Street
Petaluma, CA 94952
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4362

To: Ms. Peggy Flynn, Petaluma City Manager
Ms. Heather Hines, m-Group (Contractor)
Ms. Brittany Bendix, m-Group (Contractor)

To City of Petaluma Council Members:
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John Perlis, HCPC Member
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cc:
Kendall Rose, City Clerk
Petaluma VHP Members

Re: Continued Violation of California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 re: File No. PLUP-19-0004 project 16-Antenna Creamery Wireless Telecommunications Facility

Dear Mr. Danly et al.

[City Clerk Kendall Rose, will you please add this email/letter to the Petaluma Public record for File No. PLUP-19-0004 a WTF antenna farm that has the capability of outputting 2,372,480 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA (see https://unsafeatanyg.com/petaluma/creamery)? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

I am writing to inform you that you, Ms. Flynn, Ms. Hines and Ms. Bendix are in **continuing violation** of California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 ("CPRA") with my 9/23/2020 on-site of inspection of records request. The City of Petaluma has **blocked my request** — by not responding in any reasonable way — to allow me to perform on-site inspection and quality assurance on the packet for File No. PLUP-19-0004 project that will be distributed to the Planning Commission and the HCP Committee.

I need to ensure that all my previous correspondence on File No. PLUP-19-0004 project — which I generated at great cost and effort — will be included in the packet, as I have requested in paragraphs similar to the red paragraph above. I have received no assurance from any City staff member about this, despite many voicemails left for you, Ms. Flynn, Ms. Hines and Ms. Bendix.

I am also writing to respond to your Jan 14, 2021 letter that you printed on paper, scanned as a pdf and emailed to me, which required me to do the following:

1. Take screen grabs of both pages of the letter
2. Use Optical Character Recognition (OCR) software to turn these "pictures" of text back into editable text
3. Clean up any errors introduced by the OCR software
4. Include that OCR'ed/cleaned text below, where I have added my responses to what you wrote in yellow boxes, such as the following:

pmg: Response

In the future, will you please create any pdfs you send to me by exporting your letter directly from a Word.docx file to make this process more efficient? Thank you for your consideration of the public in this way.

The reason I detailed the process above is because that was exactly the task facing us, when the public **— finally on Jan 14, 2021 —** received the raw Wireless Signal Strength data that was collected by CTC Technology on **Nov 17/18, 2020**. The text of the report was able to be copied and pasted, but the raw data was not.

Similar to your Jan 14 letter, the 20 or so pages of data was a scan from paper, so only "pictures" of the data were sent to us. This represents 9 columns × 1,080 rows of data = **nearly 10,000 cells of data** — a very large amount of data to OCR and proof.

Thankfully, the following words from your Jan 14, 2021 letter were incorrect:

> "The drive test data is **not** in Excel format, but is provided in the form in which it was included in the Review and provided to staff by CTC Staff their examination of the Review, and CTC submitted the final version of the Review to staff, earlier today."

I figured this was just lawyer-speak for something akin to "we received the data this way and are unwilling to make the call to get the actual spreadsheets that were used to create these 'pictures' of data."

Fortunately, Brittany Bendix **finally** responded to one of my many phone calls (the first such response after at least twenty voicemails she has ignored since August, 2020) and provided some detailed spreadsheets from CTC which raise both key observations and questions, detailed here and summarized below. Thank you, Brittany!

Spreadsheets received on Jan 14, 2021 (Thank you, Brittany!)

1. 2020-1117-Clean Site Petaluma_1 Log.xlsx
2. 2020-1117-Clean Site Petaluma_2 Log.xlsx
3. 2020-1117-Clean Site Petaluma_3 Log.xlsx
4. 2020-1117-Clean Site Petaluma_4 Log.xlsx
5. 2020-1117-Clean Site Petaluma_5 Log.xlsx
6. 2020-1117-Clean Site Petaluma_6 Log.xlsx
7. 2020-1117-Petaluma_1_13-28-39_11-17-20.csv
8. 2020-1117-Petaluma_2_13-52-6_11-17-20.csv
9. 2020-1117-Petaluma_3_14-18-50_11-17-20.csv
10. 2020-1117-Petaluma_4_14-42-53_11-17-20.csv
11. 2020-1118-Petaluma_5_13-19-3_11-18-20.csv
12. 2020-1118-Petaluma_6_13-36-37_11-18-20.csv

A. Important Background: What's a dBm? Well . . . dBm means deciBel-milliWatt

As explained in detail here, **dBm (decibel-milliwatts)** is an abbreviation for the power ratio in decibels (dB) of the measured power referenced to one milliwatt (1 mW = 1/1,000 of a Watt). It is used in radio, microwave and fiber-optic communication networks as a convenient measure of absolute power because of its capability to express both very large and very small values in a short form.

Since 0 dBm is already a high level of electromagetic power though-the-air, dBm values sufficient for Wireless Telecommunications coverage are expressed as negative numbers (lower than 0 dBm). Cell phones work with electromagnetic power levels that range from **-125 dBm up to -85 dBm**, which yields "5-bars" of personal wireless services on virtually all cell phones. Anything higher than -85 dBm is excessive electromagnetic power through-the-air that can ruin the quiet enjoyment of streets.

Quiet enjoyment of streets is local value that Cities can protect, per the California Supreme Court 2019 Ruling in T-Mobile v San Francisco: a local authority can limit electromagnetic power through-the-air to that which provides wireless telecommunications service — **and no higher**.

B. Key Conclusions re: CTC Technology dBm Readings and Verizon Signal Strength Analysis

1. All substantial written evidence in the public record **proves that there is NO Significant Gap in Verizon Telecommunications coverage**: videos/slides showing Verizon calls were reliably made by Petaluma residents in target area, dBm measurements of Verizon specific frequencies/bands/channels by Petaluma residents and dBm measurements of Signal Strength by CTC Technology.

2. The burden of proof is on the applicant to prove there is a significant gap in wireless telecommunications service, but there is **NO substantial written evidence in the record** that proves such a gap in wireless telecommunications service exists.

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4. As discussed here, Verizon has no federal preemption of local authority, once sufficient Verizon-specific telecommunications coverage is in place (**at least -125 dBm**), which is clearly the case is in the entire target area for this proposed WTF.

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C. Key Questions re: CTC Technology Methodology, dBm Readings and Verizon Signal Strength Analysis

1. Of the three columns of dBm data collected, why did CTC include only one of the three columns, the one with the **lowest** readings in the final report? (see data here) It is important to note that the difference between "Best Signal" and the data shown in the CTC report is very large, as you can clearly see here: **as much as 20,000 times different**.

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8. Why was this raw, unfiltered signal strength dBm data **willfully hidden from the public from Nov 19, 2020 through Jan 14, 2021 by Petaluma City Staff and CTC Technology**, in violation of a Dec 10, 2020 California Public Records Act request, requiring the Jan 14, 2021 letter from attorney Mark Pollock to the City of Petaluma?

This is even more relevant given chronic lack of response from City staff on substantial communication listed here, including the following.

>>> On Nov 3, 2020 Petaluma Resident wrote to Ms. Barrrett, Ms. Flynn, Mr. Danly, Mr. Afflerbach et al., **None** of which was addressed in a timely manner . . .

Here are the questions we would like Mr. Afflerbach to answer by no later than Nov 5, 2020 (Thank you).

1. When will the Drive Test start? **Result**: Flynn wrote only on **Dec 3** that drive test data collection was **complete** — meaning the public had no input into the test methodology, which **barred** the public from participating and contributing to the best solution, one that could best serve the public interest.

2. What will be the methodology of the drive test? **Result**: Nothing communicated in time; the details are **still** sketchy . . .

3. What equipment will the CTC use to collect and log the data? **Result**: Despite Lee Afflerbach admitting to me that CTC technology owns a professional HP Spectrum Analyzer, CTC chose to use a consumer grade RF-Explorer — with no current antenna calibration — a choice which has significant impact on the quality of the data collected (see here).

4. Will CTC report its significant gap in Verizon telecommunications/coverage analysis in dBm? Is CTC doing some other analysis, which may not be necessary? If so, which other tests and why are those tests considered necessary? **Result**: The public only learned on Jan 14, 2021 that CTC completed unnecessary upload/download analyses, which have **no bearing on** determining if a significant gap in wireless telecommunication coverage exists.

5. Will the CTC place the raw data of the Drive test into the public record? **Result**: CTC did and there are problems with the data.

6. Is the City asking CTC for a written report? **Result**: Despite asking for this data from Nov 3 through Jan 13, we only received the data on Jan 14,2021, which **robbed from the public and the City the valuable time needed to address the shortcomings in CTC Technology's work** on this project.

7. Will CTC communicate the format of the data **before** the test is ordered/conducted? **Result**: No, nothing was communicated.

8. Will CTC agree that it does not have any medical or biological expertise and therefore will **refrain from making any claims about safety**, biological impacts or negative health consequences from pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR)? **Result**: We will insist that any claims of safety made by CTC Technology, Hammett & Edison or Verizon be stricken from the record as **NONE** of these parties have the medical expertise to make any statements about safety. All these firms can claim is **compliance** with certain RF-EMR guidelines, **guidelines which do not insure public safety**.

9. Will CTC agree to only make assessments about compliance with the FCC RF-EMR Maximum Public Exposure Guideline? — since we all must recognize that compliance with the FCC RF-EMR MPE guideline **does not** and **cannot** insure pubic safety **Result**: See preceding result.

Next, considering the information in **Appendix A:** *FCC Human Exposure to RF-EMR: Guidelines for Cellular Antenna Sites* which states the following:

The FCC permits an effective radiated power (ERP) of up to:

- **A: 500** Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP

The majority of cell sites in urban and suburban areas operate at:

- **B: 100** Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP
- An ERP of 100 watts **corresponds to** an actual radiated power of 5-10 watts.

In **URBAN AREAs**, cell sites commonly emit an ERP of 10 watts/channel or less.

- **C:** 10 Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP

We make ask Lee Afflerbach to answer these questions by no later than Nov 5, 2020 (Thank you). **Result**: Nothing was addressed.

>>> On Nov 5, 2020 Petaluma Resident wrote to Ms. Barrrett, Ms. Flynn, Mr. Danly, Mr. Afflerbach et al., **None** of which was addressed in a timely manner . . .

The City is going to battle with a chess master (whatever entity you believe is dba Verizon Wireless), but the City is a pawn in this game and just hired two "in the box" chess coaches who indoctrinate cities into the unnecessary, harmful and dangerous Densified 4G/5G roll out. Please understand that both CTC Technology and Telecom Law firm profit handsomely from enabling the full 4G/5G rollout and therefore are often not objective.

A. CTC Technology can be neutral, if you constrain them to make statements **only** about compliance with the FCC RF-EMR Maximum public exposure guideline and Wireless signal strength levels (as measured in dBm).

I have an expert that you can call to see if Lee Afflerbach's methodology and equipment will provide data that is both accurate and sufficient to stand up in court (PhD and IEEE Senior fellow Prof. **Trevor Marshall 805-492-3693**) Marshall attended by phone, along with Attorney Harry Lehmann and me attending personally, the Feb 1, 2018 meeting with Petaluma staff when we convinced them to update the Petaluma Wireless Ordinance to protect the residential zones from so-called "small" Wireless Telecommunications Facilities (sWTFs).

Importantly, in the public meetings, the City of Petaluma cannot allow Afflerbach to wax poetic about his work elsewhere and his views of "what he sees out there". Lee is very charming and uses that charm for indoctrination. It doesn't matter that other Cities out there have been fooled into making bad decisions for their Cities and residents. **All that matters** is the substantial written evidence that Afflerbach's Professional Engineer stamp will "bless" . . . and that, quite simply, is the **raw data** of dBm signal strength readings in the 28-square mile area surrounding the Petaluma Creamery (a search ring with a three-mile radius) for every Verizon specific downlink frequency/band that they have licensed for Petaluma (746 MHz to 2160 MHz, as listed at the top of the page here → https://www.unsafeatanyg.com/petaluma/creamery/rf-mw-reports-rebutted/)

There are many hours of video evidence of Afflerbach's efforts at indoctrination in Sonoma, Monterey, Napa and other places:

1. From https://scientists4wiredtech.com/testimony/ and https://scientists4wiredtech.com/sonoma

Professional Engineeer Lee Afflerbach in Sonoma, CA Public Record, 9/12/19

- https://youtu.be/HRYFXx70NN4?t=11424
- https://youtu.be/HRYFXx70NN4?t=11602
- https://youtu.be/A5_HHn6Ih_0?t=330
- https://youtu.be/A5_HHn6Ih_0?t=1493

2. From Monterey – https://mystreetmychoice.com/monterey.html (links I gave to Brittany back in mid-June, 2020)

- View at 00:35:45 for Lee Afflerbach in Monterey
- Key Monterey Documents for Mar 15, 2018

1. 2017-1220-CTC-Monterey-Drive-Test.pdf
2. 2018-0314-Monterey-Extenet-Update.pdf
3. Link to Meeting Agenda
4. Link to Meeting packet
5. Link to Meeting minutes
6. 2018-0324-Planning-Commission-resolution.pdf

3. City of Napa Videos

- https://youtu.be/9cQshUx5Xb8?t=819
- https://youtu.be/JVO1VXH4nQA?t=781
- View Lee Afflerbach at 1:21:45 at http://napacity.granicus.com/player/clip/2176?view_id=2&redirect=true

The bottom line is that **"capacity"** is not in the 1996 Telecommunications Act (1996-Act). There is no preemption for capacity, only for telecommunications service (i.e. coverage for wireless telephone calls — this is why —> https://scientists4wiredtech.com/mozilla-v-fcc/ listen to the argument by attorney Steven C. Wu, which carried the day in the DC Circuit ruling).

This is all you need to know about **capacity** → https://www.unsafeatanyg.com/petaluma/creamery/#capacity

D. Evidence of Disdain for the Public as Exhibited by Petaluma City Staff

In all matters, Mr. Danly, respect is earned — and lost — daily.

You words, quoted below, evidence the disdain with which Petaluma City staff has treated the public from Aug 15 2020 through Jan 19, 2021. Such words are not unlike similar words you used in the **only meeting** we were granted with City staff on July 30, 2020 for the File No. PLUP-19-0004 project :

>>> On 7/30/2020 at 6:00 pm, Eric Danly wrote:

> "I apologize I used the word "**diatribe**" during the meeting this morning. That is an unkind word. I was trying to encourage you and the others on the call, in communications with staff regarding pending applications such as the Verizon application, to be as succinct and focused as you can, such as by providing citations to cases and statutes and regulations, because that assists us in understanding and addressing the concerns being expressed, and in making sure that those concerns receive appropriate consideration as part of the project review process."

I provided a detailed response to you, including citations, included in Appendix A below and invited you into conversation. What did you do? **You did not respond at all.**

In addition, you **never** followed through to call Attorney Mark Pollock despite the evidence of you scheduling at least one phone meeting with him. To the public and for the public, on this File No. PLUP-19-0004 project project,m Mr. Danly, you have been a no-show for five months and counting. This is not about your legal duties, Mr. Danly. This behavior evidences your disdain for the public.

Think about that . . . **the public was allowed only one 30-minute meeting with City staff from June 6, 2020 to Jan 19, 2021** to lobby against this File No. PLUP-19-0004 project despite many, many requests for more opportunities to present our relevant information and analysis directly to City staff.

E. Response to Jan 14, 2021 from City Attorney Eric Danly

>>> On Jan 14, 2021, Eric Danly wrote to Petaluma resident

Dear [Petaluma Resident]:

This is in response to your request dated January 13, 2021, and received by the City on that same date, for the following records:

> "[C]omplete data set for the Drive Test that was by consultant for the Verizon Creamery WTF project. Please provide in excel format raw data, not or filtered"

We are treating your request as a request for public agency information in accordance with California Government Code 6250 and following (the California Public Records Act), which requires that public agencies make reasonably identified, non-exempt public records available for inspection or provide copies upon payment of the direct cost of duplication.

pmg: Nice to finally get a response from someone at the City of Petaluma. We don't understand why it took until Jan 14, 2021 to get one. We had received **no substantive response** about the Dec 10, 2020 CPRA request since **Dec 21, 2020**.

City staff have a little earlier today released to the public the CTC Technology and Energy Review of Verizon Coverage dated December, 2020 (the Review). The Review includes as Appendix D the complete drive test data obtained by CTC The drive test data is not in Excel format, but is provided in the form in which it was included in the Review and provided to staff by CTC Staff their examination of the Review, and CTC submitted the final version of the Review to staff, earlier today.

pmg: Nice try, Mr. Danly. We don't have to get lost in double-speak or legalese. Both Taryn Obaid and I are professional data analysts. It is quite obvious that the signal strength data collected by software available here CTC using was entered and analyzed in some spreadsheet format on the way to be included in the document. Of course the data was analyzed and reported in some versions of some spreadsheet capable of exporting the data as files.csv.

Prior to finalization of the Review and staff's release in preparation for the hearings on the Verizon application before the Historic and Cultural Preservation Committee and the Planning Commission scheduled for January 26, 2021, the Review has been exempt from disclosure pursuant to the Public Records Act in accordance with the following:

Prior to its finalization and release by staff, the Review has been exempt from disclosure as a draft pursuant to section 6254, subdivision (a) of the Public Records Act, and pursuant to the deliberative process privilege and public interest exemptions under Section 6255 of the Public Records Act. The purpose of the drafts exemption and deliberative process privilege is to protect the quality of government decisions by providing for rigorous consideration of pre-decisional ideas, opinions and work product among government agency officials. (Times Mirror Co. v. Superior Court (1991) 53 Cal.3d 1325.) **The public interest in withholding the draft document until CTC finalized the Review clearly outweighs the public interest in disclosure**.

pmg: No dice, Mr. Danly. The data collected was finalized on Nov 18, 2020 and is wholly separate, independent and segregable from the final report. I explained this clearly in my earlier email. We properly reject your argument and strongly disagree: **The public interest in withholding the segregable, finalized data collected which is orthogonal to the data's inclusion in some draft of a report clearly DOES NOT outweigh the public interest in disclosure**.

Release of the Review before finalization would curtail staff review and discussion of the final document, and undermine the quality of the document, as well as interfere with completion of the final document.

pmg: You are simpoly wrong, Mr. Danly. Receiving the segregable, finalized data collected which is orthogonal to the data's inclusion in some draft of a report **WOULD HAVE NO IMPACT** on staff review and discussion of the final document, **NOR WOULD IT UNDERMINE** the quality of the document, as well as interfere with completion of the final document. The data collected was finalized on Nov 18, 2020 and is wholly separate independent and segregable from the final report. I explained this clearly in my earlier email. We properly reject your argument and strongly disagree: **The public interest in withholding the segregable, finalzed data collected which is orthogonal to the data's inclusion in some draft of a report clearly DOES NOT outweigh the public interest in disclosure**.

Also, pre-finalization release of the Review would have the practical effect of commencing prematurely the public review and discussion of the Review, and doing so based on an incomplete draft. Staff and the consultant would essentially be prevented from completing their work product. The public has a right to, and a strong interest in, commencing public discussion based on a final document.

pmg: Not even close. Mr. Danly. No additional words are needed to justify rejecting your unsubstantiated arguments. In short, Mr. Danly, you and other City staff members have violated CA law in this matter.

Pre-release the Review was also exempt from disclosure pursuant to the attorney- client and work product privileges codified in California Evidence Code section 954 and California of Civil Procedure section 2018.030 and pursuant to Section 6254(k) of the Public Records Act. The attorney-client privilege pursuant to California Evidence Code section 954 applies to communications between the City and its legal counsel. The Review was and finalized at the direction and under the supervision of the City's legal counsel. Communications protected under Evidence Code section 954 are exempt from disclosure under subdivision (k) of section 6254 of the Public Act, which exempts records, the disclosure of which is prohibited or exempt pursuant to the Evidence Code California Code of Civil Procedure section 2018.030 applies to work product reflecting impressions, conclusions, efforts, opinions, research, and theories of attorneys representing the City. Work product protected under Code of Civil Procedure section 2018.030 is also exempt from disclosure under subdivision (k) of section 6254 of the Public Records Act, which as noted above exempts records, the disclosure of which is prohibited or exempt pursuant to federal or state law.

pmg: What in an RF report could possibly be considered attorney-client privilege, Mr. Danly? Do you have any line staff duties in this matter or any expertise to know if the methodology of the test was sufficient? Apparently not, as evidenced in the final CTC data and report. You have to establish why this segregable raw data qualifies as attorney-client privilege. You have established no such foundation.

Notwithstanding the exemptions from disclosure listed above, City staffs release of the Review in preparation for the January 26, 2021 hearings waives the applicable exemptions in accordance with Section 6254.5 of the Public Records Act.

pmg: Oh . . . you **only reacted to** a sharp attorney letter. That qualifies as disdain of the public attempting in good faith to defend the public interest, despite your illegal efforts to block public participation. The delay of the release of the raw signal strength data was substantial, unjustified and harmed both the public interest and the City's interests. **All parties involved in this coordinated discrimination against the public should be held accountable**.

It was always staff'ss plan to release the Review prior to release of the agenda materials for the January 26 hearings to provide members of the public additional time to consider the Review. Nonetheless, prior to release of the Review, the exemptions discussed above have applied.

pmg: You, Ms. Flynn, Ms. Hines and Ms. Bendix jammed the public at the end by such obvious "slow walking" choices and you executed a coordinated plan, along with Mr. Afflerbach to **hide this data until it was too late to address a reasonable correction of the methodology and data collection choices**. This choice hurt both the public interest and the City's interests.

I am responsible for this determination concerning your records in my capacity as City Attorney of the City of Petaluma, in consultation with authorized representatives of our client the City. If you have any questions, or are able to refer me to controlling legal authority that supports a different result, please contact me.

pmg: I have already referred you to this: California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 ("CPRA")

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Appendix A: July 30, 2020 Letter to Eric Danly

July 30, 2020

To:
Mr. Eric Danly
City Attorney
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

cc:
Teresa Barrett, Mayor
Mike Healy, Council Member
D'Lynda Fischer, Vice Mayor
Gabe Kearney, Council Member
Dave King, , Council Member
Kevin McDonnell, Council Member
Kathy Miller, Council Member
Peggy Flynn, City Manager

Brian Cochran, Assistant City Manager
Petaluma West VHP Members

Dear Mr. Danly,

Thank you for participating in the Zoom call with Heather Hines from m-group and four members of the Petaluma West VHP this morning. Since no one consented to the recording of today's meeting, will you please confirm that the City of Petaluma did not record the meeting, in accordance with California law?

As we predicted, few of the agenda items of the 7/30/2020 @ 8:30 am email were addressed in our call, so we still have a need to complete the discussion that we have **finally** started with you, after trying to engage with the City Manager and you since June 12, 2020 about the important liability and other issues that the City of Petaluma faces when issuing permits for Wireless Telecommunications Facilities (WTFs), described quite succinctly here --> https://scientists4wiredtech.com/thisworks **and** https://mystreetmychoice.com/thisworks

I would appreciate, in the future, Mr. Danly if you did not mischaracterize my work as **diatribes**, which is a dismissive term and proves that you have not read my writings carefully.

Diatribe definition :

: a bitter and abusive speech or piece of writing
: ironic or satirical criticism

The pages that I cite on https://scientists4wiredtech.com/ **are vetted, and sourced with links back to the originals**. The attorneys with whom I work around the country on Telecom issues, including Andrew Campanelli, W. Scott McCollough, Edward B. Myers, Harry V. Lehmann, Gary Widman and Mark Pollock all appreciate the depth and accuracy of my research and analysis. In fact, after speaking with the three top FCC attorneys for NEPA at the FCC on 12/12/19 . . .

Wireless Telecommunications Bureau Competition & Infrastructure Policy Division

- Aaron Goldschmidt, Deputy Chief
- Erica Rosenberg, Assistant Deputy Chief 202-418-1343
- Paul D'Ari, Senior Legal Counsel

. . . we developed this web page --> https://scientists4wiredtech.com/action/nepa-strategies/ . . .which is the top search item for "NEPA Strategies" on Google, Bing and DuckDuckGo today.

We are often educating City Attorneys across the country --> https://scientists4wiredtech.com/sanfrancisco/#davis

Now, to follow up on your specific requests today, I spoke to and emailed attorney Mark Pollock mpollock@pollockandjames.com 707-257-3089 and gave him your contact information. He is expecting your return call today.

Allow me to provide the citations that are critically important to be included in the Petaluma City staff packet in support of the anticipated denial of PLMA-20-0003/PLUP-19-000 project a 16-unit antenna farm (or whatever revised design Verizon chooses to spring on the City of Petaluma at the 11th hour) because the m-group and you, as the City Attorney, have not insisted on specific deadlines that would enable the public (**the other co-equal stakeholders**) sufficient time to review and evaluate the revised design before it might be heard as a "time certain" agendized item scheduled for Aug 11, 2020 in front of the Petaluma Planning Commission:

- https://scientists4wiredtech.com/campanelli
- https://scientists4wiredtech.com/compare
- https://scientists4wiredtech.com/legislation/1996-telecommunications-act-conference-report/
- https://scientists4wiredtech.com/legislation/titles-47-and-42-of-us-code/#A

- https://scientists4wiredtech.com/mozilla-v-fcc/
- https://scientists4wiredtech.com/2018-myers-et-al-v-fcc/ **and** https://scientists4wiredtech.com/2019/08/federal-court-overturns-fcc-order-bypassing-environmental-review-for-4g-5g-wireless-small-cell-densification/#summary
- https://scientists4wiredtech.com/2019-ca-supreme-court-decision-t-mobile-v-san-francisco/
- https://scientists4wiredtech.com/metro-pcs-vs-san-francisco/
- https://scientists4wiredtech.com/1998-cellular-telephone-co-v-town-of-oyster-bay/

Mr. Danly, **the Public Needs CA AB.57 Shot Clock Verification — in writing — In the public record** by no later than Tue Aug 4, 2020. Your private conversations with Mr. Albritton on this matter are not sufficient.

We need clarity of the following agreed to by all stakeholders, stated in writing and entered into the public record for all to verify.

- **An accurate accounting** — in writing — of shot clock management by Petaluma staff from Aug 7, 2019 to the present (we have been asking for this since June 12, 2020)
- **A determination** that any decision by the Planning Commission on Aug 11, 2020 will permanently end the shot clock and any deemed approved privileges that applicant seeks to claim
- By getting this determination in writing from all parties, this affords sufficient time for the City of Petaluma to process any appeal in a manner that is appropriate during COVID-19 national emergency.

We can add mismanagement of applicant deadlines to possible mismanagement of the CA AB.57 shot clock on new Wireless Telecommunications Facility (WTF) construction (150 days), which by our accounting still has time left on it, since **the application for PLMA-20-0003/PLUP-19-000 still has errors and omissions in it and should not be considered "complete" enough to be heard on Aug 11, 2020**. The refusal of the m-group and the City Attorney to adequately address the existing errors and omissions of this application is very germane to the improper processing of this application during a national emergency.

> "NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States, by the authority vested in me by the Constitution and the laws of the United States of America. . . do hereby find and proclaim that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020."

We have a federal national emergency -- Novel Coronavirus Disease (COVID-19) Outbreak -- and a Sonoma county order that specifies that ONLY work necessary for the OPERATIONS & MAINTENANCE of Telecommunications Services is considered an "Essential Activity."

THIS DOES NOT MEAN the building of NEW Wireless Telecommunications Facilities is necessary for the operations & maintenance of "Essential Infrastructure."

It makes much more sense to admit that a single "30-minute" Zoom call is **not sufficient engagement** even remotely equal to the time/attention afforded to the other stakeholders in this project from Aug 7, 2019 through July 30, 2020. We are seeking, but not receiving **equal access and equal time to city staff in this process**. This lack of willingness to respect and engage with the Petaluma residents (the "natural persons") negatively affected by this project is simply unacceptable and must change, going forward.

We strongly state that the City of Petaluma should only hear this item after COVID-19 is over and the public's right to redress their grievances face-to-face with their government is fully-restored -- Zoom public comments without the ability to to show our faces or present slide content is simply not sufficient. **Please stop stealing the public's rights like this**.

The City of Petaluma can signal that they are actually open for business by promptly returning phone calls:

- I count exactly **zero** returned calls from the City Clerk from June 10, 2020 to the present.
- I count exactly **zero** returned calls from the City Manager or the Assistant City Manager from June 10, 2020 to the present.
- I count exactly **zero** returned call from the City Attorney from June 10, 2020 to the present.
- I count exactly **one** returned call from Heather Hines from the m-grouop since June 10, 2020.

That is simply not enough returned calls.

You can start today, Mr. Danly by calling attorney Mark Pollock mpollock@pollockandjames.com 707-257-3089 and then returning my call at 707-981-5522 to let me know how you conversation went.

You have the duty, Mr. Danly, **to read, understand and reply** to the items that Petaluma VHP has placed in the Petaluma public record here (<https://www.unsafeatanyg.com/petaluma/creamery/#latest et. seq), including emails I have sent to you seeking answers to relevant questions regarding the PLMA-20-0003/PLUP-19-000 project. These numerous items have not been addressed, many of them for over a month.

I hope this email was succinct enough for your taste.

Bendix, Brittany

From: Trinity Dominon <luvshop123@gmail.com>
Sent: Tuesday, January 19, 2021 11:06 AM
To: Bendix, Brittany
Subject: Meeting 1/26/2021 Regarding the Creamery

Follow Up Flag: Follow up
Flag Status: Completed

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

I live in the neighborhood where the Creamery is. The Business has been a constant source of Noise, neighborhood disruption of one sort or another for the past 17 years.
The equipment is old, in disrepair. The owner does not seem to care about the impact that his business is making on the people who are living here.

Most recently, 2 fires have happened in the past 6 months, further endangering all of us and our homes.

The 5 G cell tower is proposed to be installed above or near where the 2 fires have occurred.

I am completely opposed to the installation of the 5 G Tower anywhere at the Creamery Property.

Additionally, I would like to see the Creamery be held accountable for all of the Fines it owes. Become Compliant with the ammonia system, boilers and emmisions, noise issues, trucks idling, and multiple Fire Code issues.

Sincerely,
Ms.Domino
Post St. resident

Bendix, Brittany

From: gail connolly <gailconnolly@att.net>
Sent: Tuesday, January 19, 2021 9:38 AM
To: Bendix, Brittany
Subject: opposition to wireless facility at creamer

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Greetings.

Sorry I will not be able to attend the meeting this evening. I wanted to express my opposition to the proposed wirelesss equipment to be ;mounted on the roof of the creamery. I own the building at 5 English Street and my tenants and I do not want the facility here. If you need more information I will be happy to comply.
Gail Connolly
415 924 7667

Bendix, Brittany

From: Dorie Rosa <dorie.rosa@cagwin.com>
Sent: Monday, January 18, 2021 4:31 PM
To: Bendix, Brittany
Subject: Verizon Proposed Randomes at Petaluma Creamery - Unsafe

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Brittany,

I am very concerned about the Randomes being installed and the safety of it. I live around the corner from the creamery and do not want those installed because I am concerned for my health. I do not know if there is a petition to try and stop this from happening. Please let me know if there is one.

My personal email is: dorie.rosa@gmail.com

Thank you,
Dorie Rosa

Bendix, Brittany

From: Samantha Buller <samanthabuller@gmail.com>
Sent: Monday, January 18, 2021 1:11 PM
To: Samantha Buller
Subject: Letter regarding aesthetics of Verizon Tower on PC
Attachments: PCCT Letter.pdf

Follow Up Flag: Follow up
Flag Status: Completed

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
City Clerk, Please include this in the Verizon Creamery WTF application public record.

My name is Samantha Buller, I live at 824 Western Ave-the Kortum family home, and I am opposed to the proposed Verizon Tower on top of the Petaluma Creamery. Attached is a letter I have written regarding the aesthetics of the proposed tower, I do hope you take a moment to read it. Thank you for your time,

Sam Buller

Bendix, Brittany

From: Taryn Obaid <taryn_obaid@hotmail.com>
Sent: Friday, January 15, 2021 12:49 PM
To: Flynn, Peggy; Bendix, Brittany
Cc: D'Lynda Fischer; -- City Clerk
Subject: opportunity to turn verizon project into City benefit

Follow Up Flag: Follow up
Flag Status: Completed

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
[City Clerk, please forward this email to All City Council Members, Planning Commissioners, and HCPC members. Thank you.]

I'm sure you recall this neighborhood "pitch" from several public meetings, but I just wanted to repeat it...

City can turn this Verizon project into a benefit for City. The City could capture revenue and get a public road built "for free" if we make the tower go up at Dana Ridge.

We could also have them make the tower look like a old water tower (like photo that accompanied recent Argus article) or a tree, like that tower that's on the east side of the freeway near San Antonio Creek.

A win-win solution.

Thank you,
Taryn

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Thursday, January 14, 2021 11:25 AM
To: Flynn, Peggy; Brian Barnacle; Fischer, D'Lynda; Healy, Mike; King, Dave; McDonnell, Kevin; Dennis Pocekay; Heidi Bauer; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart; Hines, Heather; Bendix, Brittany
Cc: Rose, Kendall; -- City Clerk; Danly, Eric; Scott Springhorn; Taryn Obaid
Subject: Will you each be complicit in violating California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 ("CPRA") by continuing to willfully hide data from the public? Will anyone step forward today and correct this violation of ...

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
January 14, 2021

To:
Ms. Peggy Flynn, Petaluma City Manager
Ms. Heather Hines, m-Group (Contractor)
Ms. Brittany Bendix, m-Group (Contractor)
City of Petaluma
11 English Street
Petaluma, CA 94952
707-776-3765

To City of Petaluma Council Members:
Brian Barnacle, Council Member
D'Lynda Fischer, Vice Mayor
Mike Healy, Council Member
Dave King, Council Member
Kevin McDonnell, Council Member
Dennis Pocekay, Council Member

To: City of Petaluma Planning Commissioners
Heidi Bauer, Planning Commissioner
Sandi Potter, Planning Commissioner
Richard Marzo, Planning Commissioner
Blake Hooper, Planning Commissioner
Scott Alonso, Planning Commissioner

To: City of Petaluma HCPC Members
Christopher Caputo, HCPC Chair
Kit Schlich, HCPC Vice Chair
Terry Kosewic, HCPC Member
John Perlis, HCPC Member
Bill Rinehart, HCPC Member

cc:
Kendall Rose, City Clerk
Samantha Pascoe, Deputy City Clerk
Eric Danly, City Attorney
Petaluma VHP Members

Dear Ms. Flynn et al.,

[City Clerk Kendall Rose, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 2,372,480 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA (see https://unsafeatanyg.com/petaluma/creamery)? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

Will you each be complicit in violating California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 ("CPRA") by **continuing** to willfully hide data from the public? Will **anyone** step forward **today** and correct this violation of CA law?

City Council members and others are bound by the oaths that each signed before serving in their positions (see **Appendices A**, **B** and **C**, below) — an oath to "support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic" and to follow Federal and State laws, which includes the California Gov. Code CHAPTER 3.5. Inspection of Public Records, §§6250 – 6276.48 ("CPRA"). The CPRA is **not** optional. The facts are clear:

Link	Count	Day	Date	Communication
Link	-7	Thu	12/3/2020	**Peggy Flynn Email:** "**The drive test has been conducted** and we anticipate the submittal of the drive test report in the coming week. Staff will alert the interested public when the report is available for review."
	-6	Fri	12/4/2020	
	-5	Sat	12/5/2020	
	-4	Sun	12/6/2020	
	-3	Mon	12/7/2020	
	-2	Tue	12/8/2020	
	-1	Wed	12/9/2020	
Link	0	Thu	12/10/2020	**CPRA Request:** "Please provide complete data set for the Drive Test that was conducted by consultant for the Verizon Creamery WTF project. Please provide in excel format raw data, not manipulated or filtered. Thank you"
	1	Fri	12/11/2020	
	2	Sat	12/12/2020	
	3	Sun	12/13/2020	
	4	Mon	12/14/2020	
Link	5	Tue	12/15/2020	**Heather Hines Planning Commission Comment:** "The City hired technical expertise to conduct a drive vest. **It has been conducted.**"
	6	Wed	12/16/2020	
	7	Thu	12/17/2020	**Sam Pascoe Email:** "This will acknowledge receipt of your CA Public Records Act request by this office on December 10, 2020. The City Clerk's Office will respond to your request in accordance with the timelines prescribed in the California Public Records Act (Gov. Code, § 6250 et seq.) by December 21, 2020" . . . ***BUT THE PROMISED 12/21 RESPONSE NEVER HAPPENED***.
	8	Fri	12/18/2020	
	9	Sat	12/19/2020	

Link	Count	Day	Date	Communication
	10	Sun	12/20/2020	
Link	11	Mon	12/21/2020	**Required response from City re: CPRA:** "Sec. 6253.(c) Each agency, upon a request for records, shall, within 10 days promptly notify the person making the request of the determination."
Link	12	Tue	12/22/2020	**Required response from City re: CPRA:** "Sec. 6253.(c) No notice shall specify a date that would result in an extension for more than within 14 days ."
Link	13	Wed	12/23/2020	**Required response from City re: CPRA:** "Sec. 6254. (a) **DOES NOT APPLY:** "not require the disclosure of (a) Preliminary drafts that are not retained by the public agency, if the public interest in withholding those records clearly outweighs the public interest in disclosure."
Link	14	Thu	12/24/2020	**Required response from City re: CPRA:** "Sec. 6255. (a) **DOES NOT APPLY:** The agency shall justify withholding any record by demonstrating that the facts of the particular case prove the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record."
	15	Fri	12/25/2020	
	16	Sat	12/26/2020	
	17	Sun	12/27/2020	
	18	Mon	12/28/2020	
	19	Tue	12/29/2020	
	20	Wed	12/30/2020	
	21	Thu	12/31/2020	
	22	Fri	1/1/2021	
	23	Sat	1/2/2021	
	24	Sun	1/3/2021	
	25	Mon	1/4/2021	**Required response from City re: CPRA:** "Sec. 6253.(c) **24-day delay has run**.
	26	Tue	1/5/2021	
	27	Wed	1/6/2021	
Link	28	Thu	1/7/2021	**Email to Barrett. Flynn, Hines, Bendix** demanding compliance to CPRA: "Therefore, there is no basis to continue to hide from the public the raw data from the completed drive test. The receipt of this data is orthoganol to this completion of the final CTC report."
Link	29	Fri	1/8/2021	**Email to Barrett, Flynn, Hines, Bendix, Afflerbach** demanding compliance to CPRA: "Will you please stop attempting obvious 'slow-walking' strategies and please stop hiding critical data from the public -- in violation of CA law?"
	30	Sat	1/9/2021	
	31	Sun	1/10/2021	
Link	32	Mon	1/11/2021	**Email to Barrett, Flynn, Hines, Bendix, City Council, Planning Commission** demanding compliance to CPRA: "Per

Link	Count	Day	Date	Communication
				the Nov 10, 2020 CPRA request the public continues to demand to receive today the unfiltered raw signal strength data that was collected by CTC Technology to ascertain if the data is sufficiently complete to establish if there is a significant gap in telecommunications coverage in the target area for the proposed Petaluma Creamery WTF."
	33	Tue	1/12/2021	
Link	34	Wed	1/13/2021	**Email to Barrett, Flynn, Hines, Bendix, City Council, Planning Commission** demanding compliance to CPRA: "The response from 1/12/2021 at 11:52 PM does not provide a sufficient justification, explanation or excuse for continuing to violate California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 ("CPRA") by willfully hiding data from the public. You have provided no citation to justify your apparently illegal actions.."
Link	35	Thu	1/14/2021	**Email to Barrett, Flynn, Hines, Bendix, City Council, Planning Commission:** Formal complaint about above. Investigation needs to be opened.
	36	Fri	1/15/2021	
	37	Sat	1/16/2021	
	38	Sun	1/17/2021	
	39	Mon	1/18/2021	
	40	Tue	1/19/2021	**Expected Deadline** for inclusion in Staff Packet for HCPC/Planning Commission Meeting
	41	Wed	1/20/2021	
	42	Thu	1/21/2021	
	43	Fri	1/22/2021	
	44	Sat	1/23/2021	
	45	Sun	1/24/2021	
	46	Mon	1/25/2021	
	47	Tue	1/26/2021	**HCPC/Planning Commission Meeting** for PLMA-20-0003/PLUP-19-000

From: Pascoe, Samantha <SPascoe@cityofpetaluma.org>
Sent: Thursday, December 17, 2020 4:15 PM
Subject: RE: Request for Public Records - PRA2020-12-008

This will acknowledge receipt of your Public Records Act request by this office on December 10, 2020.

The City Clerk's Office will ***respond*** to your request in accordance with the timelines prescribed in the California Public Records Act (Gov. Code, § 6250 *et seq*.) by December 21, 2020, concerning whether your request seeks non-exempt records in the City's possession that will be made available, and whether any responsive records may be exempt from disclosure pursuant to the CPRA.

Sincerely,

Sam

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

City of Petaluma records, including emails, are subject to the California Public Records Act. Unless exemptions apply, this email, any attachments and any replies are subject to disclosure on request, and neither the sender nor any recipients should have any expectation of privacy regarding the contents of such communications.

Appendix A: California Govt. Code §§1360 - 1369
ARTICLE 4. Oath of Office

(Article 4 enacted by Stats. 1943, Ch. 134.)

1360. Unless otherwise provided, following any election or appointment and before any officer enters on the duties of his or her office, he or she shall take and subscribe the oath or affirmation set forth in Section 3 of Article XX of the Constitution of California.

(Amended by Stats. 2017, Ch. 387, Sec. 2. (SB 205) Effective January 1, 2018.)

California Constitution , ARTICLE XX MISCELLANEOUS SUBJECTS §3.

Members of the Legislature, and **all public officers and employees, executive, legislative**, and judicial, except such inferior officers and employees as may be by law exempted, **shall**, before they enter upon the duties of their respective offices, **take and subscribe the following oath or affirmation**:

"I, _____, do solemnly swear (or affirm) that I will **support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic**; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

"And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows:

_____ (If no affiliations, write in the words "No Exceptions") _____

and that during such time as I hold the office of _____ (name of office) _____

I will not advocate nor become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means."

And no other oath, declaration, or test, shall be required as a qualification for any public office or employment.

"Public officer and employee" includes every officer and employee of the State, including the University of California, **every** county, **city**, city and county, district, and **authority**, including any **department, division, bureau, board, commission, agency**, or instrumentality of any of the foregoing.

(Sec. 3 amended Nov. 4, 1952, by Prop. 6. Res.Ch. 69, 1951.)

1362. Unless otherwise provided, the oath may be taken before any officer authorized to administer oaths.

(Enacted by Stats. 1943, Ch. 134.)

1363.

(a) Unless otherwise provided, every oath of office certified by the officer before whom it was taken shall be filed within the time required as follows:

(1) The oath of all officers whose authority is not limited to any particular county, in the office of the Secretary of State.

(2) The oath of all officers elected or appointed for any county, and, except as provided in paragraph (4), of all officers whose duties are local, or whose residence in any particular county is prescribed by law, in the office of the county clerk of their respective counties.

(3) Each judge of a superior court, the county clerk, the clerk of the court, the executive officer or court administrator of the superior court, and the recorder shall file a copy of his or her official oath, signed with his or her own proper signature, in the office of the Secretary of State as soon as he or she has taken and subscribed his or her oath.

(4) The oath of all officers for **any independent special district**, as defined in Section 56044, in the **office of the clerk** or secretary of that district.

§56044. "Independent district" or "independent special district" includes any special district having a legislative body all of whose **members are elected by registered voters** or landowners within the district, or whose members are appointed to fixed terms, and excludes any special district having a legislative body consisting, in whole or in part, of ex officio members who are officers of a county or another local agency or who are appointees of those officers other than those who are appointed to fixed terms. "Independent special district" does not include any district excluded from the definition of district contained in Sections 56036 and 56036.6.

(Amended by Stats. 2013, Ch. 87, Sec. 1. (AB 1427) Effective January 1, 2014.)

(b)

(1) In its discretion, the board of supervisors of a county may require every elected or appointed officer or department head of that county who legally changes his or her name, delegated authority, or department, within 10 days from the date of the change, to file a new oath of office in the same manner as the original filing. The county may maintain a record of each person so required to file a new oath of office indicating whether or not the person has complied. **Any record maintained pursuant to this paragraph is a public record subject to disclosure under the California Public Records Act** (Chapter 3.5 (commencing with Section 6250) of Division 7).

(2) Notwithstanding any other law, including, but not limited to, Sections 1368 and 1369, failure of an elected or appointed officer or department head of a county to file a new oath of office required by the board of supervisors pursuant to this subdivision shall not be punishable as a crime.

(c) Every oath of office filed pursuant to this section with the Secretary of State shall include the expiration date of the officer's term of office, if any. In the case of an oath of office for an appointed officer, if there is no expiration date set forth in the oath, or the officer leaves office before the expiration date, the appointing authority shall report in writing to the Secretary of State the officer's date of departure from office.

(d) The powers of an appointed officer of a county are no longer granted upon the officer's departure from office. In its discretion, the board of supervisors of a county may require the appointing authority to rescind these powers in writing by filing a revocation in the same manner as the oath of office was filed.

(Amended by Stats. 2015, Ch. 365, Sec. 1. (AB 630) Effective January 1, 2016.)

1364. It is unlawful to remove a person from an office or position of public trust because such person has not complied with any law, charter, or regulation prescribing an additional test or qualification for such office or position of public trust, other than tests and qualifications provided for under civil service and retirement laws, whenever such person:

(a) Holds the office or position of public trust, and

(b) **Upon entering upon the office or position of public trust**, has taken, or after his election or appointment, has offered to take the **oath of office** prescribed by this article.

(Enacted by Stats. 1943, Ch. 134.)

1365. It is unlawful for any person having the power of removal from office of any officer to remove or threaten to remove the officer from his office because the officer, in the appointment of any person to a position of public trust under himself, refuses to require any additional test or qualification, other than the oath prescribed by this article and tests and qualifications provided for under civil service and retirement laws, as a condition of permitting the appointee to enter upon or remain in the position of public trust.

(Enacted by Stats. 1943, Ch. 134.)

1366. Any officer or person who is removed or threatened with removal from any office or position of public trust may bring an action to restrain such unlawful removal or to enforce restoration by process of injunction, both prohibitory and mandatory, if the real reason for the removal or threat thereof is noncompliance with provisions requiring such additional test or qualification or the refusal to require any additional test or qualification in the appointment to a position of public trust.

(Enacted by Stats. 1943, Ch. 134.)

1367. No compensation nor reimbursement for expenses incurred shall be paid to any officer by any public agency unless he has taken and subscribed to the oath or affirmation required by this chapter.*(Added by Stats. 1953, Ch. 1250.)

1368. Every person who, while taking and **subscribing to the oath** or affirmation required by this chapter, **states as true any material matter which he or she knows to be false, is guilty of perjury**, and is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for two, three, or four years.

(Amended by Stats. 2011, Ch. 15, Sec. 124. (AB 109) Effective April 4, 2011. Operative October 1, 2011, by Sec. 636 of Ch. 15, as amended by Stats. 2011, Ch. 39, Sec. 68.)

1369. Every person having taken and subscribed to the oath or affirmation required by this chapter, who while holding office, advocates or becomes a member of any party or organization, political or otherwise, that advocates the overthrow of the government of the United States by force or violence or other unlawful means, is guilty of a felony, and is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code.

(Amended by Stats. 2011, Ch. 15, Sec. 125. (AB 109) Effective April 4, 2011. Operative October 1, 2011, by Sec. 636 of Ch. 15, as amended by Stats. 2011, Ch. 39, Sec. 68.)

Appendix B: California Constitution, Article I — DECLARATION OF RIGHTS

Section 1.

All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy.

(Sec. 1 added Nov. 5, 1974, by Proposition 7. Resolution Chapter 90, 1974.)

Section 2.

(a) Every person may freely speak, write and publish his or her sentiments on all subjects, being responsible for the abuse of this right. A law may not restrain or abridge liberty of speech or press.

(b) A publisher, editor, reporter, or other person connected with or employed upon a newspaper, magazine, or other periodical publication, or by a press association or wire service, or any person who has been so connected or employed, shall not be adjudged in contempt by a judicial, legislative, or administrative body, or any other body having the power to issue subpoenas, for refusing to disclose the source of any information procured while so connected or employed for publication in a newspaper, magazine or other periodical publication, or for refusing to disclose any unpublished information obtained or prepared in gathering, receiving or processing of information for communication to the public.

Nor shall a radio or television news reporter or other person connected with or employed by a radio or television station, or any person who has been so connected or employed, be so adjudged in contempt for refusing to disclose the source of any information procured while so connected or employed for news or news commentary purposes on radio or television, or for refusing to disclose any unpublished information obtained or prepared in gathering, receiving or processing of information for communication to the public.

As used in this subdivision, "unpublished information" includes information not disseminated to the public by the person from whom disclosure is sought, whether or not related information has been disseminated and includes, but is not limited to, all notes, outtakes, photographs, tapes or other data of whatever sort not itself disseminated to the public through a medium of communication, whether or not published information based upon or related to such material has been disseminated.

(Sec. 2 amended June 3, 1980, by Prop. 5. Res.Ch. 77, 1978.)

Section 3.

(a) The people have the right to instruct their representatives, petition government for redress of grievances, and assemble freely to consult for the common good.

(b) (1) The people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny.

(2) A statute, court rule, or other authority, including those in effect on the effective date of this subdivision, shall be broadly construed if it furthers the people's right of access, and narrowly construed if it limits the right of access. A statute, court rule, or other authority adopted after the effective date of this subdivision that limits the right of access shall be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

(3) Nothing in this subdivision supersedes or modifies the right of privacy guaranteed by Section 1 or affects the construction of any statute, court rule, or other authority to the extent that it protects that right to privacy, including any statutory procedures governing discovery or disclosure of information concerning the official performance or professional qualifications of a peace officer.

(4) Nothing in this subdivision supersedes or modifies any provision of this Constitution, including the guarantees that a person may not be deprived of life, liberty, or property without due process of law, or denied equal protection of the laws, as provided in Section 7.

(5) This subdivision does not repeal or nullify, expressly or by implication, any constitutional or statutory exception to the right of access to public records or meetings of public bodies that is in effect on the effective date of this subdivision, including, but not limited to, any statute protecting the confidentiality of law enforcement and prosecution records.

(6) Nothing in this subdivision repeals, nullifies, supersedes, or modifies protections for the confidentiality of proceedings and records of the Legislature, the Members of the Legislature, and its employees, committees, and caucuses provided by Section 7 of Article IV, state law, or legislative rules adopted in furtherance of those provisions; nor does it affect the scope of permitted discovery in judicial or administrative proceedings regarding deliberations of the Legislature, the Members of the Legislature, and its employees, committees, and caucuses.

(7) In order to ensure public access to the meetings of public bodies and the writings of public officials and agencies, as specified in paragraph (1), each local agency is hereby required to comply with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) and the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), and with any subsequent statutory enactment amending either act, enacting a successor act, or amending any successor act that contains findings demonstrating that the statutory enactment furthers the purposes of this section.

(Sec. 3 amended June 3, 2014, by Prop. 42. Res.Ch. 123, 2013.)

Appendix C: Excerpts of California Govt. Code §§6250 - 6276.48
CHAPTER 3.5. Inspection of Public Records

(Article 4 enacted by Stats. 1943, Ch. 134.)

- I am a such a natural person in the following . . . **§ 6252.(b):** "'Member of the public', [which] means any person, except a member, agent, officer, or employee of a federal, state, or local agency acting within the scope of his or her membership, agency, office, or employment. (c) **"Person" includes any natural person** . . .
- **§6253.(c):** "Each agency, upon a request for a copy of records, shall . . . determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency . . . In unusual circumstances, the time limit prescribed in this section may be extended by written notice by the head of the agency or his or her designee to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched . . . the agency shall state the estimated date and time when the records will be made available. As used in this section, "unusual circumstances" means the following, but only to the extent reasonably necessary to the proper processing of the particular request:
    1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.
    2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.
    3. The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein.
    4. The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

- **§ 6253 (e):** " 'Public records' includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics."
- **§ 6253 (g)** " 'Writing' means any handwriting, typewriting, printing, photo stating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored."
- **§ 6254.** "Except as provided in Sections 6254.7 and 6254.13, this chapter does not require the disclosure of any of the following records: **(a) Preliminary drafts**, notes, or inter-agency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, if the public interest in withholding those records clearly outweighs the public interest in disclosure."
- **§ 6254(k):** "Records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege."
- § **6255. (a):** The agency shall justify withholding any record by demonstrating that the record in question is exempt under express provisions of this chapter or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.
- § **6255. (b):** A response to a written request for inspection or copies of public records that includes a determination that the request is denied, in whole or in part, shall be in writing."

(Chapter 3.5 added by Stats. 1968, Ch. 1473.)

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Wednesday, January 13, 2021 9:16 AM
To: Bendix, Brittany; Flynn, Peggy; Danly, Eric; Brian Barnacle; Fischer, D'Lynda; Healy, Mike; King, Dave; McDonnell, Kevin; Dennis Pocekay; Heidi Bauer; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart
Cc: Rose, Kendall; Scott Springhorn; Taryn Obaid
Subject: Re: Flynn, Hines, Bendix and Danly Continue to Violate California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 ("CPRA") by willfully hiding data from the public

Follow Up Flag: Follow up
Flag Status: Flagged

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
It is up to you to respond, Ms. Bendix.

Will you please call me **this morning** at 707-981-5522?

Thank you.

Heather wrote on 1/13/2021 9:09 AM:

> Thank you for your email. I will be out of the office until Wednesday, January 20th. If you need assistance in my absence please contact Brittany Bendix, Deputy Planning Manager, at bbendix@cityofpetaluma.org.
>
> Please note that City Hall will be closed Monday, January 18th for the Martin Luther King holiday.
>
> I will respond to your email upon my return.
>
> Heather

January 13 , 2021

To:
Ms. Peggy Flynn, Petaluma City Manager
Ms. Heather Hines, m-Group (Contractor)
Ms. Brittany Bendix, m-Group (Contractor)
Mr. Eric Danly, City Attorney
City of Petaluma
11 English Street
Petaluma, CA 94952
707-776-3765

To City of Petaluma Council Members:
Brian Barnacle Council Member
D'Lynda Fischer, Vice Mayor
Mike Healy, Council Member
Dave King, Council Member
Kevin McDonnell, Council Member

Dennis Pocekay, Council Member

To: City of Petaluma Planning Commissioners
Heidi Bauer, Planning Commissioner
Sandi Potter, Planning Commissioner
Richard Marzo, Planning Commissioner
Blake Hooper, Planning Commissioner
Scott Alonso, Planning Commissioner

To: City of Petaluma HCPC Members
Christopher Caputo, HCPC Chair
Kit Schlich, HCPC Vice Chair
Terry Kosewic, HCPC Member
John Perlis, HCPC Member
Bill Rinehart, HCPC Member

cc: Kendall Rose, City Clerk
Petaluma VHP Members

Dear Ms. Hines, et al.

[City Clerk Kendall Rose, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 2,372,480 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA (see https://unsafeatanyg.com/petaluma/creamery)? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

Your obtuse, and robotic response from 1/12/2021 at 11:52 PM, quoted, below does not provide a sufficient justification, explanation or excuse for continuing to violate California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 ("CPRA") by **willfully** hiding data from the public. **You have provided no citation to justify your apparently illegal actions**.

We faced a similar problem in Santa Barbara in Dec 2020 and my correspondence to the City of Santa Barbara (preserved here https://ourtownourchoice.org/ca/santa-barbara/) elicited results in 24 hours. We are asking the same from the City of Petaluma.

>>> Hines, Heather wrote on 1/12/2021 11:52 PM:
- show quoted text -
We simply reject what you wrote on 1/12/2021 at 11:52 PM, quoted above, as non-responsive and **demand** that you no longer violate the CPRA. This is the latest example of such behavior that we have experienced from Flynn, Hines and Bendix from Aug 15, 2020 through Jan 13, 2021, as you can read in the public record here --> https://unsafeatanyg.com/petaluma/creamery/#latest

The following, Ms Hines, is evidence of a properly submitted CPRA request **from Dec 10, 2020**. Today is Jan 13, 2021. The City staff must perform within the timeframes outline in the CPRA. The City of Petaluma is not following the law.

> **Dec 10, 2020 [Petaluma Resident] CPRA Request:**
>
> "Please provide complete data set for the Drive Test that was conducted by consultant for the Verizon Creamery WTF project. Please provide in excel format raw data, not manipulated or filtered. Thank you."

Hines on 1/12/2021: "At this time staff does not have the final report to provide to members of the public."

You clearly see, Ms. Hines, that the CPRA request is **not** for the final report, so I don't know why you are writing about the final report again, unless it is some hollow attempt to claim that you have appropriately responded to the public, **which you have not.**

I am certain that you understand, Ms. Hines, what I wrote to you on Jan 8 and Jan 11. The evidence shows that you are willfully continuing to play these heinous games to somehow avoid fulfilling your contractual obligations with the City of Petaluma and avoid following CA law. With Ms. Flynn simply tolerating this abuse of the taxpayers and constituents of Petaluma, CA, we, the public, are facing a **serious problem that needs to be immediately addressed and corrected**.

Just to be crystal clear, Ms. Hines, as I have already written to you **more than twice**, the public is not demanding to immediately see the final report from CTC Technology, but we are **demanding** to immediately receive and review the unfiltered raw signal strength data that was collected by CTC Technology. City Manager Flynn **already wrote that the data was complete as of Dec 3, 2020**:

>>> Paul McGavin wrote on 1/8/2021 1:21 PM to Flynn, Hines and Bendix:

Petaluma City Manager Peggy Flynn Email on Dec 3, 2020:

> "The drive test **has been conducted** and we anticipate the **submittal of the drive test report in the coming week**. Staff will alert the interested public when the report is available for review."

I will now have to include the silent Mayor, City Council members and perhaps City Attorney Eric Danly as part of this coordinated plan to hide information from the public, since none of them, apparently have provided clear enough direction to City staff to direct them to **simply follow CA law in this matter**, even if doing so is somewhat inconvenient for City staff and does not follow City staff's "preferred" plan.

Now, Mayor Barrett, what are members of the public supposed to do to redress this grievance to their local government based on apparently **illegal actions being continually perpetrated** by members of the City staff, day after day? Prior to March, 2020, one would be able to walk down to City Hall, go to the Planning Dept. counter, ring a bell and receive counter service, per the m-Group's **contractual obligations** (From the m-group's 2018 Employment Contract):

Base Level Services:

> "Full time coverage of the Planning Counter (Monday through Thursday, 8: 00 a.m. to 5: 00 p. m.) to provide general zoning information in response to public inquiry. Counter coverage also extends to timely response to emails and voicemails on similar issues as counter inquiries; "

The point of counter service is immediate response to simple questions. Has there been any semblance of even reasonable response during the COVID-19 lockdown? The evidence clearly proves that **this service has simply been eliminated**, as the m-Group has **not** responded with substantial information on a timely basis on this and many other issues **from Aug, 15, 2020 through Jan 13, 2021**. We cannot get a return phone call, a meeting in person or by Zoom or even a substantive email that sufficiently addresses our questions.

Ms. Flynn, Ms. Hines, Ms. Bendix (and likely Mr. Danly) are complicit in a disrespectful, bad-faith and all-too-common strategy of "slow walking" everything, running out-the-clock and leaving insufficient time for the public to identify errors in the City staff work product in time for City staff to correct them. We all see it: "Here is your short end of the stick, public . . . enjoy it."

Even though City staff might like to follow such a heinous strategy, they cannot **break California law in order to do it** . . . yet everyone on this distribution list is simply looking the other way.

This is wrong. My next step is to file formal complaints against those breaking CA law. I would rather just receive the unfiltered raw signal strength data that was collected by CTC Technology.

Between Jan 13 and the **Jan 19 deadline** for submitting materials for the HCPC/Planning Commisison packet for the Jan 26 meeting, the public **now only has six days** to do the following:

- Complete our rebuttals of the Hammett & Edison and Verizon RF/WM documents here --> https://www.unsafeatanyg.com/petaluma/creamery/rf-mw-reports-rebutted/

- Determine if CTC Technology has collected the signal strength data with sufficient granularity (their 2017 Monterey, CA Drive Test data proves that **CTC did not** --> https://www.unsafeatanyg.com/petaluma/ctc/2017-monterey-ca-drive-test/

- Ensure that CTC Technology and Hammett & Edison make statements **only about compliance** and **not about safety**, because neither is qualified to make any statements about public health or safety re: Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) exposure

- Ensure that CTC Technology, Hammett & Edison and Verizon **do not perpetuate the rampant scam** of not reporting all relevant dBm measurements in the propagation maps (the scam was evident even in the contract that the City of Petaluma signed with CTC Technology), as documented here --> https://www.unsafeatanyg.com/petaluma/ctc/#scam

- Ensure that all non-factual, wireless industry propaganda from CTC Technology and Hammett & Edison is stricken from the public record . . . only the properly measured and calculated numbers matter

- Ensure that all of the public's written substantial evidence that the public has entered into the public record from June, 2020 to the present (including, but not limited to all correspondence here at https://unsafeatanyg.com/petaluma/creamery/#latest) **gets included in the final HCPC/Planning Commission packet**.

This is a detailed topic.

Many allow their eyes to glaze over when presented with this kind of detail. Verizon is counting on that to pass along fraudulent information to the City of Petaluma, **and counting on the fact** that the City staff is not trained well enough to catch it. City-hired Telecom consultants often play an "indoctrination" role to talk a City into accepting the Wireless industry's fraudulent information. **It is far better to learn from the top Telecom attorney in the US**, Andrew Campanelli --> https://scientists4wiredtech.com/

> ". . . if the proposed tower does not fill the identified gap in telecommunications service and the town approves the construction of the WTF, the applicant might come back six months later and propose another cell tower because the first WTF did not fill the gap in the first place . . . if sophisticated local governments know what to ask for, they can control, for the most part, where Wireless Telecommunications Facilities go.
>
> If the town denies an application because of aesthetics, and an applicant has said we have a significant gap and the **town does not find whether or not the applicant proves there is a gap**, then the town **loses** by default. Under the federal law, any denial of a cell tower must be based upon substantial written evidence.
>
> The town wants to say "**We deny the application because of an adverse effect on property values and the evidence we have that this property owner brought in a letter from a professional, a real estate broker or an appraiser, saying this tower will reduce the value of your house by 20-30%**".
>
> The next thing the town wants to do is give your board(s) some guidance as to **what type of evidence they should ask for so they can understand if they see a false document**. The two most common types of fraud that I have seen perpetrated through **false FCC compliance reports** is claims of compliance with the wrong standard or the other trick they play called the distance game and here is what that is.
>
> When the applicant gives the town an FCC compliance report, they have to calculate the level of microwave radiation to which they will expose people. The reason for such a report is that the WTF doesn't exist yet. The easiest way to prevent a false calculation is with a false distance fact. The first factor they have to consider is how close someone can get to the WTF. The closer someone gets to a WTF, the greater the level of microwave radiation to which they get exposed.
>
> To prepare a false FCC compliance report, which shows the level of microwave radiation will be a fraction of

what it will actually be, all they have to do is start with a false distance factor. **If your board does not know how to read these reports, they can miss this**. The same goes for **false propagation maps**, **false visual impact analysis**. You have to give your board guidance on how to analyze what is given to them because, in my experience, **90% of the applications I have seen, the applicant has submitted false and misleading information and it is not by mistake**.

The important part is to **make the Wireless Company give you proof."**

We are trying to help. We need reasonable cooperation from Flynn, Hines, Bendix and Danly to do our job. We are **not** getting such cooperation.

It is simply unreasonable and illegal to continue to hide the data requested by the Dec 10, 2020 CPRA for even another day

Bendix, Brittany

From: Scott Springhorn <sspringhorn@gmail.com>
Sent: Tuesday, January 12, 2021 1:37 PM
To: Richard Marzo; Scott Alonso; Heidi Bauer; Sandi Potter; bmhooper1@gmail.com; -- City Clerk; Christopher Caputo; kitschlich@gmail.com; Bill Rinehart; John Perlis; Terry Kosewic; Bendix, Brittany; Hines, Heather; Flynn, Peggy
Subject: Public Comments for Cancelled Jan 12th Meetings

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
To the HCPC & Planning Commission,

Below are the newest public comments that myself and others were going to speak about at the meeting that was cancelled for tonight. Please take a few minutes and read each comment. Thank you for your hard work and your time. Have a great day.

---

1. Scott Springhorn: New Alternate Site Analysis

The city has an ordinance 14.44.190(C) that allows cell towers to be put up at a site only if there are no other places that are technically feasible. The creamery is not the least intrusive or the only site technically feasible. In Verizon's new alternate site analysis it shows 8 sites and goes on to cite Petaluma city code as a way to rule out sites that do not work for them, and cite Petaluma city code that makes it work for the creamery. Again picking and choosing which city codes to use or discard. The city has these strong ordinances in place to protect the city and citizens and its time to use them. They list the creamery at the "least intrusive & most feasible" site on this document. The creamery is a historic site that is surrounded by thousands of residences, over 5 schools, churches, had its wastewater permit revoked after 34 fines, Is NOT compliant with its toxic & flammable ammonia system and had its CUPA permit denied, is NOT compliant with its boilers & emissions, has had 2 fires in 6 months, and has constant complaints with truck idling, and is NOT compliant in it noise measurements. This site is the exact opposite of least intrusive by definition. There are many sites in both of Verizon's old & new alternate site analysis that can work instead of the creamery, are less intrusive, and technically feasible! Especially as Verizon is starting to try and use city code, the city has the power to use it as well to make the right decision and move this tower somewhere else, and you have other ways to deny the project outright. Just because they state that the creamery is the most feasible and least intrusive to them doesn't make it true. That is for the city to decide. The city has everything that they need to deny this project with no gap in service, safety issues, non compliance, & loss of property value. The easiest thing that the city can do is simply move this cell tower to a place that needs service, will not affect people or houses, and is in a place that actually needs cell service. Thank you for your time.

2. Sam Buller: New Project Statement

In their new revised project statement Verizon NOW tries to state that there is a significant gap which they use the word 11 times, try to say facility is the least intrusive, and use terms like visual and environment impact to disqualify other sites that would work. For over 18 months Verizon has not been following city codes, side stepping tasks, and acting in bad faith. In new documents that Verizon has re-submitted they now cite over 10 times how what they are following city codes. They are now citing city codes that help them and still do not comply with city codes that do not help them. They are picking and choosing city codes that work for them. This bad faith has continued over the last 18 months. What is the most puzzling is that in these new documents they are stating that alternate sites are not feasible due to visual & Environmental impacts and that the creamery site IS the most feasible and least intrusive.
So a historic site that is surrounded by thousands of residences, over 5 schools, churches, had its wastewater permit revoked after 34 fines, Is NOT compliant with its toxic & flammable ammonia system and had its CUPA permit denied, is NOT compliant with its boilers & emissions for over 13 years, has had 2 fires in 6 months, fire permit issues, and has constant complaints with truck idling, and is NOT compliant in it noise. This site is a liability, safety, and environmental issues by definition. The city has everything that they need to deny this project with no gap in service, safety issues, non compliance, & loss of property value. Also the easiest thing that the city can do is simply move this cell tower to a place that needs service, will not affect people or houses, and is a place that is actually safe. Thank you for your time.

3. Julie Allen: CUPA Permit Denial

On July 24th the city wrote a letter to Verizon stating they were going to recommend denial of the proposed major wireless facility on top of the Petaluma Creamery because its toxic & flammable ammonia cooling system was out of compliance and they had not done the work needed to get the permit. Right then the city had all it needed to deny. Verizon asked for more time to fix these problems. Fast forward 6 months later and on December 21st the city again sent a letter to the creamery denying their CUPA permit for their toxic & flammable ammonia cooling system as they still had not fixed over 100 issues that were required. In addition they had their wastewater permit revoked after 34 fines and 1.4 million still owed. Again the city has the opportunity to deny this application as this site is a safety and occupational hazard. Verizon has come out with 5 new documents saying this site is the least intrusive one available. Seriously? This less intrusive site owes 1.4 million in back fines, Is NOT compliant with its toxic & flammable ammonia system, is NOT compliant with its boilers & emissions, has had 2 fires in 6 months, is not compliant with multiple fire codes, has constant complaints with trucks idling and is NOT compliant in it noise. In addition to these safety issues they changed the visual look and all of the equipment on top of the creamery will now be seen. But apparently this is preferred over all of the other sites.The city has everything they need to deny this project with no gap in service, safety issues, non compliance, & loss of property value. The easiest thing the city can do is simply move this cell tower to a site that needs service, will not affect neighborhoods, and is actually safe. Thank you for your time.

4. Kate Bolton: BAAQMD Missed Compliance Date Again

For over 13 years the Petaluma creamery and its equipment have not been in compliance. In June of 2019 the creamery signed an executed judgement that stated that they needed to have their permit by 12/31/20. Today is January 11th and it should come as no surprise that again the creamery missed this date and is still not in compliance with its boilers and emissions. In a call with the BAAQMD it was stated that the creamery was late in finishing up their testing and still has not been issued a permit. Not only did they not take care of this in the last two years but they have not taken care of this in the last 13 years. This site also is out of compliance with their toxic & flammable CUPA system, is out of compliance with its sound emissions, had its wastewater permit revoked, and now this. It should also be stated that both fires in the last 6 months came in this boiler room that housed this out of compliance equipment. The thought of having over 500,000 watts of power running 24/7/365 at a place that puts no emphasis into the safety of its workers, residents, or the community is unfathomable. This is the absolute wrong place for this tower. The city has everything that they need to deny this project with no gap in service, safety issues, non compliance, & loss of property value. Also the easiest thing that the city can do is simply move this cell tower to a place that needs service, will not affect people or houses, and is a place that is actually safe. Thank you for your time.

5. Wendy Denny: Coverage vs. Capacity

The 1996 Telecommunications Act is the Law for wireless communications.
In paragraph A it states that local governments have the power to regulate the placement of wireless facilities. The goal is to have smart planning provisions to achieve 3 objectives simultaneously:
1) To allow wireless carriers to saturate a municipality with COVERAGE.
2) To minimize the number of towers to provide that COVERAGE.
3) To avoid or prevent the irresponsible placement of facilities which would adversely impact residential neighborhoods and individual homes.
It's most important to recognize that the law talks about COVERAGE specifically. And COVERAGE is defined as 'the ability to make a cell phone call' and that's it.
Verizon has suggested there is a need for a cell tower at the Creamery location based on a gap in wireless service in the surrounding area. It is their legal burden to prove that there is a gap in coverage, and that it is 'a significant gap with dropped calls'.
If this can't be proved then there are legal grounds for denying their application.
Verizon's maps show that wireless coverage is adequate for phone calls in the targeted area.
The city's responsibility is to base their decision on factual determination. The applicant has the legal burden to prove that there is a significant gap in coverage.
If this can't be proved, then the city has the legal power to deny this application.
It's also important to understand that 'threats of litigation are hollow' meaning that if an applicant sues in court and wins,the town doesn't have to pay them a penny.

I've obtained this legal information from Andrew Campanelli, a leading litigation lawyer for wireless communication cases. He's handled cell tower law for 2 decades and the past 7 years has lectured local governments about the 1996 TCA.
Thank you

6. Eberle Ewing: Non Compliance

In 2018 the city council unanimously adopted a Telecommunication Facility Code designed to protect its citizens from potential threat to their public health. Because of that Verizon has been thwarted in its attempt to build small 5g cell units next to people's houses. Its work around is a much more ambitious plan. If allowed it will place 4 huge antennas on top of the Petaluma Creamery as close as 75 feet from homes.

Our Municipal Code needs to be enforced if it is to protect our residents. I quote from 14.122. 290: "Every wireless transmitting facility within 400 feet of an inhabited area shall demonstrate continued compliance with the Non Ionizing Electromagnetic Radiation standard established by this section. Every five years a report listing each transmitter and antenna present at the facility and the effective radiated power radiated shall be submitted to the planning director." The unfortunate fact is, the City has no such list. I know this because 7 weeks ago I requested information from the Planning Department about the many large antennas Verizon has on top of the Dairyman Feed Store . I am still waiting for the information. I believe the City has no working knowledge of what the current installation is on that location.

Nothing aside from vigilant citizen oversight prevents the different competing Wireless Companies from putting up their own towers which emit radiation on home owners from multiple directions. The Telecom Industry is manipulating the public into thinking we cannot function or progress without 5G antennas. We have been misled regarding what is known and unknown about its safety not only to humans but animal and insect life.

If the antennas are approved on top of the Creamery there is nothing to prevent Verizon from later increasing its power output and no one will be monitoring the changes. TheWireless Companies must be compliant with our city code and tell us exactly what is emitting radiation right now, but that needs enforcement by the City's Planning Department. Finally, since climate is on the agenda tonight, it's a fact that 5G is a power hog compared to the more climate friendly fiber optic or copper wired cables we all have available to us now. Wireless data transmission uses five times the energy that cable does, and if we continue on our current course is predicted by 2040 to consume 14% of our carbon output. We all require the internet, but let's get it the way that is best for our health and our planet. Respectfully submitted,

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Monday, January 11, 2021 5:23 PM
To: Hines, Heather; Bendix, Brittany; Flynn, Peggy; Brian Barnacle; Fischer, D'Lynda; Healy, Mike; King, Dave; McDonnell, Kevin; Dennis Pocekay; Heidi Bauer; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart
Cc: Rose, Kendall; Scott Springhorn; Taryn Obaid
Subject: Flynn, Hines and Bendix Continue to Violate California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 ("CPRA") by willfully hiding data from the public

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
January 11, 2021

To:
Ms. Peggy Flynn, Petaluma City Manager
Ms. Heather Hines, m-Group (Contractor)
Ms. Brittany Bendix, m-Group (Contractor)
City of Petaluma
11 English Street
Petaluma, CA 94952
707-776-3765

To City of Petaluma Council Members:
Brian Barnacle <b.barnacle.gsw@gmail.com>, Council Member Elect
D'Lynda Fischer, Vice Mayor
Mike Healy, Council Member
Dave King, Council Member
Kevin McDonnell, Council Member
Dennis Pocekay, Council Member Elect

To: City of Petaluma Planning Commissioners
Heidi Bauer, Planning Commissioner
Sandi Potter, Planning Commissioner
Richard Marzo, Planning Commissioner
Blake Hooper, Planning Commissioner
Scott Alonso, Planning Commissioner

To: City of Petaluma HCPC Members
Christopher Caputo, HCPC Chair
Kit Schlich, HCPC Vice Chair
Terry Kosewic, HCPC Member
John Perlis, HCPC Member
Bill Rinehart, HCPC Member

cc: Kendall Rose, City Clerk
Petaluma VHP Members

[City Clerk Kendall Rose, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 2,372,480 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA (see https://unsafeatanyg.com/petaluma/creamery)? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation

Committee and to the Planning Commission. Thank you for doing so.]

Re: Flynn, Hines and Bendix Continue to Violate California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 ("CPRA") by willfully hiding data from the public

You are not listening Ms. Hines. Neither is Ms. Flynn or Ms. Bendix.

We reject what you have written on 1/11/2021 at 4:08 PM, quoted below, and demand that you **no longer violate** California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 ("CPRA") by willfully hiding data from the public.

- The public is happy to wait a day or so more for the final CTC technology report and we are not demanding to see it any earlier.

- Per the **Nov 10, 2020 CPRA request** (in the public record), however, **the public has demanded and continues to demand** to receive today the unfiltered raw signal strength data that was collected by CTC Technology (the data that City Manager Flynn's Dec 3 email said was complete on or before Dec 3) to ascertain if the data is sufficiently complete to establish if there is a significant gap in telecommunications coverage in the target area for the proposed Petaluma Creamery WTF.

Continuing to hide this data from the public **violates** the CPRA. By hiding this data from the public, **as you have been willfully doing for a long time**, you, Ms. Flynn and Ms. Bendix are knowingly violating CA law. Will you please cite any law that allows you to continue to violate the CPRA? We know of none.

We are very weary of the disrespectful slow-walking tactics that Ms. Flynn and the m-Group consistently perpetrates against the public and the public's interest -- which is also in direct violation of the m-Group's empoloyment agreement with the City of Petaluma. Your "preference" of when you wish to release the raw unfiltered signal strength data is immaterial. No more excuses or further games, please.

We are asking Ms. Flynn and the m-Group to immediately show some respect to the public and follow CA law in this matter.

Please send the unfiltered raw signal strength data that was collected by CTC Technology to us immediately. The City attorney has nothing to do with this. The CTC contract was signed by line staff for the City of Petaluma, Ms. Peggy Flynn. Mr. Danly is an advisor to Ms. Flynn. Please stop hiding behind the City Attorney's unsubstantiated opinions.

We have already soundly refuted the Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) reports offered by Hammett & Edison and Snehil Tiwari, Radio Frequency Design Engineer, Verizon Wireless Network Engineering Department for the Petaluma Creamery. We are hopeful that CTC Technology's report is complete, accurate and objective and without any wireless industry propaganda.

We suspect the raw unfiltered signal strength data collected by CTC Technology is likely incomplete. The sooner we determine this, the better -- **before it is too late to correct the problems**.

You also write for tonight's meeting that "General public comment is not part of tonight's agenda?" . . . but that seems incorrect.

I read the following from the agenda:

> **PUBLIC COMMENT**
> During **General Public Comment**, the public is invited to address the legislative bodies concerning the item described in the notice for this meeting. Public comments are limited up to three minutes per person. Depending on the number of persons wishing to address the Council, time will be allocated in equal shares totaling no more than twenty minutes, subject to the Council's discretion (Cal. Gov't. Code §54954.3(a), Petaluma City Council Rules, Policies and Procedures, III).

As climate action is intimately tied to the energy usage in Petaluma, the excessive amount of Effective Radiated Power being projected to be used by this and other Wireless Telecommunications Facilities (WTFs) in Petaluma is very germane to any Climate Action plan.

We will plan to speak in General Public Comment this evening.

>>> Hines, Heather wrote on 1/11/2021 4:08 PM:

> Paul,
>
> In response to your voicemails to multiple staff members of earlier this afternoon, CTC is making edits to the final report in response to staff comments. It is my understanding from the City Attorney's office that we anticipate the final report being submitted to the City within the next couple days and staff will subsequently make the report public. Once publicly available Brittany will send an email to the interested members of the public to alert you to the availability of the document online.
>
> Please be advised that tonight's meeting is a special joint meeting of the Climate Action Commission and the City Council specifically focused on the Climate Emergency Framework. The opportunity for public comment at tonight's meeting is specifically for comment on the agendized item. General public comment is not part of tonight's agenda.
>
> Heather
>
> Heather Hines
> Planning Manager
> City of Petaluma

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Bendix, Brittany

From: Pascoe, Samantha
Sent: Monday, January 11, 2021 9:19 AM
To: Bendix, Brittany
Subject: FW: NO to Petaluma Creamery Verizon

Follow Up Flag: Follow up
Flag Status: Flagged

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

City of Petaluma records, including emails, are subject to the California Public Records Act. Unless exemptions apply, this email, any attachments and any replies are subject to disclosure on request, and neither the sender nor any recipients should have any expectation of privacy regarding the contents of such communications.

From: Jennifer Stock <jenniferstock9@gmail.com>
Sent: Monday, January 11, 2021 7:36 AM
To: McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; Barrett,Teresa <tbarrett@cityofpetaluma.org>; Fischer, D'Lynda <dfischer@cityofpetaluma.org>; Healy, Mike <mhealy@cityofpetaluma.org>; King, Dave <dking@cityofpetaluma.org>; -- City Clerk <CityClerk@cityofpetaluma.org>; Barnacle, Brian <bbarnacle@cityofpetaluma.org>; Pocekay, Dennis <dpocekay@cityofpetaluma.org>
Subject: NO to Petaluma Creamery Verizon

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Dear Council Members,

Thank you for your service to the City of Petaluma and hearing from residents on issues that matter for our great city. I am writing today to oppose the proposed installation of 16 Macro Tower Antennas for Verizon on top of the Petaluma Creamery.

I am a resident on Western Ave, within two blocks of the Creamery and am greatly concerned about the potential for a high radiation cell tower being installed. This is a neighborhood with houses of people. Working people, retired people, parents, children, babies and thousands of people. The science has shown that excessive exposure to radiation is detrimental to our health. It is not acceptable to install this tower on that merit alone.

On top of radiation towers being detrimental to human health and in such close proximity, I'm very concerned for the other issues the Creamery has for safety and sustainability. Since I've moved here in 2008, there have been multiple fires, noxious odors and they owe $1.4 million in back fines, have had its wastewater permit revoked after 34 fines, they are NOT compliant with its toxic & flammable ammonia system, they are NOT compliant with BAAQMD - its boilers & emissions, they have had 2 fires in 6 months in location underneath where the proposed tower would be!!!!!!!! They are not compliant with multiple fire codes and have ongoing noise issues at all hours of the day. Why does a business with all these issues even have the ability to exist? Do we just let every business in town operate with infractions like this? To add yet another health risk to the community to a facility and management that doesn't care for being in compliance is just not acceptable.

You have the ability to deny this terrible health hazard to this community. I am a Verizon customer already and have perfect cell coverage here. There is no need for this insane array. If this is a need, another location away from humans needs to be identified. To me this seems like the last gasp for this business to exist.

Please listen to the community that has voiced its concern for the incredibly dangerous health hazards this array proposal brings.

Thank you for your attention

Jennifer Stock
resident of Petaluma, Western Ave

Bendix, Brittany

From: Pascoe, Samantha
Sent: Monday, January 11, 2021 9:14 AM
To: Bendix, Brittany
Cc: Rose, Kendall
Subject: FW: Scripts for City Council meetings
Attachments: C Council Script-Jan 4.pdf; City Council Script-Dec 21-W Denny.pdf; City Council-Dec 15- W Denny.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Brittany – I believe these are for your records.

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

City of Petaluma records, including emails, are subject to the California Public Records Act. Unless exemptions apply, this email, any attachments and any replies are subject to disclosure on request, and neither the sender nor any recipients should have any expectation of privacy regarding the contents of such communications.

From: Wendy Denny <wendymd4@gmail.com>
Sent: Saturday, January 9, 2021 10:20 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Scripts for City Council meetings

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi Kendall,
Here are a few additional scripts used from past city council meetings re the Cell Tower. please add them to the public records.
Thanks, Wendy Denny

Bendix, Brittany

From: Preston Brown <pbrown.eco@gmail.com>
Sent: Sunday, January 10, 2021 12:26 PM
To: -- City Clerk
Cc: McDonnell, Kevin; Dennis Pocekay; b.barnacle.gsw@gmail.com; Flynn, Peggy; Bendix, Brittany; Barrett,Teresa; Fischer, D'Lynda; Barnacle, Brian
Subject: Formal Complaint Against Peggy Flynn and Brittany Bendix: Lack of Transparency

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Dear City Clerk's Office,

I am writing to submit a formal complaint against City Manager Peggy Flynn and Brittnay Bendix of the M Group. Petaluma residents are very dissatisfied with the service from the M Group, and neglect to provide public information of the raw data of a drive test required for the Verizon wireless proposal at the Petaluma Creamery.

I submit this formal complaint of Ms Bendix and Ms Flynn as they have not provided the raw data of the drive test. After ignoring the requests of residents for several weeks, Ms Bendix and Ms Flynn did not allow the public to view the methodologies of the drive test, nor have they provided the data in a reasonable amount of time for public review. And according to Ms Flynn, the drive test data was collected in December, but the raw data has not been submitted to the public record. This violation of transparency is concerning and liable for potential litigation.

Neighbors continually requested the City for Drive Test information and methodologies for many months, yet the City did not provide Neighbors timely updates about this Drive Test. Then, following a period of unresponsiveness from 9/23/2020 through 10/23/2020 and again from 10/24/2020 through 11/16/2020, Brittany Bendix's unexpected email on Mon 11/16/2020 5:01 pm re: Drive Test, revealed clearly the City had been working on the methodologies for the drive test for several weeks but did not disclose it to the residents requesting the information as it was developed. Neighbors were unnecessarily withheld this public information for all that time.

Despite multiple subsequent requests for details re: Drive Test methodology, the M Group had not disclosed the Drive Test methodology, the terms of contract, or whether the contract stipulates that the engineering analysis would address how to protect residents' public safety, privacy, property values and their rights to the quiet enjoyment of streets and homes.

And again, the residents have requested the Raw Data in CSV format of the drive test, yet the City has still not provided the Raw Data weeks after the test was conducted in December. I understand the final report is not complete, but the Raw Data are what have been requested time and time again and should be submitted regardless of the status of the final report.

I am requesting the Raw Data of the drive test in CSV format be submitted to the public record and neighbors notified of its availability by COB Monday January 11, 2021.

Petaluma residents are very dissatisfied with the service from the M Group and the lack of transparency from Ms Flynn.

Thank you,
Preston Brown

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Friday, January 8, 2021 1:21 PM
To: Flynn, Peggy
Cc: Barrett,Teresa; Hines, Heather; Bendix, Brittany; Lee Afflerbach; Rose, Kendall; Taryn Obaid; Scott Springhorn
Subject: Will you please stop attempting obvious "slow-walking" strategies and please stop hiding critical data from the public -- in violation of CA law?

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
January 8, 2020

Ms. Peggy Flynn
City Manager
City of Petaluma
11 English Street
Petaluma, CA 94952
707-776-3765

cc:
Teresa Barrett
Heather Hines
Brittany Bendix
Lee Afflerbach, CTC Technology
Kendall Rose, City Clerk

Dear Ms. Flynn,

[City Clerk Kendall Rose, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 2,372,480 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA (see https://unsafeatanyg.com/petaluma/creamery)? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

Why are you making this so unnecessarily difficult? I did not hear back from you by 10:00 am on Dec 8, 2020, as I requested last evening.

Will you please stop attempting obvious "slow-walking" strategies and please **stop hiding critical data from the public -- in violation of CA law?**

> **Dec 10, 2020 [Petaluma Resident] CPRA Request:**
>
> "Please provide complete data set for the Drive Test that was conducted by consultant for the Verizon Creamery WTF project. Please provide in excel format raw data, not manipulated or filtered. Thank you."

Read my responses below as **pmg:** comments.

>>> Flynn, Peggy wrote on 1/8/2021 11:24 AM:

> **Flynn:** Hi Taryn, et al—
>
> As of late December, the drive test is complete and a draft analysis has been prepared;

pmg: Yet, we have the following written statement from you, Ms. Flynn, **already in the public record**. The public does not accept your attempt at "revisionist history" today.

> **Petaluma City Manager Peggy Flynn Email on Dec 3, 2020:**
>
> > "The drive test **has been conducted** and we anticipate the **submittal of the drive test report in the coming week**. Staff will alert the interested public when the report is available for review."
>
> Apparently, the drive test signal strength data collection was complete on a date earlier than Dec 3, 2020.
>
> I ask below . . . 'On what date(s) **was** the data collection conducted by CTC?' "
>
> > **Flynn:** however, it [the report, not the data collected] is not finalized, and is being reviewed by staff for accuracy and completeness.

pmg: The public can wait for such staff review of the report, but **all parties must recognize** that the raw, unfiltered signal strength data collected by CTC **cannot be changed in anyway** by such staff review. No changes to the data are allowed by CTC staff, the m-Group staff or other City of Petaluma staff. Full stop. The data collected is the data collected. **That is what we are demanding to receive the raw, unfiltered signal strength data collected by CTC today on Dec 8, 2020**. No more games, please.

The public has had a right to review the data collected by CTC from the date the data was collected. You **cannot continue to** hide this data from the Dec 10, 2020 CPRA request (see above). The public needs to receive and review this data immediately, **before** any additional Petaluma City staff review in order to protect the public's interests. You have **no authority to continue to hide** this raw, unfiltered signal strength data collected by CTC from the public -- **as you are willfully doing.** Please respect and follow CA law and send the public the spreadsheet of raw, unfiltered signal strength data collected by CTC today.

> **Flynn:** "Once the report is finalized, staff will upload it along with the raw data to the project website: https://cityofpetaluma.org/611-western-avenue-verizon-telecommunications-facility/. The goal is to post the drive test on the website within the next week."

The public **rejects** your timeline for receiving the raw, unfiltered signal strength data collected by CTC and consider this obstruction. The public, as full stakeholders in this project, also need the time to analyze and verify the data's completeness, since we have strong suspicion that the data will be insufficient and incomplete -- based on our analysis of CTC's Monterey Drive Test raw data collected in 2017.

Question: Has CTC Technology provided signal strength readings for **each** licensed Verizon frequency/channel/band in Petaluma? Will you please confirm?

> The current list of Verizon-licensed frequencies/channels/bands Petaluma is in **Appendix A**) . . . see https://ourtownourchoice.org/signal/ **and** https://specmap.sequence-omega.net/
>
> - **12** discrete frequencies/channels/bands (ranging from 700 MHz to 2,180 MHz), which matches the original RF report
> - **6** discrete frequencies/channels/bands (ranging from 3,550MHz to 3,650 MHz), which is Verizon's stated focus since Oct 13, 2020 (**a very likely** addition for the creamery) --> https://scientists4wiredtech.com/2020/10/verizon-announces-sub-6000-mhz-nationwide-5g-network/
> - **2** discrete frequencies/channels/bands 27,500 MHz to 28, 350 MHz (not likely for the creamery, but could be added at any time in the future)
> - **9** discrete frequencies/channels/bands 37, 600 MHz to 38, 600 MHz (not likely for the creamery, but could be added at any time in the future)
>
> As we just received requested information from Verizon,

pmg: What requested information did you just receive from Verizon? Is it at the following links? Will you please confirm if this is the complete set of Verizon requested information you that "just received" ?

- https://cityofpetaluma.org/documents/611-western-rf-exposure-study/
- https://cityofpetaluma.org/documents/611-western-rf-statement-recd-1-7-21-dated-12-4-20

> **Flynn:** we will be reviewing that data along with the drive test analysis to ensure a complete package for the January 26 joint Planning Commission and HCPC hearing.

The desire for a complete package for the January 26 joint Planning Commission and HCPC hearing is **separate and orthogonal** to the **public's right to immediately inspect** public records that you have disclosed, in writing, are in your possession, or easily available to you from CTC Technology? **We are demanding to inspect today** -- not the final report, but only the raw, unfiltered signal strength data collected by CTC-- which is our right to do so by CA law (See **Appendices B and C**).

Instead of spending City resources to have a City Attorney claim that the the raw, unfiltered signal strength data collected by CTC on or before Dec 3, 2020 is somehow considered "(a) Preliminary drafts, notes, or inter-agency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, if the public interest in withholding those records clearly outweighs the public interest in disclosure", such a claim is clearly **unwarranted. Please just send the data today.**

- The raw, unfiltered signal strength data collected by CTC has existed **in its final form on the date it was collected** (on or before Dec 3, 2020). Therefore, it is not a preliminary record in **any** way.
- There is no reason to to tie this finalized public record (the raw data) to any other public record (such as the final report)
- The raw, unfiltered signal strength data collected by CTC is easily severable from the final report
- The raw, unfiltered signal strength data collected by CTC is either currently in the possession of Petaluma City Staff or can be easily emailed by the contractor, CTC Technology, who was hired with City of Petaluma funds, once you instruct them to do so.
- The City of Petaluma is our local government, funded by its taxpayers. We have a right to inspect the work product when it is in its final state (as the raw data is).

Please stop playing games, Ms. Flynn. We understand our rights and CA law. Please follow CA law today.

> **Flynn:** Also note that the information from Verizon is getting posted now on that project webpage.

pmg: Has this information already been posted at these links?

- https://cityofpetaluma.org/documents/611-western-rf-exposure-study/
- https://cityofpetaluma.org/documents/611-western-rf-statement-recd-1-7-21-dated-12-4-20

Your duties under CA law are clear, Ms. Flynn. The data collected by CTC Technology **CANNOT** be hidden from the public to serve your desires to release the data only in the context of the final report. Acting in this ways is evidence of extreme bad faith by the city of Petaluma, **violates** CA Law (See **Appendices B and C**) -- California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 ("CPRA") -- and is obstructing the public's rights to monitor its local government and redress their grievances to their local government. Your well-documented actions to willfully choosing not to sufficiently respond to many well-documented voicemails and emails about this is also obstruction.

The raw, unfiltered signal strength data was finalized on the date that CTC Technology collected it. You should have shared it with the public on that date.

Ms. Flynn, will you please answer the following questions today?

1. On what date(s) was the data collection conducted by CTC? (I will assume Dec 1)

2. Are you aware that the City of Petaluma received a CPRA request for this raw, unfiltered signal strength data on Dec 10, 2020 (see above)?

3. Have you read the key provisions of the CPRA (Appendix C)?

4. As the public has every right to reject the reason you have provided at 1/8/2020 at 11:24 as as **insufficient**, and we are demanding to receive the raw, unfiltered signal strength data today, then what law can you cite to **continue to withhold** this critically-important data from the public from Dec 1, 2020 though Jan 8, 2021?

5. Has CTC Technology provided signals strength readings for **each** licensed Verizon frequencies/channels/bands in Petaluma (See **Appendix A**)? Will you please confirm?

If you can provide no such citation, then please send the raw, unfiltered signal strength data -- which is obviously easy for you or Lee Afflerbach to provide -- by **no later than 5:00 pm EST today**.

Thank you.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Appendix A: Verizon Licensed Frequencies/Bands in Petaluma, CA

Updated on Dec 19, 2020

From https://www.unsafeatanyg.com/petaluma/creamery/#signal

Source: https://specmap.sequence-omega.net/

Label	Num	Blk	Area	Channel	Bandwidth	Center	Trs./Rec.
700 MHz	3141	C	REA	746-757	11	751.5	tbd
700 MHz	3141	C	REA	776-787	11	781.5	tbd
Cellular	1933	B	CMA	835-845	10	840	tbd
Cellular	1933	B	CMA	846.5-849	2.5	847.75	tbd
Cellular	1933	B	CMA	880-894	14	887	tbd
Cellular	1933	B	CMA	891.5-894	2.5	892.75	tbd
PCS	1028	C	BTA	1895-1910	15	1902.5	tbd
PCS	1028	C	BTA	1975-1990	15	1982.5	tbd
AWS	2469	B	BEA	1720-1730	10	1725	tbd
AWS	2469	B	BEA	2120-2130	10	2125	tbd
AWS-3	678	J	BEA	1770-1780	5	1757.5	tbd

Label	Num	Blk	Area	Channel	Bandwidth	Center	Trs./Rec.
AWS-3	678	J	BEA	2170-2180	5	2157.5	tbd
CBRS PAL	32	P1	PEA	3550-3650	100	3600	**coming**
CBRS PAL	54	P2	PEA	3550-3650	100	3600	**coming**
CBRS PAL	205	P3	PEA	3550-3650	100	3600	**coming**
CBRS PAL	226	P4	PEA	3550-3650	100	3600	**coming**
CBRS PAL	209	P5	PEA	3550-3650	100	3600	**coming**
CBRS PAL	122	P6	PEA	3550-3650	100	3600	**coming**
mmWave	1699	L1	BTA	27500-27925	425	27712.5	tbd
mmWave	1618	L2	BTA	27925-28350	425	28137.5	tbd
mmWave	3142	M1	PEA	37600-37700	100	37650	tbd
mmWave	3142	M2	PEA	37700-37800	100	37750	tbd
mmWave	3142	M3	PEA	37800-37900	100	37850	tbd
mmWave	3142	M4	PEA	37900-38000	100	37950	tbd
mmWave	3142	M5	PEA	38000-38100	100	38050	tbd
mmWave	3142	M6	PEA	38100-38200	100	38150	tbd
mmWave	3142	M7	PEA	38200-38300	100	38250	tbd
mmWave	3132	M8	PEA	38300-38400	100	38350	tbd
mmWave	2894	M9	PEA	38400-38500	100	38450	tbd
mmWave	2894	M10	PEA	38500-38600	100	38550	tbd
mmWave	371	M10	PEA	38500-38600	100	38550	tbd

asdfdsf

Appendix B: California Constitution, Article I — DECLARATION OF RIGHTS

Section 1.

All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy.

(Sec. 1 added Nov. 5, 1974, by Proposition 7. Resolution Chapter 90, 1974.)

Section 2.

(a) Every person may freely speak, write and publish his or her sentiments on all subjects, being responsible for the abuse of this right. A law may not restrain or abridge liberty of speech or press.

(b) A publisher, editor, reporter, or other person connected with or employed upon a newspaper, magazine, or other periodical publication, or by a press association or wire service, or any person who has been so connected or employed, shall not be adjudged in contempt by a judicial, legislative, or administrative body, or any other body having the power to issue subpoenas, for refusing to disclose the source of any information procured while so connected or employed for publication in a newspaper, magazine or other periodical publication, or for refusing to disclose any unpublished information obtained or prepared in gathering, receiving or processing of information for communication to the public.

Nor shall a radio or television news reporter or other person connected with or employed by a radio or television station, or any person who has been so connected or employed, be so adjudged in contempt for refusing to disclose the source of any information procured while so connected or employed for news or news commentary purposes on radio or television, or for refusing to disclose any unpublished information obtained or prepared in gathering, receiving or processing of information for communication to the public.

As used in this subdivision, "unpublished information" includes information not disseminated to the public by the person from whom disclosure is sought, whether or not related information has been disseminated and includes, but is not limited to, all notes, outtakes, photographs, tapes or other data of whatever sort not itself disseminated to the public through a medium of communication, whether or not published information based upon or related to such material has been disseminated.

(Sec. 2 amended June 3, 1980, by Prop. 5. Res.Ch. 77, 1978.)

Section 3.

(a) The people have the right to instruct their representatives, petition government for redress of grievances, and assemble freely to consult for the common good.

(b) (1) The people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny.

(2) A statute, court rule, or other authority, including those in effect on the effective date of this subdivision, shall be broadly construed if it furthers the people's right of access, and narrowly construed if it limits the right of access. A statute, court rule, or other authority adopted after the effective date of this subdivision that limits the right of access shall be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

(3) Nothing in this subdivision supersedes or modifies the right of privacy guaranteed by Section 1 or affects the construction of any statute, court rule, or other authority to the extent that it protects that right to privacy, including any statutory procedures governing discovery or disclosure of information concerning the official performance or professional qualifications of a peace officer.

(4) Nothing in this subdivision supersedes or modifies any provision of this Constitution, including the guarantees that a person may not be deprived of life, liberty, or property without due process of law, or denied equal protection of the laws, as provided in Section 7.

(5) This subdivision does not repeal or nullify, expressly or by implication, any constitutional or statutory exception to the right of access to public records or meetings of public bodies that is in effect on the effective date of this subdivision, including, but not limited to, any statute protecting the confidentiality of law enforcement and prosecution records.

(6) Nothing in this subdivision repeals, nullifies, supersedes, or modifies protections for the confidentiality of proceedings and records of the Legislature, the Members of the Legislature, and its employees, committees, and caucuses provided by Section 7 of Article IV, state law, or legislative rules adopted in furtherance of those provisions; nor does it affect the scope of permitted discovery in judicial or administrative proceedings regarding deliberations of the Legislature, the Members of the Legislature, and its employees, committees, and caucuses.

(7) In order to ensure public access to the meetings of public bodies and the writings of public officials and agencies, as specified in paragraph (1), each local agency is hereby required to comply with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) and the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), and with any subsequent statutory enactment amending either act, enacting a successor act, or amending any successor act that contains findings demonstrating that the statutory enactment furthers the purposes of this section.

(Sec. 3 amended June 3, 2014, by Prop. 42. Res.Ch. 123, 2013.)

Appendix C: Excerpts of California Govt. Code §§6250 - 6276.48
CHAPTER 3.5. Inspection of Public Records

(Article 4 enacted by Stats. 1943, Ch. 134.)

- I am a such a natural person in the following . . . **§ 6252.(b):** "'Member of the public', [which] means any person, except a member, agent, officer, or employee of a federal, state, or local agency acting within the scope of his or her membership, agency, office, or employment. (c) **"Person" includes any natural person** . . .
- **§6253.(c):** "Each agency, upon a request for a copy of records, shall . . . determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency . . . In unusual circumstances, the time limit prescribed in this section may be extended by written notice by the head of the agency or his or her designee to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched . . . the agency shall state the estimated date and time when the records will be made available. As used in this section, "unusual circumstances" means the following, but only to the extent reasonably necessary to the proper processing of the particular request:
    1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.
    2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.
    3. The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein.
    4. The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.
- **§ 6253 (e):** " 'Public records' includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics."
- **§ 6253 (g)** " 'Writing' means any handwriting, typewriting, printing, photo stating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored."
- **§ 6254.** "Except as provided in Sections 6254.7 and 6254.13, this chapter does not require the disclosure of any of the following records: **(a) Preliminary drafts**, notes, or inter-agency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, if the public interest in withholding those records clearly outweighs the public interest in disclosure."
- **§ 6254(k):** "Records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege."
- § **6255. (a):** The agency shall justify withholding any record by demonstrating that the record in question is exempt under express provisions of this chapter or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.
- § **6255. (b):** A response to a written request for inspection or copies of public records that includes a determination that the request is denied, in whole or in part, shall be in writing."

(Chapter 3.5 added by Stats. 1968, Ch. 1473.)

Bendix, Brittany

From: Pascoe, Samantha
Sent: Friday, January 8, 2021 10:53 AM
To: Bendix, Brittany; Hines, Heather
Cc: Flynn, Peggy; Rose, Kendall
Subject: FW: Why still no Drive Test data?

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

City of Petaluma records, including emails, are subject to the California Public Records Act. Unless exemptions apply, this email, any attachments and any replies are subject to disclosure on request, and neither the sender nor any recipients should have any expectation of privacy regarding the contents of such communications.

From: Taryn Obaid <taryn_obaid@hotmail.com>
Sent: Friday, January 8, 2021 10:27 AM
To: Flynn, Peggy <PFlynn@cityofpetaluma.org>
Cc: Richard Marzo <richard@lacehouselinen.com>; Scott Alonso <alonsoplanningpet@gmail.com>; Heidi Bauer <heidibauer2000@gmail.com>; McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; Sandi Potter <sandi.lee.potter@gmail.com>; Blake Hooper <bmhooper1@gmail.com>; Barrett,Teresa <tbarrett@cityofpetaluma.org>; Fischer, D'Lynda <dfischer@cityofpetaluma.org>; Healy, Mike <mhealy@cityofpetaluma.org>; McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; King, Dave <dking@cityofpetaluma.org>; b.barnacle.gsw@gmail.com; Dennis Pocekay <dpocekay@gmail.com>; -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Why still no Drive Test data?

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

[City Clerk - please add this email to Verizon Creamery application public file/record. Thank you.]

Dear City Manager Flynn,

Citizens want the Drive Test data file today.

Please pardon my strong tone, but this is beyond frustrating, and I believe, against the law to withhold from us for so long.

As a retired Data Analyst, I will tell you it is customary to deliver data to client immediately -- before report is even started to be written. A data file requires no editing/finalizing -- in fact, a data file must never be molested. That would be a highly suspect violation of data management standard practice. Why does the City continue withholding?

Citizens have been asking for **months**. We still have not received Drive Test data, although it has been collected. Citizens have a right to review this data as well as whatever "analysis" report is ultimately submitted.

Why have we had to wait **2 entire months** on this project despite multiple (last document we got was data Nov 10), aside from seeing the Dec 21 letter to Creamery addressing only 1 of its many non-compliance issues? And now, **we learn Permit Hearing will be in 10 days and we <u>still</u> have no Drive Test data.**

Taryn

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Friday, January 8, 2021 8:32 AM
To: Bendix, Brittany; Hines, Heather; Flynn, Peggy
Cc: Lee Afflerbach; Barrett,Teresa
Subject: Re: 611 Western - Verizon Facility - Question and CPRA Demand -- Typo corrected

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Dear Ms. Bendix, Ms.Hines and Ms Flynn.

Typo corrected below . . . I am seeking a timely answer from the parties addressed. Intentionally slow-walking this critically important information is unacceptable and violates California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48. The public has rights and these rights are routinely and chronically being violated by the City of Petaluma. Please, immediately follow CA law.

Dec 10, 2020 [Petaluma Resident] CPRA Request:

> "Please provide complete data set for the Drive Test that was conducted by consultant for the Verizon Creamery WTF project. Please provide in excel format raw data, not manipulated or filtered. Thank you."

Thank you.

Paul McGavin wrote on 1/7/2021 8:36 PM:

> Jan 7, 2021
>
> Dear Ms. Bendix, Ms.Hines and Ms Flynn.
>
> I will respond to the Jan 7, 2021 at 7:09 PM notice, quoted below, more formally and more widely tomorrow, but will give you until 10:00 am on Jan 8, 2021 to clarify the City of Petaluma's position about why the m-Group or any City of Petaluma staff City **has not already followed** California Gov. Code CHAPTER 3.5. Inspection of Public Records, Sections 6250 – 6276.48 ("CPRA") with respect to the raw data of the Drive Test conducted by CTC Technology on behalf of the City of Petaluma.
>
> The facts are the following:
>
> **A. Petaluma City Manager Peggy Flynn Email on Dec 3, 2020:**
>
> > "The drive test **has been conducted** and we anticipate the **submittal of the drive test report in the coming week**. Staff will alert the interested public when the report is available for review."
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> **B. Dec 10, 2020 [Petaluma Resident] CPRA Request:**
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> > "Please provide complete data set for the Drive Test that was conducted by consultant for the Verizon Creamery WTF project. Please provide in excel format raw data, not manipulated or filtered. Thank you."
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> **C. Heather Hines Comment at 19:33 in the video of the Dec 15, 2020 Planning Commission meeting**

> "I did want to respond to one detail that came up in public comment in terms of the drive test. So, it is correct that the City hired technical expertise to conduct a drive vest. **It has been conducted**. We have not received the report, yet. Once that report with the data is received, we will be putting that into the public record and be notifying the neighbors that have been interested in inquiring that that is available for their review. "

The Hines comment, above, illustrates the basic problem we have been enduring for the last five months. Heather Hines stated on on Dec 15, 2020 that she is still withholding the completed raw data from the public even though the **drive test has been complete since Dec 3, 2020 or earlier**. By every conceivable calculation, the m-Group and the City of Petaluma has violated the CPRA by not providing the completed, unfiltered and unedited data to the public in a timely manner, as prescribed by the CPRA.

I know the following . . . regardless of the ping-pong process between CTC Technology and the City of Petaluma staff on the final wording of the report, **the raw data of the drive test was available at least as early as Dec 3, 2020** because Flynn confirmed on Dec 3 that the "drive test has been conducted" — past tense.

Therefore, there is no basis to continue to hide from the public the raw data from the completed drive test. The receipt of this data is orthoganol to this completion of the final CTC report. The public has had the needs to review the raw data from the drive test for the last four weeks. The state of this data (most likely woefully incomplete, based on our detailed analysis of CTC's raw data from Monterey) may require the City of Petaluma to **delay the planned January 26, 2020 hearing**, due to negligence.

I can receive the complete raw data set for the Drive Test that was conducted by CTC Technology for the Verizon Creamery WTF project via a simple email delivery of an Excel spreadsheet or pdf and will expect it by **no later than** 5:00 pm on Jan 8, 2020.

What evidence, if any, can you, Ms. Bendix, Ms. Hines or Ms. Flynn cite to justify such a flagrant disregard of California law? If you cite no sufficient evidence by 10:00 am on Jan 8, 2021, than this serious CPRA violation will be reported and enforcement actions will commence.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Thursday, January 7, 2021 8:37 PM
To: Bendix, Brittany; Hines, Heather; Flynn, Peggy
Cc: Lee Afflerbach; Barrett,Teresa
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The facts are the following:

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> "The drive test **has been conducted** and we anticipate the **submittal of the drive test report in the coming week**. Staff will alert the interested public when the report is available for review."

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> "I did want to respond to one detail that came up in public comment in terms of the drive test. So, it is correct that the City hired technical expertise to conduct a drive vest. **It has been conducted**. We have not received the report, yet. Once that report with the data is received, we will be putting that into the public record and be notifying the neighbors that have been interested in inquiring that that is available for their review. "

The Hines comment, above, illustrates the basic problem we have been enduring for the last five months. Heather Hines stated on on Dec 15, 2020 that she is still withholding the completed raw data from the public even though the **drive test has been complete since Dec 3, 2020 or earlier**. By every conceivable calculation, the m-Group and the City of Petaluma has violated the CPRA by not providing the completed, unfiltered and unedited data to the public in a timely manner, as prescribed by the CPRA.

I know the following . . . regardless of the ping-pong process between CTC Technology and the City of Petaluma staff on the final wording of the report, **the raw data of the drive test was available at least as early as Dec 3, 2020** because Flynn confirmed on Dec 3 that the "drive test has been conducted" — past tense.

Therefore, there is no basis to continue to hide from the public the raw data from the completed drive test. The receipt of this data is orthoganol to this completion of the final CTC report. The public has had the needs to review the raw data from the drive test for the last four weeks. The state of this data (most likely woefully incomplete, based on our detailed

analysis of CTC's raw data from Monterey) may require the City of Petaluma to **delay the planned January 26, 2020 hearing**, due to negligence.

I can receive the complete raw data set for the Drive Test that was conducted by CTC Technology for the Verizon Creamery WTF project via a simple email delivery of an Excel spreadsheet or pdf and will expect it by **no later than** 5:00 pm on Dec 8, 2020.

What evidence, if any, can you, Ms. Bendix, Ms. Hines or Ms. Flynn cite to justify such a flagrant disregard of California law? If you cite no sufficient evidence by 10:00 am on Jan 8, 2021, than this serious CPRA violation will be reported and enforcement actions will commence.

>>> Bendix, Brittany wrote on 1/7/2021 7:09 PM:

> Good Evening,
>
> I'm following up with an update on the Verizon project at 611 Western Avenue.
>
> 1. The drive test is complete and a draft analysis has been prepared; however, it is not finalized. Once the report is finalized, I will upload it along with the raw data to the project website. I will send out another e-mail update to let you know that it has been posted.
>
> 2. Staff is moving forward with a joint Planning Commission and HCPC hearing on January 26, 2021. New signage will be placed at the Creamery acknowledging this hearing date. Additionally, a notice will be published in the Argus on January 14 and mailed to all owners and occupants within 1,000 feet of the property. I will also send a copy of the notice to the individuals on this e-mail list in case some of you do not reside in that area.
>
> 3. As a heads up, I just received multiple documents from the applicant this evening. I will be uploading those to the project webpage by noon tomorrow and will date the document so that you can tell that it's been updated. The project webpage is available here: https://cityofpetaluma.org/611-western-avenue-verizon-telecommunications-facility/
>
> Thank you,
>
> Brittany

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Bendix, Brittany

From: Pascoe, Samantha
Sent: Wednesday, January 6, 2021 4:34 PM
To: Bendix, Brittany
Subject: FW: Petaluma Creamery Cell Tower: Please REJECT it

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

City of Petaluma records, including emails, are subject to the California Public Records Act. Unless exemptions apply, this email, any attachments and any replies are subject to disclosure on request, and neither the sender nor any recipients should have any expectation of privacy regarding the contents of such communications.

From: Preston Brown <pbrown.eco@gmail.com>
Sent: Tuesday, January 5, 2021 3:39 PM
To: Flynn, Peggy <PFlynn@cityofpetaluma.org>
Cc: Richard@lacehouselinen.com; alonsoplanningpet@gmail.com; heidibauer2000@gmail.com; McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; sandi.lee.potter@gmail.com; bmhooper1@gmail.com; Barrett,Teresa <tbarrett@cityofpetaluma.org>; Fischer, D'Lynda <dfischer@cityofpetaluma.org>; Healy, Mike <mhealy@cityofpetaluma.org>; King, Dave <dking@cityofpetaluma.org>; -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Petaluma Creamery Cell Tower: Please REJECT it

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hello Ms. Flynn and City Staff,

I am writing to urge the City to please release the "Raw Data" and the final report from the Drive Test the city had done recently. It's critical that this information be made public. When can we expect this data and report?

As you're aware a fire occurred last month at the Creamery, this demonstrates the poor compliance the creamery has with regard to public safety. The proposed cell tower facility can start fires, as a large amount the electricity is emitted from the antennas, and if a fire were to occur, would be damaging to the neighborhood. To make matters worse the fire occurred in the room that houses the toxic, flammable, and out of compliance ammonia cooling system. This is the second fire that has taken place at the same location in 6 months. The other fire was on June 19th of 2020. No alarms were triggered during either of the fires! Workers and firefighters were not warned by a fire alarm to indicate a fire had occurred. Creamery staff happened to be nearby and smelled smoke and then called the Fire Dept. At the same time this fire started, citizens were giving public comments to the City Council about the fire danger at the Creamery.

Lastly, many real estate brokers and realtors work in Petaluma who have written letters that describe the loss of up to 20% of property values in residences that are near cell towers or antennas. Sellers are required by law to disclose when a home is near a tower or antenna. Based on professional expertise and shown in numerous studies this proposed cell tower will substantially reduce the value of your home and have a negative impact on your ability to sell real estate.

Best,

Preston

Bendix, Brittany

From: Pascoe, Samantha
Sent: Wednesday, January 6, 2021 4:34 PM
To: Bendix, Brittany
Subject: FW: Please Provide Drive Test Data for Verizon. We Don't Want the Tower

There are a few of these emails I'll be forwarding. Same message. Different senders.

Hope all is well with you. Sam

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Jeffery Rivera <livebog777@gmail.com>
Sent: Tuesday, January 5, 2021 3:46 PM
To: Flynn, Peggy <PFlynn@cityofpetaluma.org>
Cc: Richard@lacehouselinen.com; alonsoplanningpet@gmail.com; heidibauer2000@gmail.com; McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; sandi.lee.potter@gmail.com; bmhooper1@gmail.com; Barrett,Teresa <tbarrett@cityofpetaluma.org>; Fischer, D'Lynda <dfischer@cityofpetaluma.org>; Healy, Mike <mhealy@cityofpetaluma.org>; King, Dave <dking@cityofpetaluma.org>; -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Please Provide Drive Test Data for Verizon. We Don't Want the Tower

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Lastly, many real estate brokers and realtors work in Petaluma who have written letters that describe the loss of up to 20% of property values in residences that are near cell towers or antennas. Sellers are required by law to disclose when a home is near a tower or antenna. Based on professional expertise and shown in numerous studies this proposed cell tower will substantially reduce the value of your home and have a negative impact on your ability to sell real estate.

Thanks,

Jeffery Rivera

Bendix, Brittany

From: Pascoe, Samantha
Sent: Wednesday, January 6, 2021 4:33 PM
To: Bendix, Brittany
Subject: FW: Verizon Drive Test Results, and WE Don't Want the Cell Tower Thank you!

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Ken McCullough <k.mcculough1231@gmail.com>
Sent: Tuesday, January 5, 2021 3:49 PM
To: Flynn, Peggy <PFlynn@cityofpetaluma.org>
Cc: Richard@lacehouselinen.com; alonsoplanningpet@gmail.com; heidibauer2000@gmail.com; McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; sandi.lee.potter@gmail.com; bmhooper1@gmail.com; Barrett,Teresa <tbarrett@cityofpetaluma.org>; Fischer, D'Lynda <dfischer@cityofpetaluma.org>; Healy, Mike <mhealy@cityofpetaluma.org>; King, Dave <dking@cityofpetaluma.org>; -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Verizon Drive Test Results, and WE Don't Want the Cell Tower Thank you!

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hello Ms. Flynn and City Staff,

I am writing to urge the City to please release the "Raw Data" and the final report from the Drive Test the city had done recently. It's critical that this information be made public. When can we expect this data and report?

As you're aware a fire occurred last month at the Creamery, this demonstrates the poor compliance the creamery has with regard to public safety. The proposed cell tower facility can start fires, as a large amount the electricity is emitted from the antennas, and if a fire were to occur, would be damaging to the neighborhood. To make matters worse the fire occurred in the room that houses the toxic, flammable, and out of compliance ammonia cooling system. This is the second fire that has taken place at the same location in 6 months. The other fire was on June 19th of 2020. No alarms were triggered during either of the fires! Workers and firefighters were not warned by a fire alarm to indicate a fire had occurred. Creamery staff happened to be nearby and smelled smoke and then called the Fire Dept. At the same time this fire started, citizens were giving public comments to the City Council about the fire danger at the Creamery.

Lastly, many real estate brokers and realtors work in Petaluma who have written letters that describe the loss of up to 20% of property values in residences that are near cell towers or antennas. Sellers are required by law to disclose when a home is near a tower or antenna. Based on professional expertise and shown in numerous studies this proposed cell tower will substantially reduce the value of your home and have a negative impact on your ability to sell real estate.

Sincerely,
Ken

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, January 5, 2021 11:40 AM
To: -- City Council
Cc: Bendix, Brittany
Subject: FW: comment of Verizon Creamery application

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Taryn Obaid <taryn_obaid@hotmail.com>
Sent: Monday, January 4, 2021 7:14 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: comment of Verizon Creamery application

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

City Clerk Rose -- please forward this comment to City Council and include in the Public file Verizon Creamery Application. Thank you.

These are my comments from tonight's meeting...

By law, Verizon must only install in the least intrusive location - yet in their application, Verizon dismissed all other listed locations -- all of them substantially less-intrusive than the Creamery residential neighborhood. Dismissed them without providing substantive reasons. Verizon just says they don't like these less intrusive locations.

Why? Profitability.

The fact is the Creamery location is cheap for Verizon. That's because the other, less-intrusive locations carry infrastructure expenses such as putting in a road; laying wire to connect to the electric grid; grading the lot; and constructing a tower for the antennae. Industry standard expenses Verizon would rather not pay.

Our City has the legal right to deny Verizon's application and tell them to put it in a less intrusive location. Further, the law protects cities from any bullying from telecom carriers - if carriers try to sue cities they are NOT entitled to recover any expenses. Even if a carrier were to win, the sole cost to cities would be their own expense.

This Verizon application has taught us we need a stronger wireless ordinance -- for example an ordinance with application requiring proof that there is a gap in their service -- such as the Drive Test and Call Logs that citizens have been talking about.

The #1 People's wireless attorney in the US is Andrew Campanelli. He has a track record of protecting the rights of people and municipalities from the wireless industrial complex. He offers full city code review and bullet-proof wireless ordinance writing for less than $10,000. Neighbors and myself ask the City to hire Mr Campanelli to ensure our city has the very best protection -- of the peaceful enjoyment of our streets, our public safety, and our property values.

This is an opportunity for our City. Because any one of us -- City Council members, staff, and citizens alike -- could wake up one morning, look out our window and discover a microwave-blasting antennae has been installed just outside our bedroom window.

Thank you.

Bendix, Brittany

From: Pascoe, Samantha
Sent: Monday, December 14, 2020 9:26 AM
To: -- City Council; dennis pocekay; brian barnacle; Bendix, Brittany; Ellis, Evelyn
Subject: FW: Cell Tower Protest
Attachments: Letter 12-14-2020.docx

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Patricia Buckley <patriciabuckley335@comcast.net>
Sent: Sunday, December 13, 2020 4:57 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Cell Tower Protest

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

City Clerk of Petaluma,

Would you kindly distribute my attached letter to:

-The Planning Commission
-The City Council Members

Thank you!

Patricia Buckley

Bendix, Brittany

From: Scott Springhorn <sspringhorn@gmail.com>
Sent: Tuesday, December 8, 2020 1:29 PM
To: Justine Tyree; Taryn Obaid; Julia Allen; Shad Cloney; Wendy Denny; Samantha Buller; Bendix, Brittany; Rose, Kendall; Kit Schlich; bill@johnsonrinehart.com; brknmad@yahoo.com; terry@kozyhomes.net; tukuto@yahoo.com
Subject: Public Comments for Cancelled 12/8/20 HCPC Meeting

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
To members of the City of Petaluma HCPC and Ms. Rose,

Members of this neighborhood wanted to send you the following public comments that we were going to make in tonight's HCPC meeting that was cancelled as well as put them in the public record for this proposed project at the Petaluma Creamery. As you only meet once a month we really wanted you to be able to read these comments as soon as possible. We wanted to send one email that had all of our comments instead of 7 different emails. The name of the person who would be making the comment is written before their comment. All of the people who would have made this comment are cc'd on this email too. It should also be stated that there was another fire at the Petaluma Creamery last night. Thank you again for your hard work and we look forward to making other comments in the January meeting. Have a great day.

Public Comments for Cancelled 12/8/20 HCPC Meeting:

1. Justine Tyree - Chapter 15 PMC: Chapter 15 of the Petaluma Municipal code is all about the Preservation of the Cultural and Historic Environment within the city of Petaluma. Section 15.010 states the purpose of this section. It goes on to say the following, .."the public health, safety, and welfare require prevention of needless destruction and impairment, and promotion of the economic utilization and discouragement of the decay and desuetude of such structures, sites and areas. The purpose of this Chapter is to promote the health, safety, and general welfare of the public through". In relation to needless impairment, and desuetude of site and area the proposed major cell tower on top of the Petaluma creamery is exactly what is being stated here. There is no evidence in the public record that shows any need for this tower. City code 15.010 C states the following regarding the purpose of the HCPC; The enhancement of property values, the stabilization of neighborhoods and areas of the City, the increase of economic and financial benefits to the City and its inhabitants, and the promotion of tourist trade and interest. Citizens in the community have received many letters from local real estate brokers and agents regarding the loss of property values of homes that are located near cell towers. Based on these professionals and many recognized studies this evidence will be placed in the public file. This evidence is showing that losses up to 20% are occurring for homeowners who try to sell their houses when they are near these cell towers. That can be a loss of tens or hundreds of thousands of dollars for each of this city's residents. That would also be a loss of millions and millions of dollars to the city residents in total each year for generations to come. That is so inappropriate and cannot happen. This proposed project will affect all of the people within a 3 mile radius around the creamery. This project will impact our property values, destabilize this neighborhood, and decrease economic and financial benefits to the downtown and west side areas. There is no need for this tower and you the HCPC has many ways to deny this project and promote the health, safety, and general welfare of the public through these city ordinances. Thank you for doing what is right for the city today and for generations to come. Thank you for your time.

---

2. Taryn Obaid - Loss of Property Values: Petaluma real estate brokers and agents are informing residents that the Verizon wireless facility at the Creamery will cause up to 20% loss of property values for homes and businesses near the Creamery per national data analysis. Such is the case that homeowners are required to disclose that they live near a cell tower when they go to sell their houses. The data-analysis-proven truth is no one wants to live or do business near a wireless facility. Further, consider that 20% lower property values, in turn, lower property tax revenue for a city. Consider what that means for our City's budget -- each year now and for generations to come and what that

impact will look like when CalPERS obligations come to full maturity. Terrifyingly, the Downtown Petaluma residents and business owners are now, with this proposed facility, put in a situation where their lives are being impacted, their property values and livelihoods taken. Taken -- because they have no choice. And, pardon me, it must be stated that the Creamery is a complete mess and a not-good neighbor. It is out of compliance with its toxic & flammable ammonia cooling systems and air quality. Fires break out there regularly, the most recent just a few weeks ago.I recently learned the International Firefighters Association will not allow cell facilities on any fire houses. How can our City even consider placing cell towers on top of this flimsy corrugated metal tower and dimpled roof, directly over tanks of ammonia? This wireless facility must not be allowed to financially benefit one individual, while costing thousands of current and future citizens so dearly. This wireless facility must be moved (somewhere else more appropriate and less intrusive) to a site away from homes and businesses.Thank you for your time.

---

3. Scott Springhorn - Verizon will not give call logs to the city: Verizon is continuing to act in bad faith with the city of Petaluma. The city has been asking Verizon to produce the 12 month call logs for the 3 mile radius around the creamery for over 3 months now. Verizon has refused to give up this information. They have now stated that they WILL NOT hand over this vital data. This data, which can be generated in a matter of minutes, is completely free, and shows exactly the level of good service that lives in a 3 mile radius around the creamery. They refuse to give this information as it would show that there is no significant gap in verizon telecommunication service. This would mean that there is no need for this tower and this application would be denied. This refusal of data by verizon is not acceptable and continues to show that they are acting in bad faith and doing whatever they want to not comply with the city and its ordinances. What is even more unsettling is that if you go on to verizon's main website and go to the national coverage map and type in 611 Western Ave, which is the address to the creamery, you will see they are showing that there is full 5G nationwide and 4GLTE coverage in ALL of Petaluma. How can they say there is FULL service on their business website, but then submit completely different information to the city that there is not this service? The answer is that there is no gap in service anywhere in Petaluma, especially around the creamery. These call logs can show this and that is why the applicant will not provide it. Those of you who can and will make decisions about this project cannot allow an outside company to provide inaccurate information, bad faith, and zero evidence to do business here in Petaluma. Thank you for your time.

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4. Wendy Denny - Drive Test Data into the Public Record: The city of Petaluma has made the right decision for this town and its residents by ordering a drive test that will measure the level of telecommunications service in a 3 mile radius around the Petaluma Creamery. With that said it is very important that once this test is completed the "raw data" needs to be put in the public record as soon as possible. The city has hired CTC consultants to do this drive test. Most likely they will provide a report of what they found but the raw data MUST also be put in the record as well to show what was actually found so that everyone can see. This raw data shows the actual service level that was found. That way the city and the public have a chance to view this data. It also ensures that no matter what consultants may say or try to show that the data actually drives the truth. There is no reason to not put this information as soon as it is available in the public record. Verizon has stated that there is a need for capacity. This term and idea is not legally viable and is nowhere in the 1996 TCA and no matter what Verizon says about capacity and its needs or goals. That is why we must have the raw data to show the only thing that is important is that there is no significant gap in verizon telecommunications service within a 3 mile radius of the Petaluma Creamery.
We have been told that the drive test has been completed already. We ask the city to put this raw drive test data in the public record as soon as possible so that we all may look at it now. Thank you for your time.

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5. Sam Bueller - BAAQMD compliance is required by 12/31/20: The Petaluma Creamery is STILL out of compliance with the BAAQMD. This non compliance has been going on for 13 years and counting. The Petaluma Creamery is coming up on a very important date, they need to be in compliance with their boilers and emissions by December 31st, 2020. Failure to do so would mean what, exactly? The creamery has been asked to stay compliant and no consequences have been given. Please remember that the creamery has had a record of not meeting the dates the last 4 times over 13 years to be in compliance. Where is the creamery only 20 days away now from its deadline, in relation to what work needs to be done? It should also be noted that in addition to this specific issue many others STILL remain. The creamery is STILL out of compliance with their ammonia cooling system and this had to be in compliance with over 10 vital safety measures by September 1st. This work has not been done and this non compliance leaves this community at a safety risk every single day it is not enforced.

It should also be noted that only two weeks ago the city fire department gave a citation to the creamery. STILL there continues to be old and new issues at this site. This site is NOT the least intrusive or most appropriate site for this proposed cell tower. Deny this application or put it somewhere else that is most appropriate and the least intrusive just like our city code demands. Thank you for your time.

---

6. Julie Allen - Alternate SIte for Cell Tower: Verizon turned in an alternate site analysis for the proposed 16 antenna project on top of the petaluma creamery back in August of 2019. In this analysis they did not do an adequate job of showing alternate sites that this project is better suited for. In this report they showed 3 other places that were more feasible but they did not want to use them as they said it did not meet their goals. Apparently the only place that meets these goals is on top of a historical building that is out of compliance in many safety and operational issues while being surrounded by 95% residential. That is the exact opposite of being the least intrusive place available. It should be stated that according to Verizon's website that the place that actually needs better wireless services is closer to site #8 that is specified in this analysis. Based on what Verizon is actually showing this should be very easy to solve. Verizon does not want to go to this site as they know they cannot have a major facility or have the power that they want to produce. It should also be noted that they are not going to comply with being a minor facility, and other city ordinances at the petaluma creamery site, but would comply with the city codes at the alternate site? How are they able to pick and choose what they will comply with and where? The city has codes in place to ensure that these WTFs are only able to go up in the most appropriate place. Verizon must comply with this ordinance as this is the city's choice and not the applicants. Petaluma municipal code already exists that requires a cell tower to go up in the least intrusive place possible. There are other appropriate and feasible locations that will not affect citizens and business property values while still achieving phone service for all.
The Petaluma creamery is a historical building, is out of compliance in safety and hazard issues, and is surrounded by 95% residential. This is not an appropriate area for this WTF at all. The city needs to require the applicant to improve their site analysis and find a more appropriate and least intrusive site that actually goes somewhere where phone service is actually needed. Thank you for your time.

---

7. Shad Cloney - Loss of Property Values: The proposed 16 antenna major cell tower on top of the Petaluma creamery will cause a loss of property values for thousands of people near the Petaluma creamery which will in turn cause the city of Petaluma to lose millions of dollars each year now and for generations to come. Local real estate brokers and agents have been writing letters to let everyone know that there will be a significant loss of property value and lack of buyers to buy these homes in the area around the Petaluma creamery. These are professionals that are stating real evidence of this fact happening. According to these brokers, agents, and many studies that are published that there is a loss of up to 20% on property values to these houses near cell towers. All of these people who live here are now put in a situation where their lives and livelihoods are being changed and they have no choice with this issue. Home owners are required to disclose that they live near a cell tower when they go to sell their houses. This would mean a loss to current Petaluma residents, loss of potential new business, and progress for this city. Every house that sells for below what it is actually worth due to living near a cell tower will also mean that the city loses this property tax money. At a time when our city's budget is already experiencing cuts, imagine what this will do to a budget when the city is losing out on these incoming funds each year for generations to come. It should also be stated that this proposed project at the creamery is a complete mess. In addition to this project causing loss of property values, it is out of compliance with its toxic & flammable ammonia cooling system, out of compliance with BAAQMD, applicant continues to not act in bad faith, and most importantly there is no need for this tower as good phone service already exists. There was also another fire last night at the creamery. This is not an appropriate place for this tower. The city has many options in order to protect the city's public safety, privacy, and property values. This proposed project can be moved to a more appropriate site where cell service is actually needed as well as far enough away from residential properties which is the least intrusive to everyone. This project is a choice by one individual who will gain from this while thousands of current and future citizens, businesses, and city programs and projects will be affected now and for generations to come. Make the right and best decisions to continue to do what is best for this city and its residents. Thank you for your time.

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, December 8, 2020 9:05 AM
To: Flynn, Peggy; Hines, Heather; Bendix, Brittany
Cc: Rose, Kendall
Subject: FW: Fire at Creamery tonight!

Good morning – from Taryn.

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Taryn Obaid <taryn_obaid@hotmail.com>
Sent: Monday, December 7, 2020 8:43 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>; Richard Marzo <richard@lacehouselinen.com>; Scott Alonso <alonsoplanningpet@gmail.com>; Heidi Bauer <heidibauer2000@gmail.com>; McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; Sandi Potter <sandi.lee.potter@gmail.com>; bmhooper1@gmail.com; Barrett,Teresa <tbarrett@cityofpetaluma.org>; Fischer, D'Lynda <dfischer@cityofpetaluma.org>; McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; b.barnacle.gsw@gmail.com; Dennis Pocekay <dpocekay@gmail.com>
Subject: Fire at Creamery tonight!

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

City Clerk -- please add this to the Creamery Verizon WTF public file/Application folder.

Dear Planning Commissioners and City Council:

It must be stated that the Creamery is a complete mess and a not-good neighbor. **In fact, there is a fire right now at the Creamery -- tonight!**

- It is out of compliance with its toxic & flammable ammonia cooling systems and air quality. Fires break out there regularly, the most recent just a few weeks ago.

I recently learned the International Firefighters Association will not allow cell facilities on any fire houses. How can our City even consider placing cell towers on top of this flimsy corrugated metal tower and dimpled roof, directly over tanks of ammonia?

As if that's not reason enough to not put a WTF atop the Creamery, Petaluma real estate brokers and agents are informing residents that the Verizon wireless facility at the Creamery will cause up to 20% loss of property values for homes and businesses near the Creamery per national data analysis. Such is the case that homeowners are required to disclose that they live near a cell tower when they go to sell their houses.

The data-analysis-proven truth is no one wants to live or do business near a wireless facility.

Consider that 20% lower property values, in turn, will lower property tax revenue for our City. Consider what that means for our City's budget -- each year now and for generations to come and what that impact will look like when CalPERS obligations come to full maturity.

Terrifyingly, the Downtown Petaluma residents and business owners are now, with this proposed facility, put in a situation where their lives are being impacted not only by this hazardous Creamery -- their property values and livelihoods will be diminished by the WTF.

This wireless facility must not be allowed to financially benefit one individual, while costing thousands of current and future citizens so dearly.

This wireless facility must be moved (somewhere else more appropriate and less intrusive) **to a site away from homes and businesses.**

Thank you,

Taryn

Bendix, Brittany

From: Pascoe, Samantha
Sent: Monday, December 7, 2020 1:15 PM
To: Bendix, Brittany
Subject: FW: no verizon cell tower

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Nicole Martinovich <mcocobeen@aol.com>
Sent: Sunday, December 6, 2020 9:49 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: no verizon cell tower

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
TO City Clerk,
I do not want the Verizon Cell Tower project to move forward, for multiple reasons...decrease in property values, aesthetics, noise, and it has othing to do with cell phone coverage! SO this is a sham!
NO VERIZON CEL TOWER!!!!!!.
I live just up the street and it's a NO GO!!!!
Thank you,
Nicole
320 English Street

Bendix, Brittany

From: Pascoe, Samantha
Sent: Thursday, December 3, 2020 8:20 AM
To: Bendix, Brittany
Cc: Rose, Kendall
Subject: FW: why Creamery WTF when it violates our ordinance?

Hi Brittany,

For your files.

Sam

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Taryn Obaid <taryn_obaid@hotmail.com>
Sent: Wednesday, December 2, 2020 10:32 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Fw: why Creamery WTF when it violates our ordinance?

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi Kendall, I hope you had a nice Thanksgiving break. Please place this email in the public folder for Verizon Creamery WTF project and also in the official file for M Group, as a complaint. Thank you, Taryn

---

From: Taryn Obaid
Sent: Wednesday, December 2, 2020 10:17 PM
To: Flynn, Peggy <PFlynn@cityofpetaluma.org>
Cc: D'Lynda Fischer <dlyndaf@gmail.com>; Barrett,Teresa <tbarrett@cityofpetaluma.org>; b.barnacle.gsw@gmail.com <b.barnacle.gsw@gmail.com>; Richard Marzo <richard@lacehouselinen.com>; Scott Alonso <alonsoplanningpet@gmail.com>; Heidi Bauer <heidibauer2000@gmail.com>; kmcdonnell@cityofpetaluma.org <kmcdonnell@cityofpetaluma.org>; Sandi Potter <sandi.lee.potter@gmail.com>; bmhooper1@gmail.com <bmhooper1@gmail.com>; Dennis Pocekay <dpocekay@gmail.com>
Subject: why Creamery WTF when it violates our ordinance?

Dear City Manager Flynn,

I hope you had a nice Thanksgiving. Even though have not yet received a reply for my recent complaint, and as I am this evening reviewing the documents from neighbor's Verizon WTF PRA, I am compelled to write again.

I am confounded as to why the M Group even entertained considering a major facility at Creamery location when it entirely violates Petaluma's recent wireless ordinance -- let alone their constant deferring to Verizon's attorneys and consultants for framing and defining the key issues to be presented in Staff Report.

Citizens worked hard to lobby Sacramento for municipalities' right to control wireless facility installations, and also helped City craft that ordinance. That's something to be proud of: good for us, together. Why throw that away?

What good is it having ordinances if we break them in major ways right off the bat?

This wireless facility blasts nearly ten thousand times more radiated power than our ordinance allows and will blast into people's homes. Why is this project even being considered? Why are they indicating to applicant which design they favor for the Creamery roof? Because M Group gets paid for every hour they work on it? I do not see any other reason -- they should have swiftly told them to locate the WTF elsewhere, away from homes, instead of dragging this application out for nearly 2 years to put it on Creamery tower roof.

Worse, M Group is continuing to perpetuate untruth that any upgrade to the WTF would necessitate a Planning Commission Hearing. That is false: the Spectrum Act states once installed, they can increase antennae height by additional 20 feet and increase equipment with no cumulative limit. Even Verizon's project document says they plan to add more antennae for other carriers. How much more radiated power will M Group facilitate showering on neighboring families as their children play in their yards or the lawn directly across the street? Where does this end? That is what ordinances are for: providing guidance and limits. Why does M Group routinely recommend blowing through our ordinances?

Why is it M Group seemingly makes every effort and accommodation for this applicant that threatens neighbor's safety and property and so little given care given to getting the legal and science facts right for citizens? Something is very wrong with how the Planning function is being run.

Regards,
Taryn

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 24, 2020 10:12 AM
To: Bendix, Brittany
Subject: FW: Verizon cell tower

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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-----Original Message-----
From: O'Dowd, Patrick <patrick.odowd@medtronic.com>
Sent: Saturday, November 21, 2020 9:06 AM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Verizon cell tower

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

I am writing to document my complete resistance to the proposed cell tower at the dairy on English street Petaluma. I am a long term resident of this area and am vehemently opposed to this . This tower will have long term health effects , impact the property value of our home and will destroy the aesthetics of this area. Do not let this happen .

Please distribute this letter to the members of the planning commission .

Patrick O'Dowd & Kate Hutchins
331 English Street
Petaluma
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Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 24, 2020 10:07 AM
To: Bendix, Brittany
Subject: FW: Opposition to proposed cell phone tower

This one slipped into my junk folder.

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Tiffany Vigil <tiffanyelissa@gmail.com>
Sent: Friday, November 20, 2020 10:56 AM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Opposition to proposed cell phone tower

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Please distribute this letter to the members of the Planning Commission and Cultural Preservation Commitee.

To the member of the Planning Commission,

We live on Fair Street, our backyard fence looks out on the apartments next to the cheese shop, including the raised section of the factory where the proposed tower is, and the rolling hills in the distance. It's been really challenging at times financially to raise a family here. My husband and I both work for nonprofits to feel a sense of purpose and that we are giving back to the community. We feel incredibly lucky to live in a charming house in a lovely, caring, historical community like Petaluma. It would be extremely disheartening to look out our back window and see a giant cell phone tower. Or a tall fence attempting to block the tower. One of the things we adore about our neighborhood is the cheese shop and the many walks over there with the kids to pick up ice cream, first in strollers and now as almost teenagers they go on their own. We want to support the cheese factory's economic growth but not at the expense of our neighborhood's historical charm.

Thank you for your consideration,
Tiffany Vigil

Bendix, Brittany

From: Pascoe, Samantha
Sent: Thursday, November 19, 2020 2:01 PM
To: Bendix, Brittany
Cc: Rose, Kendall
Subject: FW: Wireless Facility at Petaluma Creamery

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Taryn Obaid <taryn_obaid@hotmail.com>
Sent: Thursday, November 19, 2020 1:35 PM
To: Blake Hooper <bmhooper1@gmail.com>
Cc: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Re: Wireless Facility at Petaluma Creamery

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
[City Clerk Rose: please include this communication in the public record for the Verizon Creamery WTF Application. Thank you.]

Hi Blake,

Thank you for your response. However, I am confused as this is a first for me -- that Planning Commissioners may not have conversations with the public or listen to information regarding any topic that does not involve any matter related to other PC (or CC) members.

Would you please provide (or have City Attorney Danly provide?) the specific City Charter rule, ordinance, resolution, or statute that forbids -- or in any way limits -- ex-parte communications on a project?

Because citizens would like to speak with you about our concerns. We request a meeting with you alone, if including other PCs in a presentation such as Know Before You Grow is against the rules.

Thank you very much,
Taryn

From: Blake Hooper <bmhooper1@gmail.com>
Sent: Tuesday, October 27, 2020 5:26 PM
To: Taryn Obaid <taryn_obaid@hotmail.com>
Subject: Re: Wireless Facility at Petaluma Creamery

Good Afternoon Taryn,

It's great to hear from you. I can't really respond to your request because I'll have to hear this project down the line, and need to make sure I'm not engaging in ex parte communications surrounding it. All I can say is that you should reach out to the city planning staff with your request.

I'm sure this sounds like a cop out. If this were a request to talk about a vote already taken or a proposal for the commission on something unrelated to an upcoming vote, I would be happy to engage in more detail.

I will however forward this email to staff so there is complete transparency, and so that they know of your request. I just can't endorse or not endorse it.

I hope that you are doing well :)

Best Regards,

Blake Michael Hooper
For Most Immediate Response:
707-338-8187

On Sun, Oct 25, 2020 at 8:52 PM Taryn Obaid <taryn_obaid@hotmail.com> wrote:

> Dear Blake:
>
> I am working with Downtown neighbors to try to engage with the City on the proposed Verizon Cell Facility atop the Petaluma Creamery.
>
> Petaluma is very fortunate in that we have a National Wireless Telecommunications Expert as a resident.
>
> There is lot potentially at stake for Petaluma and much risk with Verizon, a known "tricky" heavy weight, which is why citizens are very concerned. For example, the Creamery project starts as 4G, but apparently law allows increasing it to 5G, 6G, and up ... with no City opportunity to review/approve the increase, as long as size of equipment remains comparable. Also, we are concerned given the telecommunications industry's demonstrated clever strategies for infiltrating cities to set precedence. That is, getting an "in" with one facility, location, and/or property type (e.g., historic) in order to proceed with overturning a city's ordinance, such as the one Petaluma adopted in 2018.
>
> The Downtown neighbors have a request: we would like to have Petaluma's Wireless Telecommunications Expert present to the Planning Commission. He is a tremendously valuable resource for the City to leverage -- especially true given how important "knowing the ropes" is for this technology, which will inherently advance ... to 5G, 6G, etc.
>
> Presenting to Planning Commissions and City Councils is what he does professionally across the Country, and he has offered to do it for Petaluma free of charge. He says his presentation is 20 minutes in length.
>
> Would this be possible?

Thank you in advance for your consideration,
Taryn Obaid

Bendix, Brittany

From: Pascoe, Samantha
Sent: Thursday, November 19, 2020 10:03 AM
To: Bendix, Brittany
Subject: FW: Verizon WTF proposal
Attachments: Scan 2020-11-17 16.18.26.pdf

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: EBERLE EWING <eberle16@comcast.net>
Sent: Tuesday, November 17, 2020 4:25 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Verizon WTF proposal

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Dear Ms. Kendall,

Could you please distribute the attached letter to members of the Planning Commission.

Thank you,

Eberle Ewing

Bendix, Brittany

From: Pascoe, Samantha
Sent: Wednesday, November 18, 2020 12:21 PM
To: Bendix, Brittany
Subject: FW: Verizon Cell Tower Project

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: John Galt <estevanmusic@gmail.com>
Sent: Wednesday, November 18, 2020 11:09 AM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Verizon Cell Tower Project

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hello, I live right next to the Petaluma Creamery, I oppose the Verizon Cell Tower project and would like you to vote against it on December 8 2020.

I would prefer it if noise (and light) pollution from the creamery were reduced instead of increased. The creamery is already very loud and they keep the floodlights on 24/7.

I request this email be forwarded to the Planning Commission and Historical and Cultural Preservation Committee.

Thank you for your service to our community, I know it can be a thankless job.

Stay safe & Healthy,
Your neighbor,
Estevan.
--
01000111 01000001 01001100 01000101 00110000 00110001

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 17, 2020 6:00 PM
To: Bendix, Brittany
Subject: FW: Verizon Cell Tower Project

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Robin Barnato <robin@barnatodesigns.com>
Sent: Tuesday, November 17, 2020 5:26 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Verizon Cell Tower Project

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi Kendall

I am a property owner at 301 English Street, right across from the Creamery. I am writing to tell the city and its representatives **that I very much oppose** the cell towers being proposed at the Petaluma Creamery. They would be visible from our building, create more noise than there already is (the creamery is very noisy, very early in the mornings), and create a power field which I believe to by unhealthy especially given that the creamery is surrounded by a fairly dense residential community, including a high school. Is this really necessary?????????? Perhaps it would be more suitable to put such towers further out in the country where it will be less impactful on so many community members. I attended the last planning meeting where this was on the agenda (via Zoom) and there seemed to be no way to let the planners know who was on the line, who was opposing, who was speaking. Basically it seemed to make NO difference as to whether opposing individuals were on the zoom meeting as there was no list, no ability to see who was speaking, or no way of knowing how many were on the call. Had we the opportunity to show up in person, I believe the community opposition and concern would be more palpable.

So please make sure this email/letter is distributed to the members of the planning commission and any other parties that need to hear about local comments.

Thank you

Robin Barnato

ROBIN BARNATO
DESIGNS
415.412.5013
BarnatoDesigns.com

Bendix, Brittany

From: eberle16@comcast.net
Sent: Tuesday, November 17, 2020 2:19 PM
To: Bendix, Brittany
Subject: Re: 611 Western - Verizon Facility - Status Update

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Thank you so much for this information.

One more request: please don't extend the tolling agreement. Verizon has been given ample time. The creamery has been given ample time. This is seriously flawed site and the City should have enough grounds to deny the permit and defend its decision.

Thank you again,

Eberle Ewing.

Sent from Xfinity Connect App

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

From: Bendix, Brittany
To: Bendix, Brittany
Sent: November 16, 2020 at 5:01 PM
Subject: 611 Western - Verizon Facility - Status Update

Good Evening Neighbors,

Thank you for your continued interest in the telecommunications facility proposal at 611 Western Avenue.

The City has contracted with CTC to conduct a drive test of the site within the next two weeks. Additionally, the City has requested more information from Verizon related to the proposed installation. In response to that information request, Verizon has requested a tolling extension to March 1st which is currently under consideration.

Please reach out to me if you have any further questions.

Brittany

Brittany Bendix, Deputy Planning Manager
M-Group Consulting Planner
Serving the City of Petaluma
11 English Street, Petaluma, CA 94952
Phone: (707) 778-4314
Hours: Monday-Thursday 8am-5pm, closed Fridays

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 17, 2020 1:55 PM
To: Ellis, Evelyn
Cc: Bendix, Brittany
Subject: FW: Verizon Cell Tower Proposal-please forward to Planning Commission Members, Historical Preservation committee members
Attachments: noise study 2007 sensors and conclusion.pdf; 2015 noise study.pdf; Svinth letter re. sensor placement.pdf; noiseletters garcia to creamery.pdf

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: EBERLE EWING <eberle16@comcast.net>
Sent: Friday, November 13, 2020 4:46 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Verizon Cell Tower Proposal-please forward to Planning Commission Members, Historical Preservation committee members

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Dear Planning Commission Members and Members of the Historical Preservation Committee,

Petaluma's General plan has as one of its policies "Protect public health and welfare by eliminating or minimizing the effects of existing noise problems, and by minimizing the increase of noise levels in the future."

The Petaluma Creamery was documented as being in violation of the City Zoning Ordinance in 2007 (12/14/2007). After many complaints another noise study was done by Illingworth and Rodkin in 2015. For this second study one of the four receptors was moved from the telephone pole adjacent to the residence on Baker St. It was instead placed west of the Creamery on English St. away from the source of the noise. The Baker St. location is the site of the proposed Verizon antenna array and is the source of the most problematic noise created by the Creamery. Even without a receptor there, because of other sources the noise study concluded that noise had increased from 2007, and was again over city noise limits (3/26/2015). A group of neighbors complained to the noise engineer and the city about the movement of the sensor but there was no response (letter to Illingworth and Rodkin, 4/27/2015).

There has never been any documentation provided by the City or the Creamery that any modifications to improve noise were done as had been requested by the City Code Enforcement Officer (letters from Joe Garcia 11/5/2014 and 3/12/2015). Since then complaints have escalated but the city has not been involved and while there has been extensive communication it has been

exclusively between the Creamery and the neighbors. In October of this year the City Code Enforcement Officer's assistance was again requested.

The Verizon Cell Tower Array would add noise to the location where the most objectionable noise is already being produced at Baker St. It is also worth noting the noise study commissioned by Verizon states that "a solid 11 foot tall screen wall" will block the noise so noise production estimates were "conservatively adjusted by -10dB's". (see Environmental Noise Assessment 2/27/2019). Actually, the wall will not be solid but will be composed partly of a radio frequency-transparent material to allow transmission of RF waves AND sound waves(see Project Statement). The noise study claims the two inverters and air conditioning unit would be a "worse-case scenario. Quite the contrary, the inverters will be running continuously and with Petaluma's increasingly warm climate the AC unit can also be expected to run for a good part of our year. In any event, while the increase at ground level of 41 dB Leq might satisfy the noise ordinance on it own, it is obviously not the only source of noise. The Verizon Cell Tower Array would be inconsistent with Petaluma's City Plan and its Noise ordinance.

Thank you,

Eberle Ewing
Nov. 13, 2020

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 17, 2020 1:54 PM
To: Ellis, Evelyn
Cc: Bendix, Brittany
Subject: FW: PETALUMA CREAMERY CELL TOWER OPPOSITION

Follow Up Flag: Follow up
Flag Status: Completed

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: James <myyrpg@gmail.com>
Sent: Sunday, November 15, 2020 12:25 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: PETALUMA CREAMERY CELL TOWER OPPOSITION

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Dear City Clerk, I live right next to the creamery and the smell is horrendous at times and the rest of the time its noise or semi trucks. Please with all the pollution the creamery already makes, don't allow them to put up a tower that emits invisible poison and pollution adding to the the already terrible conditions outside. The creamery owners are thinking more about money than the community. They are effectively turning the community against them. Please do not let them put a tower in a residential neighborhood. The facility seems out of place and outdated to begin with. And if I would like to make a formal complaint in front of the city council how would I go about doing that?

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 17, 2020 1:54 PM
To: Ellis, Evelyn
Cc: Bendix, Brittany
Subject: FW: Verizon Tower OPPOSITION

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Patricia Buckley <patriciabuckley335@comcast.net>
Sent: Sunday, November 15, 2020 4:29 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Verizon Tower OPPOSITION

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
City Clerk of Petaluma:

I am writing to OPPOSE the installation of the Verizon Cell Towers at the Petaluma Creamery!!

These towers will add to the loud NOISE already generated by the Creamery. This noise is already so bad that it wakes me up at night.
The Verizon cell towers would only INCREASE the NOISE, **WHICH IS ALREADY OVER ALLOWABLE LIMITS!!!!!**

Also, there are aesthetics involved. **Adding these ugly cell towers to an already unsightly creamery facility.**

Allowing the installation of the Verizon cell towers would DECREASE MY PROPERTY VALUE!!!! **This would also mean a REDUCED PROPERTY TAX VALUATION, and therefore LESS TAX REVENUE FOR THE CITY OF PETALUMA!!!!**

PLEASE VOTE DOWN THE INSTALLATION OF THE VERIZON CELL TOWERS AT THE CREAMERY!!!!!

Thank you!!!

Patricia Buckley

Property Owner
335 English Street
Petaluma, CA

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 17, 2020 1:54 PM
To: Ellis, Evelyn
Cc: Bendix, Brittany
Subject: FW: Verizon Cell Towers

Follow Up Flag: Follow up
Flag Status: Completed

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
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-----Original Message-----
From: Greg Mitchell <greggort3@att.net>
Sent: Monday, November 16, 2020 7:21 AM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Verizon Cell Towers

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Dear City Clerk, I am writing to express my anger and disgust with the proposed Verizon cell tower installation atop the Petaluma Creamery building. As a 25 year resident, and home owner in this neighborhood I am disturbed that a private party, Larry Peter, owner of the creamery, has the freedom and authority to allow this installation to go forward. My reasons for opposing this project are many…….. unknown health effects for humans and wildlife, property values, aesthetics, noise, etc. The neighborhood was never consulted, and in my opinion this project has no place in our residential community.
Please share my views with the Planning Commission and with the Historical and Cultural Preservation committee.
I urge the City of Petaluma to do everything in its power to prevent this project from moving forward.
Sincerely,
Greg Mitchell
219 Baker St.
Petaluma, 94952

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 17, 2020 1:53 PM
To: Ellis, Evelyn
Cc: Bendix, Brittany
Subject: FW: Verizon Cell Tower

Follow Up Flag: Follow up
Flag Status: Completed

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Ross <rossmodlin@yahoo.com>
Sent: Monday, November 16, 2020 7:33 AM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Verizon Cell Tower

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

I am a Petaluma resident who lives down the street from the creamery. I am utterly distressed over the decision to place cell towers there. Mainly there are health concerns. Children are vulnerable to the health effects and there is also concern for animals, birds and bees in particular. Also property values are going to be affected. In addition, this is not necessary for cell phone coverage. It's only so people can stream movies etc. Please stop this unnecessary and dangerous move!

Sincerely,
Ross Modlin
219 Baker Street

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 17, 2020 1:53 PM
To: Ellis, Evelyn
Cc: Bendix, Brittany
Subject: FW: We strongly OPPOSE the Verizon Cell Tower project.

Follow Up Flag: Follow up
Flag Status: Completed

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
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From: Liz Angeloni <lizloni@att.net>
Sent: Monday, November 16, 2020 8:05 AM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: We strongly OPPOSE the Verizon Cell Tower project.

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Good morning and thank you in advance for your time reading our email.

I am writing to you again today, to share my concern, surprise and constructive argument towards the proposed Verizon Cell Tower project. Please also distribute this email to the members of the Planning Commission and Historical and Cultural Preservation committee so that it is part of the record in opposition of this project.

We were surprised and offended when we found out the creamery has plans to install this monstrosity that will greatly impact our lives. Surprised because cell towers and food manufacturing don't go hand in hand and offended at this very thoughtless and desperate ploy for the creamery to get a payout from Verizon while having total disregard for its neighbors safety, health and tolerance of it's impact on our view.

We have been good neighbors. Yes we complain about the already never-ending sounds of the creamery that radiate our windows while we try to sleep but we still support their business and try to work with the creamery to narrow down their flaws when they voice they have no idea how or why we're always hearing the constant dull roar. They go home after work everyday, we are home. The impact of the creamery effects us 24/7 and we've all been pretty silent until now.

We have to put our foot down. This is a sweet little neighborhood in downtown Petaluma that does not want see the creamery get any larger (11 ft) as it's already such an eye sore. We do not want the creamery making decisions for our health. We do not want the impact of this decision from the creamery to navigate the sale of our home. We do not want additional sounds keeping us up at night.

What we do want, is for the Creamery to fix what is already broken like they've been promising for the past 10+ years we've lived here. We do want the Creamery to hold up their end of the bargain by being a good neighbor and not make choices that effect the lives and well being of the neighborhood that tolerates them.

The Creamery is loud but the neighborhood and City need to be louder in voicing the many reasons why we need to oppose the proposed Verizon Cell Tower project.

Thank you again for your time and distribution of our letter,

The Angeloni Family
333 English Street
Petaluma, CA 94952
lizloni@att.net
(707)570-6538

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 17, 2020 1:52 PM
To: Ellis, Evelyn
Cc: Bendix, Brittany
Subject: FW: Verizon tower at the Creamery

Follow Up Flag: Follow up
Flag Status: Completed

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Harvey Sparks <harvey.sparks@gmail.com>
Sent: Monday, November 16, 2020 7:11 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Cc: Allison Stark Edwards <allisonstarkedwards@gmail.com>; Aleah Sparks <aleahesparks@gmail.com>
Subject: Verizon tower at the Creamery

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
To the City Clerk of Petaluma,
Please distribute this letter to members of the Planning Commission and Historical and Cultural Preservation Committee.

As a homeowner living within 1 block of the Creamery, I object to the proposed installation of a cell tower at that site on the grounds that property values in the vicinity will be negatively impacted. I will cite this article linked from the National Association of Realtors for a case study in Sonoma County. Some estimates show the impact as much as a 10% reduction in home values.

https://scientists4wiredtech.com/what-are-4g-5g/cell-tower-installation-plans-lower-property-values/

The installation is inappropriate and only serves to provide a passive revenue stream to the Creamery who's operations are already at odds with the neighborhood.

Another note: The fact that the FCC does not allow environmental or health effects to be considered in the approval/disapproval of these installations is negligent. The growing body of evidence that deleterious effects on health, particularly in children is substantial and should be recognized by local officials.

I would ask members of the Planning Commission if this project were proposed in your neighborhood would you accept it?

Harvey Sparks

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 17, 2020 1:52 PM
To: Ellis, Evelyn
Cc: Bendix, Brittany
Subject: FW: Comment on Verizon Creamery WTF

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Taryn Obaid <taryn_obaid@hotmail.com>
Sent: Monday, November 16, 2020 7:23 PM
To: Richard Marzo <richard@lacehouselinen.com>; Scott Alonso <alonsoplanningpet@gmail.com>; Heidi Bauer <heidibauer2000@gmail.com>; McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; Sandi Potter <sandi.lee.potter@gmail.com>; bmhooper1@gmail.com; Barrett,Teresa <tbarrett@cityofpetaluma.org>; Fischer, D'Lynda <dfischer@cityofpetaluma.org>; Healy, Mike <mhealy@cityofpetaluma.org>; McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; King, Dave <dking@cityofpetaluma.org>; -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Comment on Verizon Creamery WTF

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

[Dear City Clerk -- please include this in the Verizon Creamery WTF Application File/public record and forward to the Historic Preservation Committee. Thank you.]

City Council and Planning Commission:

The Verizon Major Wireless Facility is about Profit at the expense of People. It is about lease revenue and Verizon's high-profit business plan -- to deploy major Wireless infrastructure within our City.

It is about getting this facility installed … and **then turning up** the signal.

It's not about 4G because legally, once installed, its power output can be increased without City approval or even them telling the City as long as size of equipment follows FCC Order 20-153, which says, once facility is installed, Local Governments are Obligated to Approve Modification Requests including Under Section 6409(a) of the Spectrum Act of 2012 (WT Docket No. 19-250; RM-11849)" --> https://docs.fcc.gov/public/attachments/FCC-20-153A1.pdf]

- Allow existing antennas to be modified to be 10% higher, up to 20 feet higher, whichever is greater

- Allows the addition of four or more additional ancillary equipment cabinets with **no cumulative limitation**

The fact is Applicant will not have to get another permit to go 5G. The upgrade will be a purely administrative process.

Further, The FCC does not keep track of individual antennas on towers.

- *From the FCC: "Only towers above 200 feet tall are required to be registered with the FCC. However, even some that are that height or taller are not registered because the tower owners haven't provided the info to the FCC."*

Also, FCC DOES NOT actually check the towers [after] additional antennas have been added to ensure the guidelines are being met.

- *From the FCC: "No, it is the licensee's responsibility to take into account the fields that are already existing before they add their antennas to the tower."*

Source: https://anticelltowerlawyers.com/links/government-related-informat.html

To stop this, the City must not trust the Applicant or Verizon -- or any of their consultants, and **certainly not** Telecom Law Firm, which the City apparently hired (yet that's not quite confirmed). Telecom Law Firm is renown for **misguiding cities out of their wireless ordinances**.

- Watch the 2018 Monterey Planning Commission meeting of how it was citizens -- not city staff, uncovered the misguidance and untruths of the Applicant and Telecom Law Firm: https://mystreetmychoice.com/monterey.html
- Read why City of Malibu replaced Telecom Law Firm after citizens uncovered misguidance and untruths of Telecom Law Firm: https://scientists4wiredtech.com/mccollough-memo/

Do not trust parties with a vested interest in getting this installation approved.

I have expressed no matter of mere concern but solely matters of substance, fact and law.

Thank you,
Taryn

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 17, 2020 1:52 PM
To: Ellis, Evelyn
Cc: Bendix, Brittany
Subject: FW: Public Comment on Verizon Creamery WTF - City Council 11/16/20

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Scott Springhorn <sspringhorn@gmail.com>
Sent: Monday, November 16, 2020 7:29 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Public Comment on Verizon Creamery WTF - City Council 11/16/20

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
City clerk Rose - Please include this in the Verizon Creamery WTF Application File/public record and forward to the Historic Preservation Committee. Thank you.

Today the M-group notified the public that they will conduct a drive test in the next few weeks. This is excellent news and this is evidence that will go into the public record to show that there is no significant gap in service and no need for the proposed cell tower on top of the Petaluma Creamery. Great job to the city for getting this done!

In the same email the applicant is now requesting the tolling agreement be pushed out again for the 5th time in almost 17 months to March 1st, 2021, pushing the length of this project to almost 2 years.

Please do not let this happen again. The reason that the applicant wants more time is again they are still out of compliance for their ammonia cooling system, out of compliance with BAAQMD, and other safety & operational issues. They are still not giving the city the information that it has asked for many times as well as not complying with multiple city codes. Last week the creamery was even cited by the fire department. This project still continues to be a mess!

There is still time to have the joint meeting for the HCPC & Planning commission to hear and rule on this project, and still time before January 29th for the city council to meet and rule on this as well.

The applicant has had almost 17 months to fix all of these issues and they still cannot. The time is now for all parties involved to hold the applicant accountable and make the right decision for the city and its citizens. Do not allow the applicant to push out the tolling agreement again.

Great job again for getting the drive test ordered!

Thank you for your time

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 17, 2020 1:52 PM
To: Ellis, Evelyn
Cc: Bendix, Brittany
Subject: FW: Opposition to placing of Verizon towers.

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Vasanti Jayaswal <vasanti.jayaswal@gmail.com>
Sent: Tuesday, November 17, 2020 7:07 AM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Opposition to placing of Verizon towers.

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Greetings
Kindly make sure that this letter is distributed among the members of the planning commission.
Thank you
Vasanti

OPPOSITION TO VERIZON TOWERS IN MY NEIGHBORHOOD

I moved to Petaluma in 2009 and live at 210 Baker Street. From say 2010 itself I found increasingly that I had a hard time sleeping at night, due to a strange deep, rumbling noise that increased from about 2 am. Over the following years with the help of others in the community, the noise was traced to the machines at the Petaluma Creamery. Since then I have had to sleep with a fan even through winter.

Now the idea of a more harmful source of not just noise but also waves that have severe neurological effects will find a place in the form of Verizon Towers on top of the Creamery building is alarming.

1. Do we, who live here, have no right to expect a decent quality of life, in a city that we have lovingly chosen to reside ?

2. Do our collective property taxes not mean anything? Our property values will sink when harmful ugly towers mars the landscape. This will no longer then be the coveted, caring and safe neighborhood that it is currently.

3. Does the needs of one profit making establishment such as the Creamery, be more important than the many who live in homes that are their sole haven

4. Verizon folks, nor folks who own the Creamery live nearby to know the suffering that we already endure.

5. Prevention is always better than the cure. In this case there are no cures for the debilitating effects caused by the ongoing
emissions from the towers.

6. If Three Twins Ice Cream Company can find a solution, the Creamery and Verizon can make the right and ethical decision
if they care!

7. Members of the planning commission have a responsibility to be sensitive to the needs of the community and find solutions.

Failing to act ethically would only create more distrust of elected leaders and widen the already existing chasm that exists between the citizenry and governing bodies.

Thank you
Vasanti Jayaswal

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 17, 2020 1:51 PM
To: Ellis, Evelyn
Cc: Bendix, Brittany
Subject: FW: Proposed Verizon Cell Tower Project

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

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From: Christie Achor <christieachor@hotmail.com>
Sent: Tuesday, November 17, 2020 1:29 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Proposed Verizon Cell Tower Project

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

I am writing to inform the members of the Planning Commission and Historical and Cultural Preservation Committee of my strong opposition
of the installation of the 5G Verizon Cell Towers on the Petaluma Creamery 611 Western Street Petaluma CA 94952.
Please pass on my letter to the members.

Dear Committee Members,
I live 2 blocks away from the Petaluma Creamery and I strongly oppose the installation of the Verizon Cell Towers for the following reasons;

Health
No one is regulating the amount of power these antennas put out. There is evolving research suggesting serious potential harm, especially to children.
I know much of this research has been reported to you so I will not add it here again. Over the last 40 years I witnessed first hand the opposition to
the science of wearing helmets to protect from brain injury and wearing seat belts to prevent death, of cigarettes causing lung cancer, and how food additions causes cancer. Time and ongoing research proved the opposition wrong. Petaluma must prudent when the health and safely of our community is at risk.
Property Value
Given the ongoing concerns over the effect on our health, our property values will be effected as many potential buyers will be
reluctant to purchase a property right next to a Cell Tower. Living next to WTC is very much like living next to an oil refinery.
The homes may be lower priced, but the injuries, illnesses and deaths from the pollution are not worth it, so anyone with sufficient means, will move away.

Noise

The antenna's will have 2 constantly running inverters and air conditioning unit. The noise from the Creamery is already a nuisance and
unacceptable to me and many of my neighbors.

Aesthetics
It will raise the height of the drying tower 11 ft. The creamery is already an unattractive eyesore to our neighborhood. I understand the installation can be against Federal Regulations.

I have lived in Petaluma since 1978. I am appalled at the thought of these Towers being installed in the heart of our historical town.
Please do your part in keeping our community safe, healthy and beautiful.

Please contact me with any further questions.
Christie Achor
401 Fair Street

Sent from Mail for Windows 10

Bendix, Brittany

From: Heather Muir <heathermuir@msn.com>
Sent: Tuesday, November 17, 2020 1:10 PM
To: Bendix, Brittany; Flynn, Peggy
Cc: Barrett,Teresa
Subject: 611 Western - Verizon Facility - Status Update
Attachments: Creamery-Violations-Issues-V2.xlsx

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Thanks for the update, Brittany.

To keep everyone in the loop, I'm copying Ms. Flynn and Mayor Barrett.

As a neighbor and community member, I'd ask that the City not extend the Tolling Agreement as requested by the applicant.

It seems to me there's only risk in accommodating this request, and no potential benefit to the City for agreeing to an extension.

On the topic of the Creamery, the attached spreadsheet captures the years of blatant disregard by the operator for the health and well-being of people, the environment, and our community.

With appreciation,
Heather

Home: 707-769-1694

From: Bendix, Brittany <bbendix@cityofpetaluma.org>
Sent: Monday, November 16, 2020 5:01 PM
To: Bendix, Brittany <bbendix@cityofpetaluma.org>
Subject: 611 Western - Verizon Facility - Status Update

Good Evening Neighbors,

Thank you for your continued interest in the telecommunications facility proposal at 611 Western Avenue.

The City has contracted with CTC to conduct a drive test of the site within the next two weeks. Additionally, the City has requested more information from Verizon related to the proposed installation. In response to that information request, Verizon has requested a tolling extension to March 1st which is currently under consideration.

Please reach out to me if you have any further questions.

Brittany

Brittany Bendix, Deputy Planning Manager
M-Group Consulting Planner
Serving the City of Petaluma
11 English Street, Petaluma, CA 94952
Phone: (707) 778-4314
Hours: Monday-Thursday 8am-5pm, closed Fridays

Bendix, Brittany

From: Tukuto <tukuto@yahoo.com>
Sent: Friday, November 13, 2020 8:39 AM
To: Scott Springhorn
Cc: Bendix, Brittany
Subject: Re: Evidence needed for the proposed cell tower at the Petaluma Creamery

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hello Mr. Springhorn,

Thank you for reaching out to me and proving the information below. While I am aware of the details you have provided, I would like to point out that the duties and powers of the Historic and Cultural Preservation Committee (HCPC) are limited to historic preservation issues as they relate to the City of Petaluma (see Historic & Cultural Preservation Committee - Petaluma). As such, we have no official capacity to influence the project in regards to the technical aspects of the project that you have provided. I do acknowledge that there are historic preservation aspects of this project that will fall under the Committee's purview and we look forward to advising the City Council on that part of the project. Therefore, in response to your request to speak with me, I would like to ask that our conversation be limited to and focused on any questions you might have that are historic preservation related and within the scope of the HCPC.

Thank you,
Christopher Caputo

Petaluma

About Chair: Christopher Caputo Vice Chair: Kit Schlich 2nd Vice Chair: None City Management Support: Planning ...

On Thursday, November 12, 2020, 01:32:19 PM PST, Scott Springhorn <sspringhorn@gmail.com> wrote:

Mr. Caputo,

I hope that you are doing well. I wanted to check in with you regarding the Petaluma Creamery. We were bummed to hear that this month's HCPC meeting has been cancelled and if the city is still on track then that would mean that December 8th would be your next meeting and most likely the date in which you and the PC will have a joint meeting to deny or approve this proposed cell tower.

The residents of the city of Petaluma have been asking for the city to provide objective evidence that shows there is no significant gap in Verizon wireless telecommunications coverage in a 3 mile radius around the Petaluma Creamery. We again ask that the following evidence be completed as soon as possible and put on the public record for the proposed WTF on top of the Petaluma Creamery.

Findings to Make: **There is zero substantial written evidence in the public record that proves there is a significant gap in Verizon telecommunications service, Therefore, the applicants have not proven that there is a need for any of these antennas at this Petaluma Creamery location.**

There are two options that will provide the best objective data that will show that there is no significant gap in Verizon telecommunication coverage in a 3 mile radius around the Petaluma Creamery are a **industry standard drive test and 12 month anonymous call logs.** This evidence will also ensure that they can deny this application as well as protect themselves from being sued by the applicants. Below are the specifics as to what the public has been asking for the city to do.

Drive Test:
The public is asking for the city to have their newly hired consultants, CTC, to complete an industry standard drive test. This test will show the **signal strength readings in the 28-square mile area surrounding the Petaluma Creamery (a search ring with a three-mile radius) for every Verizon specific downlink frequency/band that they have licensed for Petaluma (746 MHz to 2160 MHz)** This will show the level of service is currently available to make an outdoor phone call.

- We are also asking for the **raw data of this dBm signal strength drive test.** We are not asking for the write up but rather the "raw data".
- In addition we would like to also learn the **equipment to be used** in this drive test.
- There is **no need to do any test that measures capacity** as this is not legally viable in the 1996 TCA, therefore plays no role in this project or what Verizon's wants are in regards to capacity.

12 Month Anonymous Call Logs:
These **call logs will show the number of calls that have been made, completed, and show to the level of current service in a 3 mile radius around the Petaluma Creamery.**

- The city has listened to its residents and has asked for this data over 3 months ago but the applicant is still not complying with this request from the city.
- The applicant can show immediately with these call logs the level of current service in the 3 mile radius around the creamery.
- This information needs to be given to the city now so that they can look them over to determine the level of service.
- By not providing this information this is an act of bad faith by the applicant.

Another finding to make would be to move this project from the creamery to another site that is more appropriate and least intrusive. A place that is not near residential and can still meet the needs of the applicant.

The above information will be useful to you, the HCPC, and the planning commision to ensure that the right decision is made for the citizens and businesses in Petaluma now and for generations to come. I would like the chance to connect with you if possible in the near future. Thank you so much for your hard work and I look forward to the opportunity to speak with you.

Scott Springhorn

Bendix, Brittany

From: Rose, Kendall
Sent: Thursday, November 12, 2020 11:52 AM
To: Hines, Heather; Bendix, Brittany
Cc: -- City Clerk
Subject: FW: followup

From: Mima Cataldo <mimacataldo@gmail.com>
Sent: Wednesday, November 11, 2020 5:38 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: followup

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Dear City Clerk,

Please include this email in the Public record/file for the Verizon Creamery project Application.

Yesterday (11/10/2020) I submitted two PRA request via City online form but I have not yet gotten confirmations they were received by City. Can you please confirm receipt and advise as to when I will receive results?

PRA #1

> "This request is for a complete copy of the entire file(s) for Verizon Wireless Application(s) for the location of the Petaluma Creamery property on 611 Western Ave. Specifically, this request is for any and all records regarding or concerning any application for installation of a wireless telecommunications facility and/or antennae equipment and/or a tower related to a wireless telecommunications facility. Thank you."

PRA #2

> "For Petaluma Creamery/Spring Hill Jersey Cheese and/or Larry Peter located 621 Western Ave., Petaluma, CA 94952, all Records related to any safety and/or public health and/or hazard violations; all/any instances of fines (both past and current outstanding amounts); all instances of unpaid and/or late taxes (both past and current outstanding amounts); all instances of unpaid and/or late service and/or utility amounts (both past and current outstanding amounts; eg: sewer, water; electric; etc); any/all orders of abatement from agencies such as Bay Area Air Quality Management District and/or any other agency and/or government and/or entity for which City of Petaluma has been noticed and/or is aware; all instances of hazard or other emergency for which City services responded to (eg: fire, spills, air quality; noise/vibration). Any/all financial, material and/or policy concessions made by City of Petaluma (or any agency and/or government and/or entity for which City of Petaluma has been noticed and/or is aware) to Petaluma Creamery/Spring Hill Jersey Cheese and/or Larry Peter."

Thank you,
Mima

Bendix, Brittany

From: Scott Alonso <alonsoplanningpet@gmail.com>
Sent: Thursday, November 12, 2020 9:11 AM
To: Bendix, Brittany
Subject: Re: Verizon Project/Petaluma Creamery

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Thanks

Sent from my iPhone

> On Nov 10, 2020, at 5:29 PM, Bendix, Brittany <bbendix@cityofpetaluma.org> wrote:
>
> Good Evening Commissioners,
>
> I'm forwarding you this public comment that we received last week at the request of the sender. It's also been included in the project file.
>
> Thank you,
>
> Brittany

From: Bendix, Brittany
Sent: Monday, November 2, 2020 5:15 PM
To: EBERLE EWING <eberle16@comcast.net>
Cc: Flynn, Peggy <PFlynn@cityofpetaluma.org>; -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: RE: Verizon Project/Petaluma Creamery

Hi Eberle,

Thank you for your comments. I've read them and added them to the record. We will be sure to take your comments relative to the alternative sites and encumbrance concerns into consideration. As soon as there is an update on the drive test details I will inform you and the other neighbors who have reached out.

Brittany

From: EBERLE EWING <eberle16@comcast.net>
Sent: Monday, November 2, 2020 12:50 PM
To: Bendix, Brittany <bbendix@cityofpetaluma.org>
Cc: Flynn, Peggy <PFlynn@cityofpetaluma.org>; -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Verizon Project/Petaluma Creamery

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Per federal law communities can deny permits for WTFs by showing there is no need for them, based on an analysis of existing cell phone coverage (the drive by study many

of us are anxiously awaiting), and/or by showing that there are alternate sites that are less intrusive.

I would like to address the analysis of alternate sites. Verizon repeatedly refers to its "superior coverage objectives". It's obvious that these objectives have nothing to do with simple cell phone coverage, or telecommunications, but everything to do with blanketing the area with enough broadband coverage to eventually have the monopoly on providing 5G service. Verizon is looking for a place to build a massive cell tower array which they can modify at will.

Site #6 Dairyman's Feed and Supply-Verizon currently has a tower here, but it is not the size of the proposed Creamery array. Given the height of this tower it would appear to be a safer location for a massive array than the Creamery. What evidence is there that this site is "overloaded" as Verizon claims? Then if colocation is needed a small tower could be placed on the Creamery tower, or at site #8.

Site #8 The water tower site, 601 Hayes Ave., currently being leased by Crown Castle is an alternative if Verizon really is just looking for a place to improve cell phone coverage, albeit it may be "difficult" and "cramped" if Verizon is looking for a place to put its massive MIMO array. It's important to note that one reason they don't consider that site acceptable is its 100 foot proximity to a hiking trail. What about the homes, sidewalks, preschools, social clubs and permanent RV residents that are in proximity to the Creamery? Anyone walking by the Creamery will be subject to 23% of the allowable RF. People might be looking for somewhere else to eat their ice cream than the Creamery store once they know that.

Site #11, Netter property 1and 2 on Western Ave. -Verizon's RF engineer stated these locations would not be able to provide....?? The sentence was not completed. So what is wrong with these sites?

Although the Verizon Project claims the antennas are for 4G transmission, the City needs to insist on a legally binding declaration from Verizon that they will never ask for a reconfiguration/modification of the antennas, and an agreement to allow city inspections on a regular basis, and then see how eager Verizon is to pursue a permit. In the event that the City misguidedly decides to issue a permit it is absolutely essential that there be no encumbrance on the Creamery. If in the future the Creamery is sold the City must be free to consider redeveloping the property. Anything other than industrial uses could never be considered if this antenna array is permanent. There must be a condition of approval requiring Verizon to relocate its facility if a future owner so requests.

I ask the City Clerk to forward my comments to the Planning Commission members and include them in the Verizon Project application public comments.

Thank you,

Eberle Ewing

Bendix, Brittany

From: Scott Alonso <alonsoplanningpet@gmail.com>
Sent: Tuesday, November 10, 2020 4:19 PM
To: Bendix, Brittany
Subject: Fwd: MGroup misinformed on Creamery WTF

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Sent from my iPhone

Begin forwarded message:

> **From:** Tony Lee <toneeeleee@aol.com>
> **Date:** November 10, 2020 at 2:01:17 PM PST
> **Subject: Fwd: MGroup misinformed on Creamery WTF**
> **Reply-To:** Tony Lee <toneeeleee@aol.com>
>
> to be clearer regarding below email any subsequent increase in power would be by permit from Public Works Dept but because tower would already be installed city is not allowed to deny that permit by federal law.
>
> -----Original Message-----
> From: Tony Lee <toneeeleee@aol.com>
> Sent: Tue, Nov 10, 2020 1:25 pm
> Subject: MGroup misinformed on Creamery WTF
>
> Dear Planning Commissioner,
>
> Can you please help? M Group still not ordered a drive test from Verizon. That is the best way for city to be able to legally deny application and MGroup is refusing to do it, for 6 months now. We cannot trust Verizon's maps of coverage. No court will allow that as verifiable evidence so it sets up a lawsuit.
>
> Truth is Creamery 16 antennae tower can increase to 5G any time without even telling city (no approval or permit needed) according to law. And there is no real regulation. It is alarming I find some in city hall and on city council have been guided by MGroup to think this Creamery tower can't be increased to 5G without a permit.
>
> Worse they are confirming it as true saying this "is understanding of the applicant." I would hope the city would not be so naive as to accept the "understanding" of applicant or any advice from Verizon consultants which according to our PRA results, MGroup and has been doing. Do not trust the corporations interests.
>
> Here is the law information.
>
> > This WTF way too much power the needed for outdoor coverage (the only service they are "promised" by Fed law). Not only will this WTF blast millions of times more power than required for Outdoor Voice Coverage -- once installed, Verizon may legally increase its power output without City approval or even telling City as long as size of equipment follows FCC Order 20-153: "Implementation of State and Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of

2012 (WT Docket No. 19-250; RM-11849)" --> https://docs.fcc.gov/public/attachments/FCC-20-153A1.pdf

- Allows existing antennas to be modified to be 10% higher, up to 20 feet higher, whichever is greater
- Allows the addition of four or more additional ancillary equipment cabinets (with **no cumulative limitation**)

As further proof, here is correspondence from FCC explaining flaw in regulation (https://anticelltowerlawyers.com/links/government-related-informat.html)

Consider the following series of questions and answers contained in an e-mail which a property owner sent to the FCC, and the response she received to same:

Q: "When I looked up on the FCC's database, towers of Charles Hayes from South Bend Indiana, I only located 4 licensed towers. Mr. Hayes stated that he has 40 towers. Why aren't all towers listed?"

Answer from the FCC: "Only towers above 200 feet tall are required to be registered with the FCC. However, even some that are that height or taller are not registered because the tower owners haven't provided the info to the FCC."

Comment: The majority of towers installed near populations and schools are between 100 and 199 feet in height, which means that the FCC has no idea where such towers are, and has neither the means, nor the inclination, to regulate them.

Q: "When new antennas are added to an existing tower does the FCC require notice or application of such antennas? If not, how would the FCC keep track of all the antennas on each tower?"

Answer from the FCC: "The FCC does not keep track of individual antennas on towers."

Comment: Alternatively stated, once a tower is up, the carriers could add as many antennas as they want, and the FCC wouldn't know, and would have no desire to find out.

Q: "When does the FCC actually check that each tower is within the guidelines?"

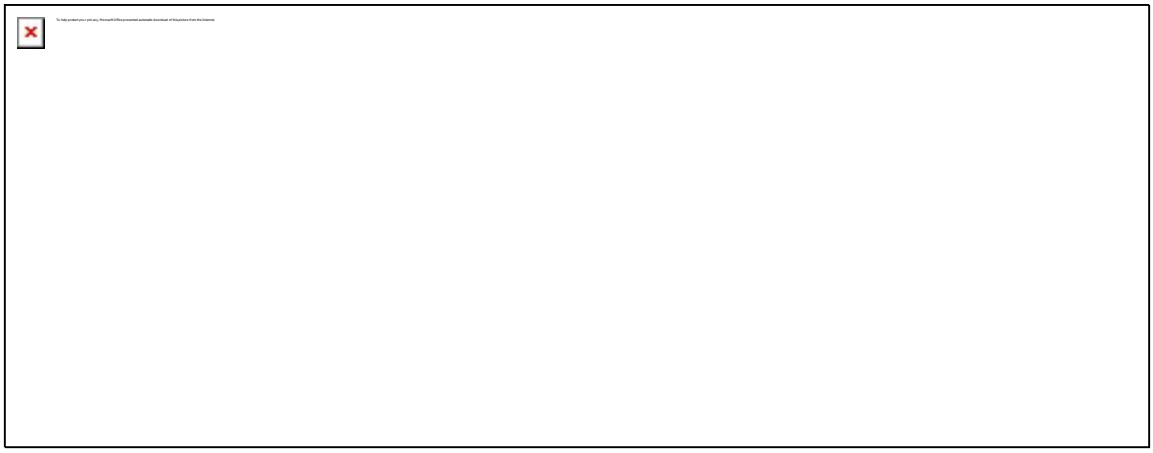
Answer from the FCC: "The FCC only checks if there is a complaint about a facility."

Comment: Since RF radiation cannot be "felt" it would be impossible for someone to know that the RF emissions are dangerously high, and concomitantly, it would be impossible for them to file a complaint for excessive radiation levels.

Q: "Does the FCC actually check the towers after additional antennas have been added to ensure the guidelines are being met?"

Answer from the FCC: "No, it is the licensee's responsibility to take into account the fields that are already existing before they add their antennas to the tower."

According to a research scientist from Princeton, the wireless industry was able to influence the FCC in adopting limitations for public exposure to RF/MW radiation. Not surprisingly, after over $400 million was spent on political contributions and lobbying, the FCC adopted "standards" which permit the American public to be exposed to RF radiation levels 10 to 5,000 times higher than what has been deemed safe in other Countries.



Report of Canadian Medical Officer of Health - After meeting with 300 public health officials from around the world to discuss the potential adverse impacts of RF emissions from Cell Towers, the Canadian Medical Officer of Health issued a report recommending that Canada reduce the permissible limit for Cell Tower RF radiation to 0.1 w/m2 - a level *5,800 times lower* than what the FCC permits in the United States. [**Read Report**]

Video Explaining How the RF Emission Safety Standards in the U.S. are "Unrelated" to the Actual Dangers of RF Emissions, Especially With Regard to Causing Leukemia in Children. [**Watch Video - 10:45**]

People of the neighborhood are being shut out. What other misinformation is going around? We don't have any way of knowing. Please help any way you can. Thank you, Tony

Bendix, Brittany

From: Jane Waxman <wholechildtutor@yahoo.com>
Sent: Monday, November 9, 2020 11:18 PM
To: Flynn, Peggy; Cochran, Brian; Bendix, Brittany; Hines, Heather; tbarett@cityofpetaluma.org; Healy, Mike; Fischer, D'Lynda; Kearney, Gabe; King, Dave; McDonnell, Kevin; Miller, Kathy; heidibauer2000@gmail.com; sandi.lee.potter@gmail.com; richard@lacehouselinen.com; bmhooper1@gmail.com; alonsoplanningpet@gmail.com; tukuto@yahoo.com; kitschlich@gmail.com; terry@kozyhomes.net; brknmad@yahoo.com; bill@johnsonrinehart.com
Subject: Verizon Tower: Drive Test

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Dear City Officials,

I am strongly opposed to the construction of a Verizon Tower in my neighborhood - and because of my family's health concerns we will have to move out of the neighborhood if the project goes forward. I understand there will be a "drive test" soon. In the interest of full transparency, can you please answer the following questions for concerned neighbors at your earliest convenience:

1. When will the Drive Test work start?
2. What is the methodology of the drive test?
3. What equipment will the vendor use to collect and log the data?
4. Is the vendor doing coverage analysis in dBm? . . . or is the vendor doing some other analysis, which may not be necessary.
5. Will the vendor place the raw data of the Drive test into the public record?
6. Is the City asking for a written report?
7. We need to understand the format of the data before the test is ordered/conducted.

Thank you for your time.

Sincerely,

Jane Waxman

Bendix, Brittany

From: Pascoe, Samantha
Sent: Monday, November 9, 2020 3:04 PM
To: -- City Council; Bendix, Brittany; Hines, Heather
Cc: Rose, Kendall
Subject: FW: Re Verizon/Petaluma Creamery

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

City of Petaluma records, including emails, are subject to the California Public Records Act. Unless exemptions apply, this email, any attachments and any replies are subject to disclosure on request, and neither the sender nor any recipients should have any expectation of privacy regarding the contents of such communications.

From: Julia Allen <jabirder@gmail.com>
Sent: Monday, November 9, 2020 2:59 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Re Verizon/Petaluma Creamery

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Dear City Clerk,
Please submit the below email into the Verizon Creamery Application file and public record. Please forward same to every City Council member as well as every Planning Commission member. Thanks for your time and attention to this matter.
Sincerely,
Julia Allen

In October of 2019 the California Accidental Release Prevention Program (CalARP) had its Seismic and hazard Review for the Petaluma Creamery. In these reviews it has stated the following,

There are “three levels of non compliance that are assigned to this action plan.
Level 1 is a priority (meaning that a “ piece of equipment is in a state of gross non compliance and has been identified as an immediate safety hazard.”

There were 11 issues that this agency found to be in non compliance. 2 of these 11 are recognized in the category of priority 1. Meaning at this point there are 2 issues at the Petaluma creamery that are an immediate safety hazard. There were 9 other issues to be found in non compliance that need to be addressed. In the recent project file we were given on Friday October 23rd there is no evidence that these issues have been dealt with. They are still in non compliance!

This same company also did a separate Hazard review of the same ammonia cooling system, in which it identified many issues and states the following:

> “The Ammonia detection system function is unknown by the facility personnel. Additionally, the ammonia detection sensors are currently not calibrated or functioning. It is recommended that the facility replace the bad ammonia sensors and update the ammonia detection system to function according to the requirements.”

The hazard review also had a list of over 10 items in priority 1 that needed to be in compliance by September 1st 2020. There is nothing in this file that shows compliance has been met. How is this allowed to be out of compliance and what a nightmare it will be to then add 550,000 watts of effective radiated power on top of this toxic system. Please, Stop this project now!

Bendix, Brittany

From: Pascoe, Samantha
Sent: Monday, November 9, 2020 9:08 AM
To: Bendix, Brittany
Cc: Rose, Kendall
Subject: FW: Verizon Creamery WTF Application - Some current EMF measurements from Cell Towers in downtown Petaluma etc.

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

City of Petaluma records, including emails, are subject to the California Public Records Act. Unless exemptions apply, this email, any attachments and any replies are subject to disclosure on request, and neither the sender nor any recipients should have any expectation of privacy regarding the contents of such communications.

From: Wendy Denny <wendymd4@gmail.com>
Sent: Friday, November 6, 2020 2:24 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>; Richard@lacehouselinen.com; alonsoplanningpet@gmail.com; heidibauer2000@gmail.com; sandi.lee.potter@gmail.com; McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; bmhooper1@gmail.com; patrickstreeter@gmail.com; Barrett,Teresa <tbarrett@cityofpetaluma.org>; Fischer, D'Lynda <dfischer@cityofpetaluma.org>; Healy, Mike <mhealy@cityofpetaluma.org>; King, Dave <dking@cityofpetaluma.org>
Subject: Verizon Creamery WTF Application - Some current EMF measurements from Cell Towers in downtown Petaluma etc.

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Dear City Officials,
Enclosed are some current EMF measurements taken from different Cell Tower Antennas in downtown Petaluma etc. I used the newest version of the 'Safe and Sound Pro II' meter, which measures 200 MHz up to 8 GHz (which includes the 5G range). Videos were taken on November 2, 2020.

City Clerk I'm requesting that you put these videos in Verizon Creamery WTF Application public record/file.

Here's a review of the meter from a neutral party Expert EMF Test Engineer :
https://www.youtube.com/watch?v=VehHCPgmIfw

Thank you for your consideration.
Sincerely, Wendy Denny

20201102_170309.mp4

20201102_170441.mp4

20201102_170643.mp4

20201102_171109.mp4

20201102_171357.mp4

20201102_172427.mp4

20201102_173211.mp4

20201102_174212.mp4

20201102_174410.mp4

20201102_174518.mp4

20201102_174832.mp4

lockscreen_capture_port.png

20201102_170309(1).mp4

Bendix, Brittany

From: Scott Springhorn <sspringhorn@gmail.com>
Sent: Friday, November 6, 2020 12:32 PM
To: Bendix, Brittany; Hines, Heather; Flynn, Peggy; Barrett,Teresa; -- City Clerk
Subject: Information on Drive Test & Call Logs for Petaluma Creamery WTF Project

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Brittney, Heather, & City Manager Flynn,

Ms. Rose can you please put this email into the public record for the Verizon wireless proposed project on top of the Petaluma Creamery please.

I hope that you are all doing well. I am writing you today to find out anything regarding the current status of the drive test and the call logs. I understand that you are working with CTC and you are hiring them to advise you on what they see in this proposed project application and files. If CTC is not recommending that a drive test is done can you give us a strategy as to why that is? In addition, can you give us a strategy as to why the city would not want this evidence? As we are getting so close to the deadline of the denial/approval process time is running out to get this evidence in the record. We are asking that you please advise the public as to when you will be completing both of these sets of evidence in the public record. We have been told for so long that you "will be doing a drive test" and that you will be "requiring it". When will this be completed?

The residents of the city of Petaluma have been asking for the city to provide objective evidence that shows there is no significant gap in Verizon wireless telecommunications coverage in a 3 mile radius around the Petaluma Creamery. We again ask that the following evidence be completed as soon as possible and put on the public record for the proposed WTF on top of the Petaluma Creamery.

Findings to Make: **There is zero substantial written evidence in the public record proves there is a significant gap in Verizon telecommunications service, Therefore, the applicants have not proven that there is a need for any of these antennas at this Petaluma Creamery location.**

There are two options that will provide the best objective data that will show that there is no significant gap in Verizon telecommunication coverage in a 3 mile radius around the Petaluma Creamery are a **industry standard drive test and 12 month anonymous call logs.** This evidence will also ensure that they can deny this application as well as protect themselves from being sued by the applicants. Below are the specifics as to what the public has been asking for the city to do.

Drive Test:
The public is asking for the city to have their newly hired consultants, CTC, to complete an industry standard drive test. This test will show the **signal strength readings in the 28-square mile area surrounding the Petaluma Creamery (a search ring with a three-mile radius) for every Verizon specific downlink frequency/band that they have licensed for Petaluma (746 MHz to 2160 MHz)** This will show the level of service is currently available to make an outdoor phone call.

- We are also asking for the **raw data of this dBm signal strength drive test.** We are not asking for the write up but rather the "raw data".
- In addition we would like to also learn the **equipment to be used** in this drive test.
- There is **no need to do any test that measures capacity** as this is not legally viable in the 1996 TCA, therefore plays no role in this project or what Verizon's wants are in regards to capacity.

12 Month Anonymous Call Logs:

These **call logs will show the number of calls that have been made, completed, and show to the level of current service in a 3 mile radius around the Petaluma Creamery.**

- The city has listened to its residents and has asked for this data over 3 months ago but the applicant is still not complying with this request from the city.
- The applicant can show immediately with these call logs the level of current service in the 3 mile radius around the creamery.
- This information needs to be given to the city now so that they can look them over to determine the level of service.
- By not providing this information this is an act of bad faith by the applicant.

Thank you for your hard work and time, and we look forward to hearing from you soon.

Scott Springhorn

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Thursday, November 5, 2020 9:30 AM
To: Hines, Heather
Cc: Teresa Barrett; Flynn, Peggy; Danly, Eric; Green, Jordan; Heidi Bauer; Christopher Caputo; Rose, Kendall; Bendix, Brittany; Mark Pollock; Harry V. Lehmann; Andrew Campanelli; Trevor Marshall; Scott Springhorn; Taryn Obaid; lendri purcell
Subject: Wireless Telecommunications Facilities College

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

November 5, 2020

To:
Ms. Heather Hines
Contract Planning Manager
m-group
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

cc:

Teresa Barrett, Mayor
Peggy Flynn, City Manager
Eric Danly, City Attorney
Jordan Green, Assistant City Attorney
Heidi Bauer, Planning Commission Chair (tbd)
Christopher Caputo, HCPC Chair
Kendall Rose, City Clerk
Brittany Bendix, m-Group
Mark Pollock, Attorney
Harry Lehmann, Attorney
Andrew Campanelli, Attorney
Trevor Marshall, PhD
Petaluma-VHP members

Re: Wireless Telecommunications Facilities College

Dear Ms. Hines,

[City Clerk Kendall Rose, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting **2,372,480 Watts** of Effective Radiated Power from 611 Western Ave. Petaluma, CA (see https://unsafeatanyg.com/petaluma/creamery)? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

Thank you for attending the Go-To Meeting session last night for "Wireless Telecommunications Facilities College**"**. If you would be so kind as to return phone calls on a timely basis, from this day forward, I am certain things could improve. You attending last night's video conference was a step in the right direction. We very much appreciated you listening.

I am happy to do whatever it takes to bring City staff down the learning curve on this, admittedly, overly-complex game of chess that is Wireless Telecommunications Facilities (WTFs) application processing task that our City is being forced to go through.

The City is going to battle with a chessmaster (whatever entity you believe is dba Verizon Wireless), but the City is a pawn in this game and just hired two "in the box" chess coaches who indoctrinate cities into the unnecessary, harmful and dangerous Densified 4G/5G roll out. Please understand that both CTC Technology and Telecom Law firm profit handsomely from enabling the full 4G/5G rollout and therefore are often not objective.

A. CTC Technology can be neutral, if you constrain them to make statements **only** about compliance with the FCC RF-EMR Maximum public exposure guideline and Wireless signal strength levels (as measured in dBm).

I have an expert that you can call to see if Lee Afflerbach's methodology and equipment will provide data that is both accurate and sufficient to stand up in court (PhD and IEEE Senior fellow Prof. **Trevor Marshall 805-492-3693**) Trevor was in the room (by phone) with Attorney Harry Lehmann and me, when we talked to the City staff on Feb 1, 2018 and convinced them to update the Wireless Ordinance to protect the residential zones.

Importantly, in the public meetings, the City of Petaluma cannot allow Afflerbach to wax poetic about his work elsewhere and his views of "what he sees out there". Lee is very charming and uses that charm for indoctrination. It doesn't matter that other Cities out there have been fooled into making bad decisions for their Cities and residents.

All that matters is the substantial written evidence that Afflerbach's Professional Engineer stamp will "bless" . . . and that, quite simply, is the **raw data** of dBm signal strength readings in the 28-square mile area surrounding the Petaluma Creamery (a search ring with a three-mile radius) for every Verizon specific downlink frequency/band that they have licensed for Petaluma (746 MHz to 2160 MHz, as listed here --> https://www.unsafeatanyg.com/petaluma/creamery/#signal)

There are hours and hours of video evidence of Afflerbach's efforts at indoctrination in Sonoma, Monterey, Napa and other places:

1. From https://scientists4wiredtech.com/testimony/ and https://scientists4wiredtech.com/sonoma

   Professional Engineeer Lee Afflerbach in Sonoma, CA Public Record, 9/12/19

   - https://youtu.be/HRYFXx7oNN4?t=11424
   - https://youtu.be/HRYFXx7oNN4?t=11602
   - https://youtu.be/A5_HHn6Ih_o?t=330
   - https://youtu.be/A5_HHn6Ih_o?t=1493

2. From Monterey --> https://mystreetmychoice.com/monterey.html (links I gave to Brittany back in mid-June, 2020)

   - View at 00:35:45 for Lee Afflerbach in Monterey
   - Key Monterey Documents for Mar 15, 2018

     1. 2017-1220-CTC-Monterey-Drive-Test.pdf
     2. 2018-0314-Monterey-Extenet-Update.pdf
     3. Link to Meeting Agenda
     4. Link to Meeting packet

5. Link to Meeting minutes
6. 2018-0324-Planning-Commission-resolution.pdf

3. City of Napa Videos

- https://youtu.be/9cQshUx5Xb8?t=819

- https://youtu.be/JVO1VXH4nQA?t=781

- View Lee Afflerbach at 1:21:45 at http://napacity.granicus.com/player/clip/2176?view_id=2&redirect=true

The bottom line is that "**Capacity**" is not in the 1996 Telecommunications act. There is no preemption for capacity, only for telecommunications service (i.e. coverage for wireless telephone calls -- this is why -- >https://scientists4wiredtech.com/mozilla-v-fcc/ listen to the argument by attorney Steven C. Wu, which carried the day in the DC Circuit ruling). See **Appendix A** for key quotes from that ruling.

Look, the wireless industry has some "capacity" ruling in some lower court out there, but **nothing** that has been decided by the Ninth Circuit Court of Appeals, the DC Circuit Court of Appeals or the US Supreme Court, so, therefore, that ruling does **not** apply to the City of Petaluma. This is why--> https://mystreetmychoice.com/press.html#courts

This is all you need to know about **capacity** --> https://www.unsafeatanyg.com/petaluma/creamery/#capacity

Beware of the Overloaded Term "Capacity", As Used by the Wireless Industry

An overloaded term is one that has more than one meaning.

Capacity (noun) : has at least two distinct definitions

1. the maximum amount or number that can be contained or accommodated
2. the facility or power to produce, perform, or deploy

Telecommunications is the practice of transmitting **Title II-regulated phone calls** by wire or by spraying it wirelessly, using electromagnetic power through the air.

Broadband is the practice of transmitting **Title I-unregulated data** by wire or by spraying it wirelessly, using electromagnetic power through the air . . . (see more at the link)

B. Telecom Law Firm has significant conflicts of Interest, and is therefore, unable to give objective advice to Cities. I would not go to contract with them. Instead, please talk to attorneys that are actually fighting for Cities' and residents' interests, including **attorney Mark Pollock** (707-257-3089 x 1), who will be calling Eric Danly today, and **attorney Harry Lehmann** (415-897-2121).

The City of Malibu is **moving on from Telecom Law Firm** due to the **obvious conflicts-of-interest** and less-than-stellar advice purveyed by the Telecom Law firm, as evidenced here:

- **Aug 24, 2020** W. Scott McCullough Memorandum to the City of Malibu → https://scientists4wiredtech.com/mccollough-memo/
- **Sept 29, 2020** Susan Foster letter to the City of Malibu, CA → https://scientists4wiredtech.com/2020/10/letter-to-malibu-city-council/

- . . . which led to this on **Oct 29, 2020** *Request for Proposals for Wireless Communication Facilities Application Review Services* → https://scientists4wiredtech.com/2020/10/letter-to-malibu-city-council/ **and** https://www.malibucity.org/bids.aspx?bidID=159
- **Jan 14, 2020** Appeal of similarly-sized Verizon WTF in Thousand Oaks → https://scientists4wiredtech.com/thousandoaks/

C. The City of Petaluma Needs Better "Chess Coaches"
The actual entity that you "believe" is the applicant is very relevant and foundational to this application -- the City can and should force the **actual applicant(s)** to list right on the application their board of directors and the assets of their firms to determine if the entity has assets sufficient to **self-insure** against claims for injury, illness and death from pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR). You see, the Verizon operates via franchises to keep the law suits from piercing the corporate veil of Big Verizon -- which is the only entity with assets sufficient enough to cover the **self-insurance** for such claims. Most entities in the labyrinth of agents, franchises and franchisees are intentionally small and designed to go bankrupt whenever a claim is made.

This is why . . . please listen to attorney **Mark Pollock**:

- https://scientists4wiredtech.com/thisworks

- https://mystreetmychoice.com/thisworks

Then, please listen to attorney **Andrew Campanelli** at https://unsafeatanyg.com/petaluma/training **and** https://scientists4wiredtech.com/campanelli/

- https://youtu.be/UtT6gVH584s?t=2456

- https://youtu.be/UtT6gVH584s?t=663

Finally . . . please listen to Attorney Harry Lehmann at https://scientists4wiredtech.com/thousandoaks/

- https://youtu.be/W6J6JLK4K7

- Please read Lehmann's seminal letter that I credit for moving Votes in the CA Senate against SB.649 the vetoed ALEC-written State Streamline Small Cell Deployment bill (the CA Senate votes moved from 32-1 the first time through to 22-18 the second time -- we almost won in the Senate -- but we **got the veto** on Oct 15, 2017 . . . I spoke to Gov Brown on Oct 14, 2017 in Santa Rosa)

- Letter from https://scientists4wiredtech.com/2017/10/gov-brown-be-smart-veto-sb649/#lehmann

- http://scientists4wiredtech.com/wp-content/uploads/2017/10/2017-0719-SB649-CA-Liability-Lehmann-to-Galehouse.pdf

The wireless industry has designed the chessboard, writes and rewrites the rules at will, lies to everyone when they say "this is federal law" and then hides the very probative evidence you need to process these applications properly using ridiculous excuses like "this is proprietary information".

Just think back to the 2008 financial crisis caused by the massive investments in the overly-complex mortgage-backed derivative securities. How could so many "seemingly-smart" investors get so fooled? This was well-explained in Michael Lewis' book/film "The Big Short".

This fraud happened (and many suffered) because all of the "expert" bond-ratings agencies -- Standard & Poor's Global Ratings, Moody's, and Fitch Ratings -- **firms that were simply paid by the Investment Banks to gave AAA-ratings** to these toxic derivatives. The AAA ratings were given to securities they actually did not understand!

Who are the equivalent of the Standard & Poor's Global Ratings, Moody's, and Fitch Ratings in 2020 on the Petaluma Creamery WTF application? That would be Hammett & Edison, CTC Technology and Telecom Law Firm. This is plain for all to see. Verizon is acting as the Investment Banker here . . . follow the money . . . who is paying the costs for Hammett & Edison, CTC Technology and Telecom Law Firm? **Verizon.**

Come on, folks. Let's not fall victim to this scheme. Big Wireless wants to keep City staffs, Planning Commissioners and City Council members in the dark, so they can achieve maximum advantage in order to increase their revenues and profits. There are very good, recent court cases that are slapping the industry for practicing such deception and fraud.

Look no further than this 2020 Ruling in Cambridge, MA --> https://scientists4wiredtech.com/2020/09/densified-4g-5g-swtf-proliferation-takes-a-hit-in-cambridge-ma/

The entire process is based on fraud. The current Petaluma Creamery WTF has **oodles of errors and omissions in the application -- on purpose** -- because Verizon is attempting to game the system and break many federal laws (1996-TCA, ADA, FHAA, NEPA) in order to achieve this unnecessary densified 4G/5G roll out. Please, don't let them do it, just because you make money from this deal.

Please, instead, encourage the City to stand its ground and **simply say NO by making the strongest findings,** just as Marin County did a few weeks ago --> https://scientists4wiredtech.com/2020/10/marin-county-supervisors-reject-cell-tower-on-san-rafael-church-grounds/

Please call me if you have any questions at 707-981-5522. We would love to conduct 18-minutes of "Wireless Telecommunications Facilities College" at the following upcoming Petaluma Public meetings -- **this is training our elected and appointed officials need right now, so they don't make the obvious rookie mistakes** . . . View from https://unsafeatanyg.com/petaluma/training, a great example from Seaside, CA of how to **SAY NO without GETTING SUED** --> https://youtu.be/G_INu9R56Xk?t=5698

We are offering the following at **no cost** to the City of Petaluma.

- 18 minutes of "Wireless Telecommunications Facilities College" at the City Council meting on **Nov 16, 2020**
- 18 minutes of "Wireless Telecommunications Facilities College" at the HCPC and Planning Commission meetings on **Nov 17, 2020**

We could use your help, Heather, to set this up. 😎

Not as good (because most will be too busy to attend), we could offer additional one hour Go To Meeting sessions "Wireless Telecommunications Facilities College" for anyone on the following dates:

- Wed Nov 11, 2020 from 6:00 pm to 7:00 pm
- Wed Nov 18, 2020 from 6:00 pm to 7:00 pm
- Thu Nov 18, 2020 from 6:00 pm to 7:00 pm

Thanks again for listening in last night, Heather. We stand ready to help.

If you could reach out and normalize the relationship by returning phone calls in a timely manner and having actual conversations with the public, just like we did last night, then we could get everyone down the learning curve without unnecessary stress. The stress comes from the m-Goup and Danly holding the cards far too close to the vest and then

informing the public only after you make decisions.

There is no question that it is in the City of Petaluma's best interests to design and order that Drive Test/Wireless Antenna Need test as soon as possible to ensure that City Manager Peggy Flynn upholds her commitment on Sept 24, 2020 to the public when she wrote:

On 9/24/2020 Petaluma City Manager Peggy Flynn wrote in an email:

> **"A drive test is being required** (a sincere thank you Mr. Springhorn for your continued recommendations!). We will continue **to provide updates** as we have them to you, and most importantly, to the community.

Thank you.
--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Appendix A: Excerpts from DC Circuit Court of Appeals Ruling on Case No. 18-1051: Mozilla et al. v FCC

"We **vacate** the portion of the 2018 Order that expressly preempts "any state or local requirements that are inconsistent with [its] deregulatory approach." 2018 Order ¶ 194; see id. ¶¶ 194–204 ("Preemption Directive"). The Commission ignored binding precedent by failing to ground its sweeping Preemption Directive — which goes far beyond conflict preemption — in a lawful source of statutory authority. **That failure is fatal**. The Order was meant to have independent and far-reaching preemptive effect from the moment it issued. Id.; see also 2018 Order ¶¶ 195–197. And the Commission meant for that preemptive effect to wipe out a broader array of state and local laws than traditional conflict preemption principles would allow. Oral Arg. Tr. 171 (Q: "It's broader than ordinary conflict preemption?" A: "That's correct."). The Governmental Petitioners challenge the Preemption Directive on the ground that it exceeds the Commission's statutory authority. **They are right.**

. . . That Title II provision has no work to do here because the **2018 Order took broadband out of Title II**. So the Commission is not "forbear[ing] from applying any provision" of the Act to a Title-II technology. 47 U.S.C. § 160(e). On top of that, Section 160(e) — as a part of Title I — does not itself delegate any preemption authority to the Commission. People of State of Cal., 905 F.2d at 1240 n.35."

. . . **By expressly requiring that [tele]communications services under Title II be regulated as common carriers**, the Federal Communications Act grants the Commission **broad authority over services classified under Title II, unlike those classified under Title I.** See 47 U.S.C. § 153(51); Brand X, 545 U.S. at 976; Verizon, 740 F.3d at 630; Comcast, 600 F.3d at 645. Which is also why the Act carves out more space for federal objectives to displace those of the States in the Title II context. See 47 U.S.C. § 253(a), (d) (expressly authorizing the Commission to preempt state or local regulations that "may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service[]").

. . . That statutory authority is the **fatal gap** in the Commission's argument here. Not only is the Commission lacking in its

own statutory authority to preempt, but its effort to kick the States out of intrastate broadband regulation also **overlooks the Communications Act's vision of dual federal-state authority and cooperation** in this area specifically.

. . . **Congress does not generally hide elephants in mouseholes**, and we think it utterly improbable that [Congress intended to authorize the EPA's interpretation] by creating a list of several hundred toxic chemicals.") (internal citation omitted). The **mousehole**, in short, **cannot be the wellspring of preemption authority** that the Commission needs. Doubly so here, where the Supreme Court has specifically held that the Commission's desire to "best effectuate a federal policy" must **take a back seat to Section 152(b)'s assignment of regulatory authority to the States**. Louisiana PSC, 476 U.S. at 374."

Bendix, Brittany

From: Paul McGavin <paul.mcgavin@scientists4wiredtech.com>
Sent: Tuesday, November 3, 2020 6:20 PM
To: Teresa Barrett; Flynn, Peggy; Danly, Eric; Lee Afflerbach
Cc: Healy, Mike; Fischer, D'Lynda; Kearney, Gabe; King, Dave; McDonnell, Kevin; Miller, Kathy; Heidi Bauer; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart; Rose, Kendall; Green, Jordan; Hines, Heather; Bendix, Brittany; Scott Springhorn; Taryn Obaid
Subject: CTC Technology Questions for Verizon PLMA-20-0003/PLUP-19-000 Project & FCC Human Exposure to RF-EMR: Guidelines for Cellular Antenna Sites
Attachments: 2020-0605-Brittany-Bendix-Emails.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
November 3, 2020

To:
Ms. Teresa Barrett, Mayor
Ms. Peggy Flynn, City Manager
Mr. Eric Danly, City Attorney
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4345

Mr. Lee Afflerbach
Principal Engineer
CTC Technology & Energy
10613 Concord Street
Kensington. MD 2089
Phone 410-745-5958
Mobile 410-226-6505

cc:
Mike Healy, Council Member
D'Lynda Fischer, Vice Mayor
Gabe Kearney, Council Member
Dave King, , Council Member
Kevin McDonnell, Council Member
Kathy Miller, Council Member
Heidi Bauer, Planning Commissioner
Sandi Potter, Planning Commissioner
Richard Marzo, Planning Commissioner
Blake Hooper, Planning Commissioner
Scott Alonso, Planning Commissioner
Christopher Caputo, HCPC Chair
Kit Schlich, HCPC Vice Chair
Terry Kosewic, HCPC Member
John Perlis, HCPC Member
Bill Rinehart, HCPC Member

Kendall Rose, City Clerk
Jordan Green, Assistant City Attorney
Heather Hines, m-Group
Brittany Bendix, m-Group
Petaluma-VHP Members

Re: CTC Technology Questions for Verizon PLMA-20-0003/PLUP-19-000 Project & FCC Human Exposure to RF-EMR: Guidelines for Cellular Antenna Sites

Dear Ms. Barrrett, Ms. Flynn, Mr. Danly, Mr. Afflerbach et al.,

[City Clerk Kendall Rose, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

At https://ourtownourchoice.org/fcc-guidelines-for-cellular-antenna-sites/ and in **Appendix A,** below please find an adaptation of an FCC web page, last updated in 2019 that is very relevant to CTC Technology's analysis of the Verizon PLMA-20-0003/PLUP-19-000 Project.

Ms. Flynn, you were informed in the public record on October 23, 2020 as follows: --> https://www.unsafeatanyg.com/petaluma/creamery/#latest

With the **Verizon PLMA-20-0003/PLUP-19-000 Project,**

> **"**the City of Petaluma is preparing to issue a conditional use permit that will execute a "taking of property" from Petaluma residents . . . this better be whistle clean, folks . . . and it is clearly **not whistle clean** at this moment. Discrimination in this process has been rampant for months and the Petaluma City Staff is practicing such discrimination. The record clearly shows it.
>
> **We must have the chance to do our own quality assurance** on the contents of the public record, **as guaranteed by** law. The public needs to fully understand the contents of the record upon which the HCPC and the Planning Commission will be making its deliberations. We cannot allow any fraudulent information to remain in the file and have to ensure that **no false information or Wireless Industry propaganda** makes its way into the staff packet that will be compiled for the HCPC's and the Planning Commission's deliberations."

We heard the following from the **m-Group's Heather Hines at 25:10** at the Nov 2, 2020 Petaluma City Council Meeting video -- which included **no commitment** to order a drive test/wireless antenna need test: (https://petaluma.granicus.com/MediaPlayer.php?view_id=31&clip_id=3104). Therefore, we have some **questions that need timely answers** (see below). These questions are, once again, not rhetorical questions. Choosing not to answer the questions openly, honestly, transparently and not answering within the next 48 hours will submity even more evidence into the City of Petaluma public record that this Verizon PLMA-20-0003/PLUP-19-000 Project application review process **is not whistle clean**.

> "The city is working with an outside consultant with wireless expertise to help us with the technical review of the Verizon application. That consultant's technical advisory will inform staff's review, but it does not dictate the City's review or recommendation. Also we have had several comments about the costs associated with that technical review and I just want to be clear that the costs associated with that outside technical review are billed to the project's cost recovery account and then they are paid for by the applicant.
>
> I also want to note that, simultaneously, City staff is looking at the Creamery facility, their operations and outstanding violations. This effort is across departments. so it is really a full city dialogue and it's providing that wholistic review both of the Verizon project and corrective action for the creamery. so, we are actively engaged with this. You have your City staff working on it from all sides and talking about the outstanding issues, so I just wanted to make sure that you knew that latest update."

Whistle clean should be at the top of City Manager Flynn's mind, given the evidence of her June 5, 2020 email (see **Appendix B,** https://unsafeatanyg.com/petaluma/records and attached):

> "As the Creamery is **still not in compliance and probably won't be for a while**, we will not issue a building permit. Additionally, as there are outstanding financial penalties that need to be resolved prior to issuance of the permit, we will include that into the conditions of approval as well.
>
> On another note, we met with the Creamery owner and reps this week to discuss the replacement of their aging cooling system which uses ammonia rather than freon. Per the Creamery, they want to replace but the cost is prohibitive (~$900k). We are working with them to find a way for them to upgrade their system asap — especially given the potential risk for an ammonia leak. **This may mean negotiating their outstanding wastewater fines with the commitment to upgrade the system**. The alternative is to shut them down which would probably close the business indefinitely."

In this email, was the City Manager of Petaluma willing to subsidize the Petaluma Creamery **with Petalumans' money** to enable the Verizon PLMA-20-0003/PLUP-19-000 Project application to be approved? Ms. Flynn, the public needs your assurance that you will not act in this way, which is **against** the interests of the residents of Petaluma.

The Creamery owner has every duty and obligation to follow the laws, pay his bills and not violate environmental regulations.The fact that The City of Petaluma and other enforcing bodies have been letting him skate by for over a decade. This is in the public record, folks. We can't look past this lack of performance, forever. The June 5, 2020 email from Ms. Flynn shows a City Manager willing to misappropriate **Petalumans' money** to assist this negligent business owner **who is, apparently, her neighbor.** Flynn openly communicated this to the City Council. Did any Council member or City staffer speak out against this?

Please . . . take this option off the table.

The following facts should have no bearing on the City's decision. Do we all agree?

> Larry Peter, the owner of the Petaluma Creamery lives 4235 Springhill Road
> https://addresscustomerservicecenternumber.com/larry-k-peter/petaluma-ca/usa/ul15l
>
> Peggy Flynn's (husband) lives 2701 Springhill Road
> http://www.peoplebyname.com/people/Mccorvey/Lex

Please consider your choices, very carefully, folks. **No dark room deals here, Ms. Flynn and City Council members.** As you must fully understand, the public (and other parties with deep expertise) are watching intently as the public attempts to fully engage as **equal stakeholders** in this project in a fair, democratic process. It would serve everyone's best interests to define reasonable roles and participation parameters for the parties in the upcoming process from Nov 3, 2020 through a likely end date of Jan 29, 2021 -- in order to ensure that the process will be a fair and democratic one.

Here is what we propose, is this workable?

1. **The proponents** (Complete Wireless, whatever entity might be dba Verizon Wireless and the Creamery owners) **deserve** full presenter status and **15 minutes or so** to pitch the benefits of **approval** of the Verizon PLMA-20-0003/PLUP-19-000 project during the expected Dec 8, 2020 **Zoom meeting with full A/V and slide support**, similar to what have seen (https://cityofpetaluma.org/meetings) in the HCPC, Planning Commission and City Council meetings from Mar, 2020 through Nov, 2020

2. **The opponents** (Petaluma-VHP, other organized neighbors **and subject matter experts** who wish to preserve the quiet enjoyment of Petalumans' streets -- and homes -- their public safety, their privacy and their property values) **also deserve** full presenter status and **an equal 15 minutes or so** to pitch the benefits of **denial** of the Verizon PLMA-20-0003/PLUP-19-000 Project during the expected Dec 8, 2020 **Zoom meeting with full A/V and slide support**.

3. **The City Staff and its consultants should play the role of Switzerland here.** They deserve full presenter status and an equal 15 minutes or so to communicate the staff recommendations and to answer any questions.

Anything short of this would not represent a fair and democratic process. Relegating opponents only to public comment is **not** a good choice. Public comment can occur after all three presentations have been completed. For those who presented in [2] above, they could agree not to seek public additional comment on the topic.

Mayor Barret, Heidi Bauer and Christopher Caputo, may we please have your agreement to this proposal for a fair and democratic process for Dec 8, 2020? We would like this question answered by no later than the close of business on Nov 5, 2020. Thank you.

Please End Rampant Discrimination Against the Public
Currently things are not fair, because there seems to be discriminatory and unfair engagement with the applicants, and not an equal opportunity or effort by the City Staff to engage with the public on this Verizon PLMA-20-0003/PLUP-19-000 project. The record clearly evidences this.

We have been trying to fix this problem for three months, but City Manager Flynn has refused to engage with the public to address this obvious, well-documented problem.The public demands better service and engagement from its local government. If the National emergency of COVID-19 pandemic is the reason given for not reasonably serving the public, then that should apply equally to the applicants -- but the record shows blatant discrimination here. **Will you please immediately fix this, Ms. Flynn?**

We should not and will not tolerate the **continuing discrimination** that the Petaluma City staff and the m-Group has perpetrated against the public from July 2020 to the present.

We are asking, once again, to please meet with you, Ms. Flynn -- either in person (socially distanced) or via Zoom (or similar) regarding the "bait and switch" tactics being used by the m-Group, and possibly by

- Lee Afflerbach, Telecom Consultant from CTC Technology
- City Attorney Eric Danly
- Robert "Tripp" May from Telecom Law Firm, P. C.

We have some questions for Ms Flynn that we would like answered by no later than the close of business on Nov 5, 2020 (Thank you):

1. Will the City of Petaluma live up to Ms. Flynn's commitment to the public to order the Drive Test/Wireless Antenna Need Test for Verizon PLMA-20-0003/PLUP-19-000 Project?
2. If the City of Petaluma lives up to Ms. Flynn's commitment to the public to order the Drive Test, **when** will the City communicate to the public the methodology, the start date and the date when the raw signal strength data will be placed in the public record?
3. If the City of Petaluma does not live up to Ms. Flynn's commitment to the public to order the Drive Test, then what is the reason for that decision?
4. Why were these outside resources identified, recruited and selected?
5. Why were these outside resources not identified, recruited and selected at any time between June 2019 and October 2020?
6. As the City already had a local Telecom consultant back in 2018 that assisted on Petaluma's 2018 Small cell Wireless Ordinance, why not use that gentleman again?
7. Why did the City of Petaluma reach across the country all the way to Maryland to fill this simple Telecom role?
8. Did the Applicants (Complete Wireless and whatever entity might be dba Verizon Wireless here) have any say in the selection of this Telecom consultant, since the applicants are paying for Mr. Afflerbach's services?
9. Was the public, which has deep expertise in these matters, consulted on the identification and selection of these outside resources?
10. If not, is this process sounding whistle clean to anyone? (hint: our national experts -- and we know many -- are telling us no)
11. On what date/time can we meet with you?

City staffs that exhibit similar behavior to this, such as Thousand Oaks, CA -- a city that was also advised by Telecom Law firm -- invite predictable and costly outcomes, as you can see here --> https://scientists4wiredtech.com/thousandoaks

We have the following additional questions that we also would like answered by the close of business on Nov 5. 2020:

A. First, we have the following evidence in the public record , regarding the critically-important Drive Test/Wireless Antenna Need Test:

> "In my conversation with Lee Afflerbach on Friday Oct 30, 2020, Lee sounded a bit surprised when I told him that the public had received an email from Petaluma City Manager Peggy Flynn on Sept 24, 2020 confirming that "**a drive test is being required**". I don't know why he would be surprised because I emailed that information to him a week ago on Fri Oct 23, 2020, in the congratulatory email that I sent shortly after receiving a copy of the executed City of Petaluma/CTC Technology contract (See the email quoted below in **Appendix C**)."
>
> Will the City of Petaluma order a drive test? Yes or no? We need to know by no later than Nov 5, 2020.

B. Second, Mr. Danly, will you please hire a sound, **objective** outside legal advisor, from the **best attorneys available to you.** Attorneys Mark Pollock (70-257-3089) from Napa and W. Scott McCollough (512-633-3498) combined efforts to assist the City of Malibu's Ordinance tightening, (see below) -- I gave you their numbers months ago and asked you to call them. I understand that you never did.

These are much better options than scraping the bottom-of-the-barrel to select the "Wireless Industry indoctrinator-duo" of Robert "Tripp" May / Jonathon Kramer, from Telecom Law firm, P.C. -- a firm which the City of Malibu is **moving on from** due to the **obvious conflicts-of-interest** and less-than-stellar advice purveyed by the Telecom Law firm, as evidenced here:

- **Aug 24, 2020** W. Scott McCullough Memorandum to the City of Malibu --> https://scientists4wiredtech.com/mccollough-memo/

- **Sept 29, 2020** Susan Foster letter to the City of Malibu, CA --> https://scientists4wiredtech.com/2020/10/letter-to-malibu-city-council/

- . . . which led to this on **Oct 29, 2020** Request for Proposals for Wireless Communication Facilities Application Review Services --> https://www.malibucity.org/bids.aspx?bidID=159

- **Jan 14, 2020** Appeal of similarly-sized Verizon WTF in Thousand Oaks --> https://scientists4wiredtech.com/thousandoaks/

It seems that City Attorney Eric Danly, the m-Group or City Manager Peggy Flynn **did not complete sufficient due dilegence when** identifying Telecom Law firm as an advisor that could be trusted to value the interests of the residents of Petaluma. We have additional substantial evidence to share about this. Please make a sound decision here, Ms. Flynn and Mr. Danly.

C. Third, Mr Afflerbach, we are asking for your thorough and professional responses to the following questions (and asking City Staff to support the answering of these questions) re: Verizon PLMA-20-0003/PLUP-19-000 Project & FCC Human Exposure to RF-EMR: Guidelines for Cellular Antenna Sites

Note, that we have previous Experience With Lee Afflerbach of CTC Technology & Energy exhibiting somewhat dismissive behavior, not unlike the behavior from the m-Group toward the public from July, 2020 to the present:

I wrote the following on Sept 15, 2019 to the Sonoma County Planning Commissioners (see full public record of P. McGavin documents here --> https://sonomacity.civicweb.net/filepro/documents/24238)

"Lee Afflerbach from CTC Technology & Energy falls into an unusual category. He is a wireless industry insider (former FCC employee) advising the City of Sonoma, but the cost of his services are paid for by the applicant (Verizon).

When I talked to Lee Afflerbach by phone about a week ago, he was gracious enough to give me ten minutes and agreed to do so because, in his words, that even though I was from the "dark side", I wasn't that bad. That comment, I believe tells you something about his own biases and perspectives.

Afflerbach did not, however**, complete the important RF-EMR exposure calculations** that we asked the City of Sonoma to ask him to complete — calculations that would be very helpful to the Planning Commissioners.

The following is a quote from a 9/4/19 email requesting the not-yet-completed RF-EMR exposure analysis (see more details in documents from P. McGavin in the City of Sonoma public record here: https://sonomacity.civicweb.net/filepro/documents/24238)

> "The City of Sonoma, the Planning Commissioners and Sonoma residents, workers and private property owners, collectively know as "Sonomans" would all benefit from Lee Afflerbach from CTC calculating the matrix of pulsed, data-modu|ated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) exposure levels (at ground and second-story levels) from various power output levels (3,000 Watts ERP, 800 Watts ERP, 460 Watts ERP, 100 Watts ERP, 10 Watts ERP and 2 Watts ERP) with the antennas installed at various numbers of feet off the ground (24 feet, 50 feet, 100 feet and 150 feet from the ground). We would also all benefit from knowing the propagation distance when the wireless signal from each of these antenna configurations finally degrades to -125 dBM (assuming no trees, buildings or hills get in the way)."

What Mr. Afflerbach thinks of me is not important, but the information I have entered into the City of Sonoma public record and the people who publish and present these peer-reviewed, scientific studies are extremely important, including the following substantial written evidence already in the City of Sonoma public record:"

- Dr. Trevor Marshall: How Radio Waves Make You Sicker → https://youtu.be/37j2jDN8IVo?t=980
- Dr. Trevor Marshall: Electrosmog Radiation Effects → <https://youtu.be/T-6dNg00xkE?t=885
- The Bio-initiative Report 2012 (updated in 2017 and 2019) : A Rationale for Biologically—based Public Exposure Standards for Electromagnetic Fields (Recommend a limit of RF-EMR exposures around 3 to 6 µW/m²) → https://bioinitiative.org/
- Building Biology pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) Exposure Guidelines http://www.createhealthyhomes.com/richtwerte-2015-englisch.pdf
- Physicians for Safe Technology → https://mdsafetech.org
- Environmental Health Trust: → https://ehtrust.org/science
- Electromagnetic Radiation Safety: → https://www.saferemr.com/
- Martin Pall's publication: 4G/5G Densification: Great Risk for EU, U.S. and International Health → https://scientists4wiredtech.com/martin-pall-primer/

Here are the questions we would like Mr. Afflerbach to answer by no later than Nov 5, 2020 (Thank you).

1. When will the Drive Test start?
2. What will be the methodology of the drive test?
3. What equipment will the CTC use to collect and log the data?
4. Will CTC report its significant gap in Verizon telecommunications/coverage analysis in dBm? Is CTC doing some other analysis, which may not be necessary? If so, which ones and why are those tests considered necessary? (See Appendix D: Beware of the Overloaded Term "Capacity", As Used by the Wireless Industry)
5. Will the CTC place the raw data of the Drive test into the public record?
6. Is the City asking CTC for a written report?

7. Will CTC communicate the format of the data **before** the test is ordered/conducted?
8. Will CTC agree that it does not have any medical or biological expertise and therefore will **refrain from making any claims about safety**, biological impacts or negative health consequences from pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR)?
9. Will CTC agree to only make assessments about compliance with the FCC RF-EMR Maximum Public Exposure Guideline? -- since we all must recognize that compliance with the FCC RF-EMR MPE guideline **does not** and **cannot** insure pubic safety

Next, considering the information in **Appendix A:** *FCC Human Exposure to RF-EMR: Guidelines for Cellular Antenna Sites* which states the following:

The FCC permits an effective radiated power (ERP) of up to:

- **A: 500** Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP

The majority of cell sites in urban and suburban areas operate at:

- **B: 100** Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP
- An ERP of 100 watts **corresponds to** an actual radiated power of 5-10 watts.

In **URBAN AREAs**, cell sites commonly emit an ERP of 10 watts/channel or less.

- **C:** [**10** Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP]

We make the following accurate observations/statements and ask Lee Afflerbach to answer the subsequent questions by no later than Nov 5, 2020 (Thank you).

Observations

The target area (or search ring, if you prefer), which is the **28 square mile** that comprises an area surrounding the Petaluma Creamery within a 3-mile radius of Southwest Petaluma includes

- Petaluma High,
- Petaluma Jr. High
- Valley Vista Elementary,
- McNear Elementary,
- Elim Lutheran Church (right next door)
- other places of worship and
- thousands of residences

. . . which means this search ring is definitely a densely populated and, therefore -- without question -- an **URBAN AREA**.

Since the FCC says that cell sites in **URBAN AREAs** commonly emit an ERP of **10 watts/channel or less**, meaning **10** Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP

Questions

Q-A: Will Mr. Afflerbach please explain how the following FCC statement can be considered accurate? "An ERP of 100 watts corresponds to an actual radiated power of 5-10 watts."?

Q-B: Will CTC please provide accurate calculations for the 16 antennas of the PLMA-20-0003/PLUP-19-000 project that will be installed at 80 feet off the ground, spraying to ground level (5 feet off the ground) and to a second-story level (20 feet off the ground) in the center of 36 ten-degree increments around the search ring, **every 50 feet** from 50 feet from the antenna to 15,840 feet from the antenna (about 317 values per slice of circle x 36 slices = 11,405 data points **as Total Watts ERP and projected dBm**, for each of the following cases:

- **Case A:** 5 Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP and in dBm
- **Case B:** 10 Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP and in dBm
- **Case C:** 25 Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP and in dBm
- **Case D:** 50 Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP and in dBm
- **Case E:** 100 Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP and in dBm
- **Case F:** 250 Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP and in dBm
- **Case G:** 500 Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP and in dBm

Q-C: Will CTC provide actual, current dBm measurements from driving along the streets of Petaluma in the same search ring for each non-mmWave downlink frequency/band listed in **Appendix E** (we will have more detail in a subsequent email to be sent on Nov 4, 2020)

Q-D: Will CTC identify which of the frequency/bands listed in **Appendix E** are dedicated to downlink, which are dedicated to uplink and which handle both downlink and uplink simultaneously?

Q-E: Will Mr. Afflerbach please read the following FCC Comment from June 17, 2020 from Prof. Trevor Marshall, PhD and write up what he agrees with and disagrees with what was said in the comment here --> https://ourtownourchoice.org/fcc/ (Trevor Marshall, PhD is the scientific expert that assisted Petaluma staff in our 90-minute meeting on Feb 1, 2018).

We are looking forward to timely answers to all of the questions, in this email, re: the Verizon PLMA-20-0003/PLUP-19-000 Project by no later than close of business on Nov 5, 2020.

Thank you.

--
Regards,

Paul McGavin
Scientists For Wired Technology
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Appendix A: FCC Human Exposure to RF-EMR: Guidelines for Cellular Antenna Sites

from https://ourtownourchoice.org/fcc-guidelines-for-cellular-antenna-sites/

Adapted from https://www.fcc.gov/consumers/guides/human-exposure-radio-frequency-fields-guidelines-cellular-and-pcs-sites; see [additions/comments] and ~~subtractions~~, below.

[**S4WT:** *RF-EMR* = pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation]

Primary antennas for transmitting wireless telephone service, including cellular and personal ~~communications~~ wireless service are usually located outdoors on towers and other elevated structures like rooftops, water tanks and sides of buildings. The combination of antenna towers and associated electronic equipment is referred to as a ~~"cellular or PCS cell site"~~ [Wireless Telecommunications Facility (WTF) or Wireless] "base station."

- Cell towers are typically 50–200 feet high (**Vertical**) [and typically 2,500–5,000 feet feet away (**Horizontal**) from residences; the third essential variable is **Power**]
- [**VHP:** Localities must regulate all three variables (*Vertical* • *Horizontal* • *Power*) to finally complete the cooperative federalism scheme set up by the 1996 Telecommunications Act (1996-TCA), which was confirmed by the US Supreme Court in 2005 in Palos Verdes v Abrams

Antennas are usually arranged in groups of three, with

- **one** antenna in each group used to **send** signals to mobile devices
- **two** antennas used to **receive** signals from mobile devices.
- [**S4WT:** this sounds like a description of yesteryear (even though this FCC web page was updated in 2019); many of today's 4G/5G antennas are phased arrays with steerable beams with send/receive handled by the same antennas]

On a WTF, the total radio frequency microwave (RF/MW) radiation that can be transmitted from each transmitting antenna depends on

1. the **number of radio channels** that have been authorized by the Federal Communications Commission and
2. the **[maximum] Effective Radiated Power (ERP)** of each transmitter. [**S4WT:** max ERP is calculated in this way: the **sum** of per channel Maximum Input Power × Antenna Gain]

[**S4WT:** Max ERP is what matters because the 2012 Spectrum Act (§6049(a)) says:

> ### 47 U.S. Code § 1455 (a) Facility modifications
>
> "**(1) In general.** Notwithstanding section 704 of the Telecommunications Act of 1996 (Public Law 104–104) or any other provision of law, a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.
>
> **(2) Eligible facilities request.** For purposes of this subsection, the term "eligible facilities request" means any request for modification of an existing wireless tower or base station that involves—
>
> (A) collocation of new transmission equipment;
>
> (B) removal of transmission equipment; or
>
> (C) replacement of transmission equipment.
>
> **(3) Applicability of environmental laws**. Nothing in paragraph (1) shall be construed to relieve the Commission from the requirements of the National Historic Preservation Act [1] or the National Environmental Policy Act of 1969."

~~Although~~ The FCC permits an effective radiated power (ERP) of up to:

- **A: 500** Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP

The majority of cell sites in urban and suburban areas operate at:

- **B: 100** Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP
- An ERP of 100 watts **corresponds to** an actual radiated power of 5-10 watts.

In urban areas, cell sites commonly emit an ERP of 10 watts/channel or less.

- **C:** [**10** Watts/channel × Antenna Gain × # of channels/antenna = # of Total Watts ERP]

For **PCS cell sites**, even **lower ERPs** are typical.

As with all forms of electromagnetic energy, the power density from a cellular or PCS transmitter rapidly decreases as distance from the antenna increases.

[**S4WT:** It is also true, therefore, as the antenna moves

- **from . . .** a typical 2,500–5,000 feet from residences
- **to . . .** 25–50 feet from residences

. . . the power density from a cellular or PCS transmitter **rapidly increases** as distance from the antenna decreases . . . so the one true statement the FCC is not telling you is that **distance is your friend**; the only way to tolerate antennas closer than 2,500–5,000 feet from residences is to **cap the power input/power output drastically and police this power 24/7 with City-installed-and-controlled fuses**.]

Consequently, normal ground-level exposure [from typical antennas that are 2,500–5,000 feet from residences] is **much less than** the exposure that might be encountered if one were very close to the antenna and in its main transmitted beam.

[**S4WT:** Also, consequently, ground-level exposure [from antennas that are 25–50 feet from residences] is **much greater than** the example given above because people **are very close to the antennas and, are too often, in its main transmitted beam (think second- and third-story bedrooms, seen here.**].

Measurements made near typical cellular and PCS cell sites have shown that ground-level power densities are well below the exposure limits recommended by RF/microwave ~~safety~~ standards used by the FCC.

[**S4WT:** Well, since **compliance** with the unscientific and unsound FCC RF-EMR Maximum Permissible Exposure (MPE) Guideline **cannot insure public safety**, the FCC RF-EMR MPE guideline is a commercial guideline only, not a safety guideline. We know this is true because . . .

1. The FCC RF Guideline only considers the **rate** of exposure and **not the total dose** of exposure (this is unlike any other poison or toxic agent studied by the NIEHS' National Toxicology program)
2. The FCC RF Guideline is based on the **average** exposure readings which are 1/100th to 1/10,000th times lower than the **peak** exposure readings; The peak RF-EMR readings are the relevant bioactive components in pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR).
3. The FCC RF Guideline is based on average RF-EMR measurements over a **six-minute** averaging time for commercial exposures and a **30-minute** averaging time for general public exposures, yet then the FCC says the public can withstand these RF-EMR levels **24/7, forever** — which is nonsense.
4. Actually, the FCC RF guideline does **not** consider the time of exposure at all, which is **utter nonsense**, once you consider exposure to other electromagetic radiation such as from the sun (tanning vs burning) and paying one's electric bill (paying for Watts×Time-of-use, or kiloWatt-hours of electricity).
5. **The FCC RF Guideline was a scam from day one**; a dirty trick to commercialize military technology in order to make make oodles of money, as explained here.]

Guidelines

In 1996, the FCC adopted updated guidelines for evaluating human exposure to RF fields from fixed transmitting antennas such as those used for cellular and PCS cell sites.

[**S4WT:**Yes, we have carefully studied the selection of the FCC RF-EMR MPE guideline

- View https://mystreetmychoice.com/thisworks/#/24

- View https://youtu.be/W6q88rA_cMo?t=53m20s]

The FCC's guidelines are identical to those recommended by the National Council on Radiation Protection and Measurements, a non-profit corporation chartered by Congress to develop information and recommendations concerning radiation protection.

[**S4WT:** Yes, we talked to the Director of the NCRP for an hour and then downloaded and read this 396-page publication from 1986, summarizing science through 1982: *"NCRP Report No. 86 — Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields [and Radiation]"*

- https://mystreetmychoice.com/thisworks/#/30
- https://scientists4wiredtech.com/wp-content/uploads/2019/09/1986-NCRP-86-OCR.pdf]

The FCC's guidelines also resemble the 1992 guidelines recommended by the Institute of Electrical and Electronics Engineers (IEEE), a non-profit technical and professional engineering society, and endorsed by the American National Standards Institute (ANSI), a nonprofit, privately-funded membership organization that coordinates development of voluntary national standards in the United States.

[**S4WT:** Aah, yes, the same engineering organization that puts a **filter** in place to guarantee that the IEEE **only looks at scientific evidence that has to do with the heating of biological tisssue**, which is only one of the hundreds of scientifically-established harms from pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR). We have the evidence that proves that the IEEE is merely cherry-picking the scientific evidence.]

In the case of cellular and PCS cell site transmitters, the FCC's RF exposure guidelines recommend a maximum permissible exposure level to the general public of approximately 580 microwatts per square centimeter [for 850-900MHz only]
[**S4WT:** This translates to 5,800,000 microwatts per square meter ($\mu W/m^2$) . . . compare that to the recommended BioInitiative RF-EMR exposure guideline of 3 to 6 $\mu W/m^2$.

[**S4WT:**More specifically, the FCC RF MPE Guideline is frequency-specific this:]

FCC Guidelines for Maximum Public Exposure to Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) Reported as Average RF-EMR

Frequency range (MHz)	Electric field strength (V/m)	Magnetic field strength (A/m)	Average Power density ($\mu W/m^2$)	Averaging time (minutes)
0.30-1.34	614	1.63	(1,000,000,000)*	30
1.34-30.00	824/f	2.19/f	(1,800,000,000/f^2)*	30
1.3			1,000,000,000	30
1.5			800,000,000	30
3.0			200,000,000	30
10.0			18,000,000	30
15.0			8,000,000	30
25.0			2,880,000	30
30-300	27.5	0.073	2,000,000	30
300-1,500			(f/1500)*10 million	30
600			4,000,000	30
700			4,670,000	30
800			5,330,000	30

Frequency range (MHz)	Electric field strength (V/m)	Magnetic field strength (A/m)	Average Power density (μW/m²)	Averaging time (minutes)
900			6,000,000	30
1,000			6,670,000	30
1,250			8,330,000	30
1,500-100,000			10,000,000	30

*Plane-wave equivalent power density; f = frequency in MHz;

This limit is **many times greater** than RF levels typically found near the base of cellular or PCS cell site towers or in the vicinity of other, lower-powered cell site transmitters.

[**S4WT:** Not any more . . . see the evidence below . . .

- **2017:** 21 U.S. Diplomats & Families in Cuba Evacuated After Microwave Weapon Attack and Illnesses and Brain Trauma
- **2017:** RF-EMR Exposures from So-Called "Small Cells" — Metered at **1,000,000 μW/m²** — in Palo Alto, CA
- **2018:** RF-EMR Exposures — Metered at **3,626,000 μW/m²** in Sebastopol, CA — Linked to Deaths and Illnesses

2020: RF-EMR Exposures — Metered at **1,280,000 μW/m²** on the streets in Plumas County, CA

Calculations corresponding to a "worst-case" situation (all transmitters operating simultaneously and continuously at the maximum licensed power) show that, in order to be exposed to RF levels near the FCC's guidelines, an individual would essentially have to remain in the main transmitting beam and within a few feet of the antenna for several minutes or longer.

[**S4WT:** The preceding sentence is a misleading statement, based on the false assumption that FCC RF-EMR Guideline (10,000,000 μW/m² for 1500 MHz and above) is actually protective of the biology of humans and all other living organisms. It is not. It is not a safety guideline. This has been scientifically established by tens of thousands of non-Wireless-Industry funded peer-reviewed scientific studies. There is no debate among serious scientists.

The debate is only perpetuated by the Wireless Industry, their purchased/captured experts and Governments which are salivating over the surveillance/control that Densified 4G/5G wireless infrastructure can achieve.]

Thus, the possibility that a member of the general public could be exposed to RF levels in excess of the FCC guidelines is extremely remote. When cellular and PCS antennas are mounted on rooftops, RF emissions could exceed higher than desirable guideline levels on the rooftop itself . . .

[**S4WT:** Not true. The occupants of top floors of building with roof-mounted antennas have metered RF-EMR well above even the ridiculously-high 10,000,000 μW/m² for 1500 MHz and above.]

even though rooftop antennas usually operate at lower power levels than free-standing power antennas.

[**S4WT:** They operate far too high for being that close to people. They only need to provide -85 dBm (0.002 μW/m² for 5-bars on a cell phone for telecommunications service — the only service for which the Wireless Industry can preempt local authority). They can do that with power hundreds of thousands of times lower than current levels.]

Such levels might become an issue for maintenance or other personnel working on the rooftop. Exposures exceeding the guidelines levels, however, are only likely to be encountered very close to, and directly in front of, the antennas. In such cases, precautions such as time limits can avoid exposure in excess of the guidelines. Individuals living or working within the building are not at risk.

[**S4WT:** Many Wireless Telecommunications Facilities installers — even those in their twenty's — are getting sick and contracting cancer (evidence here). None of this FCC safety propaganda is based on real-world experience or evidence available to everyone 2020 — the jig is up. The public is informed.]

Download the FCC [propaganda] page as a pdf

Appendix B: Email From Peggy Flynn on June 5, 2020 at 2:25 pm

(emphases added)

From: Flynn, Peggy PFlynn@cityofpetaluma.org
Sent: Friday, **June 5, 2020 2:25 PM**
To: City Council CityCouncil@cityofpetaluma.org
Cc: Danly, Eric EDanly@cityofpetaluma.org; Bendix, Brittany bbendix@cityofpetaluma.org; Thompson, Leonard LeonardThompson@cityofpetaluma.org; Power, Jessica JPower@cityofpetaluma.org; Petnic, Gina GPETNIC@cityofpetaluma.org; Hughes, Doug DHughes@cityofpetaluma.org

Subject: Verizon Wireless tower Petaluma Creamery

Dear Mayor and Councilmembers —

Apparently, Petaluma Creamery is looking to install a Verizon wireless tower on their facility.

The project is subject to the FCC's shot clock standards for local review meaning that cities must act on proposed new installations, which is the case at this site, within 150 days. The only way to extend that timeframe is through a tolling agreement, which both parties must agree to. Because of COVID, we're currently in a tolling agreement period with Verizon that goes through September 1.

This requires us to move forward with the PC in June and bring the item, if an appealed is filed, to the City Council in August.

Once entitled, the telecommunications facility is then subject to Building Permit review, where per the conditions of approval it must demonstrate compliance with Building and Fire standards, especially as they relate to CUPA, which is a standard requirement for these facilities. As the Creamery is still not in compliance and probably won't be for a while, we will not issue a building permit. Additionally, as there are outstanding financial penalties that need to be resolved prior to issuance of the permit, we will include that into the conditions of approval as well.

On another note, we met with the Creamery owner and reps this week to discuss the replacement of their aging cooling system which uses ammonia rather than freon. Per the Creamery, they want to replace but the cost is prohibitive (~$900k). We are working with them to find a way for them to upgrade their system asap — especially given the potential risk for an ammonia leak. This may mean negotiating their outstanding wastewater fines with the commitment to upgrade the system. The alternative is to shut them down which would probably close the business indefinitely.

Staff will be reaching out to the resident who reached out to the Mayor (see email chain below) and will prepare a letter to the residents who will receive the public notice regarding the proposed tower. Once I have spoken with staff on next steps, I will update you.

Thank you, Peggy

Appendix C: Emails from Paul McGavin to Lee Afflerbach and Others on Oct 23, 2020

>>> Paul McGavin wrote to Lee Afflerbach and others on 10/23/2020 at 1:50 PM:

Hi, Lee.

Congratulations. Apparently, your firm, CTC Technology has just been hired to assist Petaluma, my home town, in evaluating a proposed Wireless Telecommunications Facility (WTF) on the roof of the Petaluma Creamery.

There is a lot of information about the project here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest

This is where you will find some questions for which we have been seeking answers for a long time.

Please see first the substantial written evidence of **No Significant Gap in Verizon Telecommunications Coverage** in Petaluma CA, Aug 3, 2020 --> https://www.unsafeatanyg.com/petaluma/nogap/

Are you planning to execute a drive test (between 10/23/2020 11/20/202) similar to the one that you completed in Monterey, CA in 2017/2018?

From https://mystreetmychoice.com/monterey.html

Key Monterey Documents for Mar 15, 2018

- 2017-1220-CTC-Monterey-Drive-Test.pdf
- 2018-0314-Monterey-Extenet-Update.pdf
- Link to Meeting Agenda
- Link to Meeting packet
- Link to Meeting minutes
- 2018-0324-Planning-Commission-resolution.pdf

Will you please let me know? Thank you.

These are the other questions we need answered . . .

On 9/24/2020 Petaluma City Manager Peggy Flynn wrote in an email:

> **"A drive test is being required** (a sincere thank you Mr. Springhorn for your continued recommendations!). We will continue **to provide updates** as we have them to you, and most importantly, to the community.

It is a month after our request for immediate inspection of records and we have **no answers** to the following reasonable questions — **of which City Staff has been well-aware, yet we still have no answers.** You, Ms Flynn, wrote "A drive test is being required" on 9/24/2020 **. . . a month later we still lack these specifics.**

1. Who is the Drive Test vendor — does the public have the ability to research the vendor's background? **We need that answer now.**
2. When will the Drive Test work start? **We need that answer now.**
3. What is the methodology of the drive test? **We need that answer now.**
4. What equipment will the vendor use to collect and log the data? **We need that answer now.**
5. Is the vendor doing coverage analysis in dBm? . . . or is the vendor doing some other analysis, which may not be necessary? **We need to know that now.**

6. Will the vendor place the raw data of the Drive test into the public record? **There is no way the m-group should hide this data from anyone.**
7. **Is the City asking for a written report?** None is needed.
8. We need to understand the format of the data **before** the test is ordered/conducted.

--
Regards,

Paul McGavin

>>> Paul McGavin wrote to Brittany Bendix and others on 10/23/2020 6:15 PM:

We are also looking for the **contract** for the Drive Test vendor . . . **where is that?** We saw no commitment to do a drive test in the CTC Contact which we read and analyzed carefully --> https://www.unsafeatanyg.com/petaluma/ctc/

Recall that on 9/24/2020 Petaluma City Manager Peggy Flynn wrote in an email:

> "A drive test is **being required** (a sincere thank you Mr. Springhorn for your continued recommendations!). We will continue to provide updates as we have them to you, and most importantly, to the community."

We will **not** accept City Manager Peggy Flynn walking back that commitment.

Will you, at least **now** answer the following reasonable questions?

1. Who is the Drive Test vendor — does the public have the ability to research the vendor's background? **We need that answer now.**
2. When will the Drive Test work start? **We need that answer now.**
3. What is the methodology of the drive test? **We need that answer now.**
4. What equipment will the vendor use to collect and log the data? **We need that answer now.**
5. Is the vendor doing coverage analysis in dBm? . . . or is the vendor doing some other analysis, which may not be necessary? **We need to know that now.**
6. Will the vendor place the raw data of the Drive test into the public record? **There is no way the m-group should hide this data from anyone.**
7. **Is the City asking for a written report?** None is needed.
8. We need to understand the format of the data **before** the test is ordered/conducted.

When I saw the contract did not include a commitment to execute a drive test, I emailed Lee Afflerbach right away . . . we need clarity on the **drive test methodology and timing** and will be **accept anything short of a neutral third-party** Wireless Antenna Need Test/Signal Strength Drive test — similar in scope to to the one executed under the direction of CTC Technology in Monterey, CA:

From https://mystreetmychoice.com/monterey.html

Key Monterey Documents for Mar 15, 2018

- 2017-1220-CTC-Monterey-Drive-Test.pdf
- 2018-0314-Monterey-Extenet-Update.pdf
- Link to Meeting Agenda
- Link to Meeting packet
- Link to Meeting minutes
- 2018-0324-Planning-Commission-resolution.pdf

Will you please let me know?

Appendix D: Beware of the Overloaded Term "Capacity", As Used by the Wireless Industry

An overloaded term is one that has more than one meaning.

Capacity (noun) : has at least two distinct definitions

1. the maximum amount or number that can be contained or accommodated
2. the facility or power to produce, perform, or deploy

Telecommunications is the practice of transmitting **Title II-regulated phone calls** by wire or by spraying it wirelessly, using electromagnetic power through the air.

Broadband is the practice of transmitting **Title I-unregulated data** by wire or by spraying it wirelessly, using electromagnetic power through the air.

The US 1996 Telecommunications Act (an amendment to the 1934 Communications Act) formally defines and makes a distinction between **telecommunications service** and **information service.** In short, telecommunications service is **Title II-regulated phone calls** by wire or radio, while information service is everything else: **Title I-unregulated data:** texting, video-conferencing, Internet, gaming, audio/video steaming et al.

Only telecommunications service is a regulated Title II service and, therefore, the **only service that benefits from federal preemption of local authority**. See The October 1, 2019 Ruling in Case No. 18-1051, *Mozilla v FCC*.

47 U.S. Code § 153 – Definitions

> (53) **Telecommunications service:** The term "telecommunications service" means the offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.
>
> (24) **Information service:** The term "information service" means the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information via telecommunications, and includes electronic publishing, but does not include any use of any such capability for the management, control, or operation of a telecommunications system or the management of a telecommunications service.

In Telecom parlance, the Wireless Industry loves to opine about **coverage vs. capacity**, because doing so, often serves their business goals to **over-serve** the American public with excessive wireless signal to maximize their profits — **in violation of** Title 47 U.S.C § 324, and US Circuits Courts of Appeals rulings from 1996 to the present.

A. Title 47 U.S.C § 324

> **In all circumstances**, except in case of radio communications or signals relating to vessels in distress, **all radio** stations, including those owned and operated by the United States, **shall use the minimum amount of power** necessary to carry out the communication desired.

The concept of wireless **coverage** derives from US Circuits Courts of Appeals rulings from 1996 to the present which clearly define two important principles that constrain Federal overreach into local zoning authority over the placement, construction and modification of personal wireless facilities:

- **Significant Gap** in Telecommunications Coverage
- **Least Intrusive Means** in order to close a Significant Gap in Telecommunications Coverage

---

B. 2005 Ninth Circuit Ruling : Metro-PCS vs. San Francisco (link)

D. Prohibition Claim

2. Service Gap

(a) **Definition of "Significant Gap."** Having considered both the avowed policy goals of the 1996-TCA and the practical implications of the various constructional options, we elect to follow the district court's lead and formally adopt the First Circuit's rule that a **significant gap** in service (and thus an effective prohibition of service) exists **whenever a provider is prevented from filling a significant gap in its own service coverage**.

(b) **Least Intrusive Means:** The Second and Third Circuit "least intrusive" standard . . . allows for a **meaningful comparison of alternative sites** before the siting application process is needlessly repeated. It also gives providers an incentive to choose the least intrusive site in their first siting applications, and it promises to ultimately **identify the best solution for the community**, not merely the last one remaining after a series of application denials. For these reasons, **we now adopt the "least intrusive means" standard** and instruct the district court to apply this rule as necessary in its consideration of the prohibition issue.

The term **wireless capacity**, which appears nowhere in the language of the 1996-TCA, has two distinct meanings in Wireless Telecom vernacular:

1. **Capacity is sometimes used** by the Wireless industry to describe the number of simultaneous users that can connect to a single Wireless Telecommunications Facility (WTF) base station (around 3,000 users), which is **independent of the power output** from that WTF, as long as the "minimum amount of power necessary to carry out the communication desired" (telecommunications) has been achieved (0.1 Watt of ERP covers ½-mile radius from a WTF). Read also about Lorentz Reciprocity here → https://ourtownourchoice.org/fcc/

2. **Capacity is also used** by the Wireless industry to describe the amount of electromagnetic power through the air that the **Wireless industry purports is desired for information service**. There is no preemption available for this type of capacity, despite the Wireless industry's statements.

In the **Signal Strength RF Microwave Radiation Exposure Guidelines** table, below, the "**Land of Capacity**" is for information services in the context of [2] , above, and, therefore, **is wholly unnecessary** because wireline broadband information service is far superior to wireless broadband information service. Of critical importance, wireline broadband information service by copper, coaxial or fiber optic cables (directly to the premises) **IS NOT a "functionally equivalent service"** to wireless broadband information service, as seen in the following table and in the definition recognized by U.S. Supreme Court Case No. 03-1601, CITY OF RANCHO PALOS VERDES et al. v. ABRAMS (2005)

Definition of **functionally equivalent services**:

"When utilizing the term 'functionally equivalent services' the conferees are referring only to personal wireless services as defined in this section that directly compete against one another."

Definition of **personal wireless services**:

"commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services;"

Appendix E: Verizon Licensed Frequencies/Bands for Petaluma, CA

From https://www.unsafeatanyg.com/petaluma/creamery/#signal

Source: https://specmap.sequence-omega.net/

Need all of the downlink bands measured in dBm, Right

Label	Num	Blk	Area	Freq	BndWdth	Ctr	TxRx
700 MHz	9	C	REA	746-757	11	751.5	tbd
700 MHz	9	C	REA	776-787	11	781.5	tbd
Cellular	489	B	CMA	835-845	10	840	tbd
Cellular	489	B	CMA	846.5-849	2.5	847.75	tbd
Cellular	489	B	CMA	880-894	14	887	tbd
Cellular	489	B	CMA	891.5-894	2.5	892.75	tbd
PCS	25	A	MTA	1850-1865	15	1857.5	tbd
PCS	25	A	MTA	1930-1945	15	1937.5	tbd
PCS	29	B	MTA	1870-1885	15	1877.5	tbd
PCS	29	B	MTA	1950-1965	15	1957.5	tbd
PCS	165	C	BTA	1895-1910	15	1902.5	tbd
PCS	165	C	BTA	1975-1990	15	1982.5	tbd
AWS	141	B	BEA	1720-1730	10	1725	tbd
AWS	141	B	BEA	2120-2130	10	2125	tbd
AWS	57	C	BEA	1730-1735	5	1732.5	tbd
AWS	57	C	BEA	2130-2135	5	2132.5	tbd
AWS	7	D	REA	1735-1740	5	1737.5	tbd
AWS	7	D	REA	2135-2140	5	2137.5	tbd
AWS	6	E	REA	1740-1745	5	1742.5	tbd
AWS	6	E	REA	2140-2145	5	2142.5	tbd
AWS	7	F	REA	1745-1755	10	1750	tbd
AWS	7	F	REA	2145-2155	10	2150	tbd
AWS-3	45	J	BEA	1755-1760	5	1757.5	tbd
AWS-3	45	J	BEA	2155-2160	5	2157.5	tbd

No need or MMWave Measurments, Right?

mmWave	101	L1	BTA	27500-27925	425	27712.5	tbd
mmWave	103	L2	BTA	27925-28350	425	28137.5	tbd
mmWave	411	M1	PEA	37600-37700	100	37650	tbd
mmWave	411	M2	PEA	37700-37800	100	37750	tbd
mmWave	411	M3	PEA	37800-37900	100	37850	tbd
mmWave	411	M4	PEA	37900-38000	100	37950	tbd
mmWave	411	M5	PEA	38000-38100	100	38050	tbd
mmWave	411	M6	PEA	38100-38200	100	38150	tbd
mmWave	411	M7	PEA	38200-38300	100	38250	tbd
mmWave	409	M8	PEA	38300-38400	100	38350	tbd
mmWave	375	M9	PEA	38400-38500	100	38450	tbd
mmWave	371	M10	PEA	38500-38600	100	38550	tbd

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 3, 2020 10:13 AM
To: Bendix, Brittany
Cc: Rose, Kendall; Hines, Heather
Subject: FW: Please add to the Verizon Wireless Facility on the Petaluma Creamery Public Record

Good morning Brittany,

I'll add to the public record for last night's meeting.

Sam

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

City of Petaluma records, including emails, are subject to the California Public Records Act. Unless exemptions apply, this email, any attachments and any replies are subject to disclosure on request, and neither the sender nor any recipients should have any expectation of privacy regarding the contents of such communications.

From: Scott Springhorn <sspringhorn@gmail.com>
Sent: Monday, November 2, 2020 6:53 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Please add to the Verizon Wireless Facility on the Petaluma Creamery Public Record

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Ms. Rose,

Can you please add the following statement below that I read tonight at the November 2nd City Council Meeting, to the public record for the Verizon Wireless Facility on the Petaluma Creamery project file. Thank you.

Public Statement by Scott Springhorn at the 11/2/20 City Council Meeting
The City of Petaluma is, most likely, targeting a Dec 8, joint meeting of the HCPC and the Planning Commission to either approve or deny the 16-antenna Wireless Telecommunications farm at the Petaluma Creamery

Here is a good finding the Planning Commission can make:

FINDING: The Creamery project has not met the requirements of Petaluma's Municipal Code, specifically Section 14.44.190(C) which states "no telecommunication facility shall be installed unless a finding is made that no other location is technically feasible."

The Petaluma creamery is the wrong place for this project. It is a one block historical light industrial property that is surrounded by 28 square miles of residential and historic areas, which makes the project ** INAPPROPRIATE** and not consistent with the Petaluma General Plan.

The applicant completed an inaccurate alternate site analysis, considering 11 other options. Most of them were businesses that the applicant said were too small and therefore not "feasible". This simply is not true and not supported by the evidence in the record.

Property #8 on the list that was feasible and appropriate. Yet the analysis used loaded words like “cramped”, “difficult” and “does not meet our goal”. The location is “feasible” in every sense of the word, especially as multiple other wireless carriers already use the same site -- which is the very definition of feasibility.

Property #11, A second “feasible” site where the owner was actually interested and was in the search ring, had no reasons to disqualify it . . . all that was written was an incomplete sentence with no substantial written evidence.

The City of Petaluma has worked hard to pass good and protective ordinances. We can rely on these ordinances to say not to this inappropriate WTF. If the applicant will not comply with these ordinances, then the city has the right to hold them accountable or to not do business with them. An alternate site is the answer for this project because Petaluma does not have a NEED for a WTF at the Creamery.

Thank you for your time.

Scott Springhorn

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 3, 2020 10:12 AM
To: -- City Council; Bendix, Brittany; Hines, Heather; Ellis, Evelyn
Subject: FW: Demand for Verizon Drive Test

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

City of Petaluma records, including emails, are subject to the California Public Records Act. Unless exemptions apply, this email, any attachments and any replies are subject to disclosure on request, and neither the sender nor any recipients should have any expectation of privacy regarding the contents of such communications.

From: Taryn Obaid <taryn_obaid@hotmail.com>
Sent: Monday, November 2, 2020 7:26 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: Demand for Verizon Drive Test

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

City Clerk: please forward this to the City Council, Historic & Architecture Commission and Planning Commission members. Thank you. Please include this in the official project file for the Creamery Verizon Wireless Tower.

_____

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

A Drive Test is the best way to stop Petaluma from losing its 9th Circuit Court-protected right to deny Verizon's Major Wireless Facility that will blast 50 Million more microwatts than is necessary for a cell phone call into our homes and schools.

Only with a Drive Test's COMPLETE and VERIFIABLE data can Applicant force City to install this Facility. They know that, which is why they don't want to do it. City has the legal right to REQUIRE proof that there is an ACTUAL NEED for this Facility.

Verizon submitting its biased, doctored coverage maps and analyses is NOT COMPLETE and VERIFIABLE data and is not to be trusted. The consultants hired by the M Group, Telecom Law Firm, is not to be trusted. In fact, Malibu just terminated them for bias and misguiding City (https://scientists4wiredtech.com/mccollough-memo/).

Drive Test data is CRUCIAL -- to ALLOW the City to be able to make the SPECIFIC WRITTEN FINDING to STOP this Facility. Only this data will constitute
-->"substantial written evidence"

that will allow the City to make the Finding:
-->"The substantial written evidence in the record proves there is no significant gap in Verizon telecommunications service, Therefore, the applicants have not proven that there is a need for any of these antennas at this Petaluma Creamery location."

The Public has been demanding a Drive Test for months -- and we still have no confirmation a Drive Test will be done.

M-Group has been processing the Application for over 16 months, but STILL has not ordered a Drive Test to collect COMPLETE and VERIFIABLE data.

A Drive Test is crucial for the City to be able to deny the Verizon Wireless Facility application. Citizens are again tonight demanding a Drive Test.

I have expressed no matter of mere concern but solely matters of substance, fact and law.

Taryn Obaid

Bendix, Brittany

From: Pascoe, Samantha
Sent: Tuesday, November 3, 2020 10:11 AM
To: -- City Council; Bendix, Brittany; Ellis, Evelyn; Hines, Heather
Subject: FW: Verizon Tower Consultant's NEPA "conclusions"
Attachments: NEPA Email .pdf

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

City of Petaluma records, including emails, are subject to the California Public Records Act. Unless exemptions apply, this email, any attachments and any replies are subject to disclosure on request, and neither the sender nor any recipients should have any expectation of privacy regarding the contents of such communications.

From: Taryn Obaid <taryn_obaid@hotmail.com>
Sent: Monday, November 2, 2020 9:12 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>; Flynn, Peggy <PFlynn@cityofpetaluma.org>; Danly, Eric <EDanly@cityofpetaluma.org>
Subject: Verizon Tower Consultant's NEPA "conclusions"

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Dear City Clerk -- please forward this to all City Council, Historic Preservation/Architecture Commission and Planning Commission members. Also, please include this in the official project application file. Thank you.

Dear City Manager Flynn, City Attorney Danly and Officials:

Attached is a document neighbors received as part of our ongoing PRA. It is an exchange of emails between Eric Danly and Paul Albritton regarding NEPA compliance, which Albritton falsely and misguiding says is not needed. We should not be trusting anyone who holds Verizon's paid-for and produced and proprietary "work" as credible.

Albritton is misguiding Petaluma. He is inaccurately representing Verizon's own consultant's "conclusion" as definitive and adequate. It is neither. Albritton is distracted City from truth re: NEPA entirely a requirement right for the City.

> In this case, the wireless facility is proposed to be located on top of an existing building. To comply with the FCC's requirements and NEPA, Verizon Wireless commissioned a qualified consultant to prepare an analysis pursuant to Section 106 of the National Historic Preservation Act of 1966. The Section 106 review is attached here. It concludes that the proposed project will not affect any districts, sites, buildings, structures, or objects that are either listed or eligible to be listed in the National Register of Historic Places, nor does it affect an Indian religious site. Consequently, an environment assessment was not required, and Verizon Wireless has fulfilled its NEPA obligations pursuant to the FCC's rules.

Albritton is renown for misguiding cities for the benefit of telecom corporations. We should not be looking to them for advice. City should hire an expert with track record of good work for cities and their people -- not telecom corporations. City should hire someone like Andrew Campanelli.

And this exchange is a perfect example of the type of bias and misguided advice for which the M Group-hired consultant, Telecom Law Firm (TLF), is renown. It exactly mimics TLF's brand of working, really, in the interests of telecom corporations.

> Please see article on how Telecom Law Firm was terminated by City Malibu, following members of the community showing examples of this type of bias and misguiding behavior to City's attention: https://scientists4wiredtech.com/mccollough-memo/
>
> Please watch examples of TLF vaguery and misguiding in their supposedly working for City of Monterey at this Planning Commission meeting, where members of the community succeeded in revealing them and application was denied: https://mystreetmychoice.com/monterey.html

It is unacceptable the M Group has hired Telecom industry promoter, TLF. City must hire someone like Andrew Campanelli to protect its rights and the rights and wellbeing of its People.

Thank you,
Taryn Obaid

Bendix, Brittany

From: Scott Alonso <alonsoplanningpet@gmail.com>
Sent: Monday, November 2, 2020 5:37 PM
To: Bendix, Brittany
Subject: Fwd: STOP VERIZON TOWERS

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
FYI

Sent from my iPhone

Begin forwarded message:

From: Patricia Buckley <patriciabuckley335@comcast.net>
Date: October 25, 2020 at 3:16:46 PM PDT
To: alonsoplanningpet@gmail.com
Subject: STOP VERIZON TOWERS

As a resident who lives about one block from the Creamery, I want to register my opposition against the proposed Verizon cell towers.

Where is the "Drive Test" or Wireless Antenna Need Test??? When is this going to be done???? This should be placed in the Public Record for all to access!!

I am totally against the Verizon cell towers that the Petaluma Creamery wants to allow! These towers emit DANGEROUS RADIATION into a residential neighborhood!!! How can this possibly be *allowed???* This is totally against the rights and welfare of the residents of the surrounding neighborhood!!

Please, please STOP the Petaluma Creamery from allowing Verizon to install these dangerous towers of radiation!!!!

Patricia Buckley

Resident & Property Owner on English Street

Bendix, Brittany

From: Scott Alonso <alonsoplanningpet@gmail.com>
Sent: Monday, November 2, 2020 5:37 PM
To: Bendix, Brittany
Subject: Fwd: Verizon Cell Towers

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
FYI

Sent from my iPhone

Begin forwarded message:

> **From:** Julia Allen <jabirder@gmail.com>
> **Date:** October 27, 2020 at 7:28:08 AM PDT
> **To:** tbarrett@cityofpetaluma.org
> **Cc:** PFlynn@cityofpetaluma.org, cityclerk@cityofpetaluma.org, bcochran@cityofpetaluma.org, mhealy@cityofpetaluma.org, dfischer@cityofpetaluma.org, gkearney@cityofpetaluma.org, dking@cityofpetaluma.org, kmcdonnell@cityofpetaluma.org, kmiller@cityofpetaluma.org, sandi.lee.potter@gmail.com, Richard@lacehouselinen.com, bmhooper1@gmail.com, alonsoplanningpet@gmail.com, heidibauer2000@gmail.com, tukuto@yahoo.com, terry@kozyhomes.net, brknmad@yahoo.com, bill@johnsonrinehart.com, hhines@cityofpetaluma.org, bbendix@cityofpetaluma.org
> **Subject: Verizon Cell Towers**

Good Morning,

I am writing to protest the proposed Petaluma Creamery Verizon cell tower project with 16 six foot tall antennas that will pump out up to 500,000 watts of Effective Radiated Power 24/7. It will drastically change the character of our west Petaluma neighborhood negatively effecting a 28 square mile area. We do not need or want this much radiated power for our phone coverage or for any other reason for that matter, and I believe Verizon has not provided any verifiable data to prove that we do. The public deserves a credible drive test proving that there is no significant gap in Verizon telecommunications coverage thereby giving Verizon no chance to win in court.

In addition, the Creamery itself is out of compliance on so many issues, especially the ammonia cooling system which is flammable and toxic! There was a fire in that

building in June of this year and there are a number of other safety hazards including bad air emissions. These are just a few reasons why it is the WRONG place to erect an antenna farm. Most importantly, since the Creamery has been designated a historical site it means that according to the Petaluma Municipal Code there cannot be more than 1500 watts of ERP.

This project will impact Petaluma's public safety, our privacy and our property values and I strongly oppose it if it is approved at more than 1,500 Watts. Please, as my representative I urge you to do the same.

Sincerely,

Julia Allen
320 Post St.
Petaluma, CA 94952
jabirder@gmail.com

Bendix, Brittany

From: Scott Alonso <alonsoplanningpet@gmail.com>
Sent: Monday, November 2, 2020 5:36 PM
To: Bendix, Brittany
Subject: Fwd: Petaluma cell tower

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
FYI

Sent from my iPhone

Begin forwarded message:

> **From:** Megin Hallinan-Morris <mchaem@sbcglobal.net>
> **Date:** October 27, 2020 at 7:54:37 AM PDT
> **To:** alonsoplanningpet@gmail.com
> **Subject: Petaluma cell tower**
>
> Hello there,
>
> I write urging you to oppose the proposed Petaluma Creamery Cell Tower project (the 16 six foot antennas on top of the Petaluma Creamery). We live on the west side of Petaluma, have young children, and serious concers over the safety and possible adverse health issues that may arise from this cell tower.
>
> Thank you,
>
> Megin and Andrew Morris
>
> Sent from AT&T Yahoo Mail for iPhone

Bendix, Brittany

From: Scott Alonso <alonsoplanningpet@gmail.com>
Sent: Monday, November 2, 2020 5:36 PM
To: Bendix, Brittany
Subject: Fwd: Cell Tower project

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
FYI

Sent from my iPhone

Begin forwarded message:

From: Mariette Verheecke <mariette56@gmail.com>
Date: October 27, 2020 at 8:56:57 AM PDT
To: tbarrett@cityofpetaluma.org, PFlynn@cityofpetaluma.org, cityclerk@cityofpetaluma.org
Cc: bcochran@cityofpetaluma.org, mhealy@cityofpetaluma.org, dfischer@cityofpetaluma.org, gkearney@cityofpetaluma.org, dking@cityofpetaluma.org, kmcdonnell@cityofpetaluma.org, kmiller@cityofpetaluma.org, sandi.lee.potter@gmail.com, Richard@lacehouselinen.com, bmhooper1@gmail.com, alonsoplanningpet@gmail.com, heidibauer2000@gmail.com, tukuto@yahoo.com, terry@kozyhomes.net, brknmad@yahoo.com, bill@johnsonrinehart.com, hhines@cityofpetaluma.org, bbendix@cityofpetaluma.org
Subject: Cell Tower project

I am writing to protest the proposed Petaluma Creamery Verizon cell tower project with 16 six foot tall antennas that will pump out up to 500,000 watts of Effective Radiated Power 24/7. It will drastically change the character of our west Petaluma neighborhood negatively effecting a 28 square mile area. We do not need or want this much radiated power for our phone coverage or for any other reason for that matter, and I believe Verizon has not provided any verifiable data to prove that we do. The public deserves a credible drive test proving that there is no significant gap in Verizon telecommunications coverage thereby giving Verizon no chance to win in court.

In addition, the Creamery itself is out of compliance on so many issues, especially the ammonia cooling system which is flammable and toxic! There was a fire in that building in June of this year and there are a number of other safety hazards including bad air emissions. These are just a few reasons why it is the WRONG place to erect an antenna farm. Most importantly, since the Creamery has been designated a historical site it means that according to the Petaluma Municipal Code there cannot be more than 1500 watts of ERP.

This project will impact Petaluma's public safety, our privacy and our property values and I strongly oppose it if it is approved at more than 1,500 Watts. Please, as my representative I urge you to do the same.

Thank you.
Sincerely,

Mariette Verheecke
Petaluma

Bendix, Brittany

From: Tukuto <tukuto@yahoo.com>
Sent: Monday, November 2, 2020 4:10 PM
To: Jennifer Stock
Cc: Bendix, Brittany
Subject: Re: Verizon Cell Tower and Petaluma Creamery

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hello Ms. Stock,

Thank you for reaching out to me regarding this project. Unfortunately, as the Chair of the Historic and Cultural Preservation Committee (HCPC), I do not have the answers to your questions as they are outside of the purview of the committee which focuses on historic preservation aspects of City projects that come before the Committee. In addition, this project has yet to be presented for HCPC review, so aside from anecdotal information, I have neither received or could provide any substantial information regarding the project. I can, however, recommend you contact Brittany Bendix who I understand to be the City's contact for the project. She may be able to answer your questions or direct you to the right individual.

Thank you and good luck,
Chris

On Sunday, November 1, 2020, 09:04:51 PM PST, Jennifer Stock <jenniferstock9@gmail.com> wrote:

Hello

I am a homeowner on Western Ave, just two blocks from the Petaluma Creamery and have been following the information being shared about the Creamery's intention to install a 16 antenna cell tower on the Creamery Building. As a resident and Mom, I oppose this move for the extremely dangerous radiation it would emit. We have a lot of families within a "danger zone" in this neighborhood and its detrimental to young bodies growing as well as older folks too.
I understand a "drive test" is going to happen.

Can you please answer the following questions for us at your earliest convenience.

1. When will the Drive Test work start?
2. What is the methodology of the drive test?
3. What equipment will the vendor use to collect and log the data?
4. Is the vendor doing coverage analysis in dBm? . . . or is the vendor doing some other analysis, which may not be necessary.
5. Will the vendor place the raw data of the Drive test into the public record?
6. Is the City asking for a written report?
7. We need to understand the format of the data before the test is ordered/conducted.
8. How will residents in the neighborhood (within a 3 mile radius) be informed about this ongoing threat to human health?

Thank you for your time, I look forward to your response.

Sincerely,

Jennifer Stock

Bendix, Brittany

From: Preston Brown <pbrown.eco@gmail.com>
Sent: Saturday, October 31, 2020 11:12 AM
To: Bendix, Brittany
Cc: Flynn, Peggy; Barrett,Teresa; Scott Springhorn; Danly, Eric; Hines, Heather
Subject: Re: Time to meet Today? Verizon at Creamery Facility: Stepping into trouble

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi Brittany,

There is major concern among residents that CTC will approach this consultation as neutral but stand to gain significantly from the cell tower installation. This should be known and handled with extreme trepidation among City staff. Tripp May and CTC stand to benefit from the tower installation, therefore the City must approach them with skepticism and remain guarded.

Also, the Petaluma VHP requests that the methodologies of the drive test be public PRIOR to the drive test performed. This is a very important element of the evaluation of the permit application and it must be done correctly without flaw. Therefore, it's within the City's interest to have the methods be reviewed for public comment before the test is conducted.

Please provide these methodologies when available.

Thanks,

Preston

On Fri, Oct 30, 2020 at 5:11 PM Bendix, Brittany <bbendix@cityofpetaluma.org> wrote:

> Hello Preston,
>
> The City's technical consultant, CTC, began reviewing the application files this week. I will be meeting with them early next week to discuss next steps with the drive test, which they are capable of performing. At that point, I'll be sharing an update with the neighbors who have reached out regarding next steps.
>
> Thank you for including your comments about CTC's engagement with the City of Monterey. In light of recent concerns raised about their role in Monterey, I observed a Monterey Planning Commission hearing this week where I saw that they were still serving the city as technical experts.
>
> Thank you,
>
> Brittany

From: Preston Brown <pbrown.eco@gmail.com>
Sent: Wednesday, October 28, 2020 8:39 PM
To: Flynn, Peggy <PFlynn@cityofpetaluma.org>
Cc: Barrett,Teresa <tbarrett@cityofpetaluma.org>; Scott Springhorn <sspringhorn@gmail.com>; Bendix, Brittany <bbendix@cityofpetaluma.org>; Danly, Eric <EDanly@cityofpetaluma.org>; Hines, Heather <hhines@cityofpetaluma.org>
Subject: Re: Time to meet Today? Verizon at Creamery Facility: Stepping into trouble

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Ms. Flynn and Mayor Barrett,

The drive test must occur now! It should have long ago before you brought in CTC and Tripp May. Now that they and the m-group will be involved in the test, the **methodologies and tests results must be made public**. What is the timeline for providing this information?

Please name the contractor, timeline, and expected methodology, and public notification process?

By hiring CTC and Tripp May, you have willingly invited wireless lobbyists to direct the application process, that is so embarrassing you should be ashamed of yourselves! Hiring lobbyists with a record of deceit who are making a lot of money from seeing the wireless radiation facility installed is pitiful and potentially fraudulent. Take a lesson from the Monterey City leaders that saw right through their desist and smelled the BS. Now you have the same information they did on how to defeat this application legally. Will you follow their leadership or fail the citizens of Petaluma by opening the door for lobbyists to handcuff you? Don't let them take you hostage, send them packing!

You need to make public the information of the contractor, methodologies and test results of the drive test.

Get it done!

Preston

On Mon, Oct 26, 2020 at 3:54 PM Flynn, Peggy <PFlynn@cityofpetaluma.org> wrote:

Hi Preston—thank you for reaching out. Unfortunately I do not have an opportunity to meet with you, but wanted to respond to some of your comments below.

CTC is being brought on board for their specialized experience in this subject area and can assist us in better assessing all aspects of this application. Tripp May will be working with our City Attorney to also provide outside specialized expertise in this area. Both CTC and Tripp May have prior experience advising municipalities on these issues, and we have no reason to suspect they would not be neutral parties. Their role is advisory and the information or recommendations that they provide will be taken under consideration by City staff.

Given the timing requirements of this application, I think it is critical that we move forward on this drive test now. I thought that it was the request of Scott and others. What has changed?

Our top priority is to ensure the health and safety of the community, and to make sure the neighborhood receives all the information and updates as we receive. That is my commitment to you.

All my best,

Peggy

Peggy Flynn, City Manager

City of Petaluma | 11 English Street, Petaluma, CA 94952

Direct 707.776.3765 | Office 707.778.4345

City Hall is open M-Th; closed Fridays

From: Preston Brown <pbrown.eco@gmail.com>
Sent: Monday, October 26, 2020 9:37 AM
To: Flynn, Peggy <PFlynn@cityofpetaluma.org>
Cc: Barrett,Teresa <tbarrett@cityofpetaluma.org>; Scott Springhorn <sspringhorn@gmail.com>
Subject: Time to meet Today? Verizon at Creamery Facility: Stepping into trouble

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Ms. Peggy Flynn

City Manager
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4345

cc: Mayor Teresa Barrett
Scott Springhorn

Dear Ms. Flynn,

I have lived in Petaluma for just 2 years and have spoken in public comment against the Verizon PLMA-20-0003/PLUP-19-000 Creamery Wireless Telecommunications Facilities (WTFs) Project because it is both dangerous and unnecessary. May we please talk with you by Phone this morning for 15 minutes? Scott Springhorn and I are available at between 9:30 and 11am. A conference line is at the bottom of this email. Please let us know if that works for you.

Petaluma is now stepping into trouble. Both Lee Afflerbach from CTC technology and Robert "Tripp" May from Telecom Law Firm. P.C. are well-spoken, professional "indoctrinators": reasonable-sounding, but easy-to-spot frontmen for the densified 4G/5G infrastructure rollout **because** they both make significant money from seeing this agenda through to its completion (https://unsafeatanyg.com/petaluma/ctc/#scam)

The question is what are the m-Group's interests (money, of course) and are their interests more aligned with these selected gentlemen or with the City of Petaluma's current policies? You know, that policy voted through in July/Aug 2018 to restrict Wireless Telecommunications Facilities (WTFs) from being constructed in residential zones . . . the policy that is hugely popular and important to Petalumans. That one.

That is what we need to discuss with you asap. Petaluma is being walked down a precarious path right now and the public, which has excellent and thorough knowledge of this Wireless propaganda-machine, is being systematically excluded from the process . . . poor decisions are being made and then "sold" to the public, well after the fact.

In short, it is not in Petaluma's best interests to engage or listen to Telecom Law Firm on telecom matters. There are **much better choices** available to Petaluma at comparable or lower cost:

- Excellent work by local **Attorney Mark Pollock** from Napa (working in tandem with national expert **W. Scott McCollough**). They both worked recently to advise the City of Malibu, opposing wrong advice offered by Telecom Law Firm. McCollough is the lead attorney of the EHT/CHD v. FCC lawsuit to which Mayor Teresa Barrett signed onto support.

- Additional excellent work by attorney Andrew Camapanelli, the author of the excellent Calabasas Wireless Ordinance, who offers a Wireless Code review/tune up/overhaul for $8,500 --> https://youtu.be/UtT6gVH584s?t=41

- Even Ariel Strauss from Greenfire Law in Berkeley is more balanced and able to represent the City of Petaluma's interests than perhaps the worst choice you could make: Telecom Law Firm which lies repeatedly in public hearings about Federal laws that can be used to restrict the unnecessary densified 4G/5G infrastructure rollout **. . . in three minutes we can show you over ten examples of this, on video, in recorded public meetings.** **This is**

easy to spot. It appears that the m-Group did not do their due diligence before pulling the trigger . . . or, worse, this was their considered choice.

The following links were sent to the m-Group and many others in Petaluma months ago . . . is anyone from m-Group listening?

- https://scientists4wiredtech.com/thisworks
- https://scientists4wiredtech.com/mccollough-memo/
- https://scientists4wiredtech.com/campanelli

Searching for Tripp May and Jonathon Kramer also brings up a good amount of material . . . a lot of it about **litigation of Kramer/May-advised cities**.

- https://scientists4wiredtech.com/?s=%22Tripp+May%22

- https://scientists4wiredtech.com/?s=%22Kramer%22

A few of the top hits are these:

1. https://scientists4wiredtech.com/2020/10/letter-to-malibu-city-council/
2. https://scientists4wiredtech.com/seaside/
3. https://scientists4wiredtech.com/2020/01/thousand-oaks-law-suit-likely-after-macro-tower-cell-site-approval/
4. https://scientists4wiredtech.com/thousandoaks/

Tripp May and Lee Afflerbach Have Appeared Together (in Monterey, Napa and other towns)

I learned a lot this weekend about the roles these "indoctrinators" play by watching this **March, 2018** proceeding at the **Monterey Planning Commission**:

Look who is there and pay attention to what they say . . .

https://mystreetmychoice.com/monterey.html

Key Monterey Documents for Mar 15, 2018

- 2017-1220-CTC-Monterey-Drive-Test.pdf
- 2018-0314-Monterey-Extenet-Update.pdf
- Link to Meeting Agenda
- Link to Meeting packet
- Link to Meeting minutes
- 2018-0324-Planning-Commission-resolution.pdf

On March 15, 2018, the Monterey Planning Commissioners conducted a nearly six hour meeting to consider a proposal to allow Close Proximity Microwave Radiation Antennas (CPMRA) in a residential neighborhood adjacent to the Pebble Beach Golf Course — a course which will be hosting the US Open Golf Tournament in 2019. Recall that this is the same golf course that hosts the annual and secretive AT&T-sponsored "Speaker's Cup", a tournament named after the California State Speaker of the Assembly. This is a not-so-subtle attempt to underscore the tournament's purpose: well-healed lobbying of our State Legilsators by their bosses (the Wireless Industry).

Astute residents of the Monterey Vista neighborhood plotted the azimuths of the directional antennas for 13 CPMRA/Cell Tower installations proposed for this residential neighborhood to shine the light on this "hidden objective"

of the project. Fortunately, the Monterey City Planning Commissioners saw right through this ruse and voted to deny the project outright.

In many ways, Monterey sets a shining example of how to uncover the **rampant deception** behind the push for densified 4G/5G infrastructure being installed in or too close to residential areas. Watch the video, below, to see all the hard work, legal analysis, scientific findings and creative props that enabled this community to **exercise real democracy**.

Will you please make time for one short call today? **This is very important.** We want to chart a good course for Petaluma with you.

https://youtu.be/UtT6gVH584s

Ph: (978) 990-5173

Code: 590484

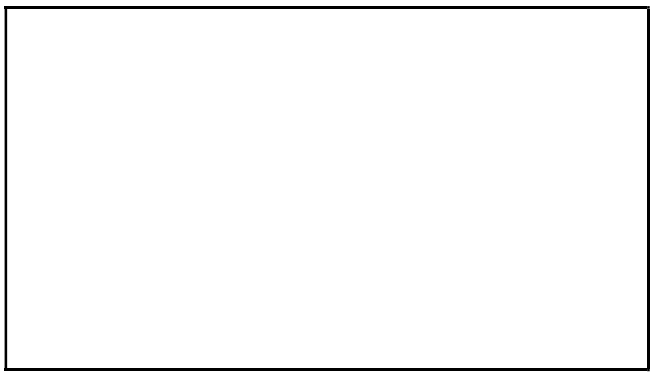
--
Regards,

Preston Brown

Bodega Ave.

Attachments area

Preview YouTube video Andrew Campanelli Zoominar on Taming the 4G/5G Densified Grid July 23, 2020



Bendix, Brittany

From: Jeffery Rivera <livebog777@gmail.com>
Sent: Wednesday, October 28, 2020 9:03 PM
To: Flynn, Peggy; Barrett,Teresa; Bendix, Brittany; Danly, Eric; Hines, Heather
Subject: Get drive test done and cancel Tripp May and CTC

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Mayor Berret and Ms Flynn,

My name is Jeffery Rivera, a 15 year resident of Petaluma. I am raising my kids here and I live within a mile of the creamery. We, the Petaluma VHP demand that the drive test must occur now! Please name the contractor, timeline, and expected methodology, and public notification process.

I must express my disappointment in seeing you hire CTC and Tripp May, you have willingly invited wireless lobbyists to direct the process, that is so embarrassing! Take a lesson from the Monterey City leaders that saw right through their desist and smelled the bullshit. Don't let them take control, cancel their contract!

Get the drive test done and make the methods and results public. What are you waiting for?!

Best,
Jefferey Rivera

Bendix, Brittany

From: Ken McCullough <k.mcculough1231@gmail.com>
Sent: Wednesday, October 28, 2020 8:56 PM
To: Flynn, Peggy; Barrett,Teresa; Scott Springhorn; Bendix, Brittany; Danly, Eric; Hines, Heather
Subject: Kick out Tripp May and CTC: No Lobbyists in Petaluma!

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Ms Flynn and Mayor Barrett,

My name is Ken McCullough. I request that you cancel the contract the City has with CTC and Tripp May. They are lobbyists with money to be made from this installation and YOU hired them. Poor decision!

Don't forget the 2018 ordinance to restrict Wireless Telecommunications Facilities from being constructed in residential zones. This ordinance will be thrown out the window if you let them and M-group take control.

We would like to see the drive test happen. Please make methodologies and tests results must be made public. Please provide details.
Provide the contractor, timeline, and expected methodology.

Ken

Bendix, Brittany

From: Ann Desheart <ann11desheart@gmail.com>
Sent: Wednesday, October 28, 2020 8:51 PM
To: Flynn, Peggy; Barrett,Teresa; Bendix, Brittany; Danly, Eric; Hines, Heather
Subject: Fire the Lobbyists Tripp May and CTC ! GET THE DRIVE TEST DONE

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Mayor Barrett and Ms Flynn.

I am a neighbor of the Creamery site of 25 years. I am a member of the Petaluma VHP and demand that you nullify the contract the City has with CTC and Tripp May. By hiring CTC and Tripp May, you have invited wireless lobbyists into the application process,why on earth did you make this bone-headed decision!?

Hiring lobbyists to advise is never a good thing and now you are willingly putting our town and it's 2018 ordinance in jeopardy. I'm talking about the 2018 ordinance to restrict Wireless Telecommunications Facilities (WTFs) from being constructed in residential zones . . . the policy that is hugely popular and important to Petalumans. Don't let May and CTC take you hostage, void their contract now!

Re: Drive Test: Please make methodologies and tests results must be made public. What is the timeline for this? Provide the contractor, timeline, and expected methodology.

Please get it done ASAP!

Ann

Bendix, Brittany

From: Pascoe, Samantha
Sent: Wednesday, October 28, 2020 9:17 AM
To: -- City Council; Bendix, Brittany; Hines, Heather
Subject: FW: Verizon Wireless Tower

Follow Up Flag: Follow up
Flag Status: Completed

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

City of Petaluma records, including emails, are subject to the California Public Records Act. Unless exemptions apply, this email, any attachments and any replies are subject to disclosure on request, and neither the sender nor any recipients should have any expectation of privacy regarding the contents of such communications.

From: Taryn Obaid <taryn_obaid@hotmail.com>
Sent: Tuesday, October 27, 2020 7:37 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Cc: Flynn, Peggy <PFlynn@cityofpetaluma.org>
Subject: Verizon Wireless Tower

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Dear City Clerk,

Please include below comment from tonight's PC meeting in the official Verizon Wireless Tower project file and also forward to all Planning Commission, Historic Preservation Committee members and City Council members. Thank you very much,
Taryn

_____

The Verizon Crealery project is not about coverage. It's about setting a precedent with one facility. Claiming a facility is just 4G is meaningless because once installed, legally they could increase it to 5G, 6G… any G! As long as there's no change in size of equipment. Also, once this gets in, other carriers can follow --- each with their own facilities, collectively cross-blasting 5G, 6G, any G -- of radiated power over and through our homes, schools and businesses.

To stop this, the City will have to see through the routine of false and vague assertions made by both the applicant and M Group's Telecommunications consultant. They will try to obfuscate the difference between **relevant coverage** issue and irrelevant capacity issue.

The City can only do this by requiring the applicant to prove 2 things.

1) Prove that Verizon suffers from a gap in coverage -- **not capacity**

- The best and safest way to handle this is requiring “probative evidence” that there is a **coverage** gap. That is done by requiring a drive test with complete data set submission-not a summary of the data.

- This is important because the applicant will come in with propagation maps, which are typically bogus. Without the data behind the maps, the City will not know if the propagation map is worth the paper it is written on.

> - Andrew Campanelli, the number one Telecom Attorney in the US, who has litigated more than 7,000 cases over the last 27 years, winning about 80% of them, advises: "The first thing a town should say to a wireless applicant is "Do you have a coverage gap in telecommunications service? Do a drive test. There must be hard data to show if there is in fact a gap in coverage.”

2) Prove that installing facility in a residential neighborhood atop the historic Creamery is a) the least intrusive means of remedying that gap and b) there is no possible less intrusive alternative location

It all comes down to making the applicant prove these two points. But further, it must be done with "substantial written evidence" in the public record. Only if the applicant can prove those two things, would Petaluma have to issue the permit.

In conclusion, if we don’t force applicant to prove those 2 things, we would be forced to approve facility — even if it violates our zoning code -- and the City would be riddled with these unproven-safe 5G, 6G, 10G radiated power facilities.

Finally, how do we prove? City must make this finding:

“The substantial written evidence in the record proves there is no significant gap in Verizon telecommunications service, Therefore, the applicants have not proven that there is a need for any of these antennas at this Petaluma Creamery location.”

I have expressed no matter of mere concern but solely matters of substance, fact and law.

Bendix, Brittany

From: Megin Hallinan-Morris <mchaem@sbcglobal.net>
Sent: Tuesday, October 27, 2020 7:52 AM
To: Bendix, Brittany
Subject: Petaluma cell tower

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Hello there,

I write urging you to oppose the proposed Petaluma Creamery Cell Tower project (the 16 six foot antennas on top of the Petaluma Creamery). We live on the west side of Petaluma, have young children, and serious concers over the safety and possible adverse health issues that may arise from this cell tower.

Thank you,

Megin and Andrew Morris

Sent from AT&T Yahoo Mail for iPhone

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Monday, October 26, 2020 5:50 PM
To: Bendix, Brittany
Cc: Flynn, Peggy; Teresa Barrett; Rose, Kendall; Hines, Heather; Lee Afflerbach; Scott Springhorn; Preston Brown; Taryn Obaid
Subject: No more Drive Test Games, Please

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
October 26, 2020

To:
Ms. Brittany Bendix
Employee of m-group
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4314

cc:
Teresa Barrett, Mayor
Peggy Flynn, City Manager
Kendall Rose, City Clerk
Heather Hines, m-Group
Lee Afflerbach, CTC Technology
Petaluma-VHP members

Dear Ms. Bendix,

Re: No more Drive Test Games, Please

[City Clerk Kendall Rose, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

Thank you for your email, but we don't want any more vague wording from you . . . the **City Manager, Peggy Flynn committed** that a drive test **would be ordered**. We need you to **confirm and commit** to the public **that a drive test will be ordered** -- regardless of anyone's opinion -- including the opinion of Lee Afflerbach and anyone else on his staff.

We have clearly explained the need for such a test: fraudulent RF projections for wireless cos. abound -- based on "proprietary data" that no one can verify.

Please watch the videos here --> https://scientists4wiredtech.com/capanelli and finally come down the learning curve.

We need independent, neutral third party measurements of **all existing dBM levels in the target area,** street-by-street (see Appendix A for all Verizon licensed bands in Petaluma) to see if there is any place that has signal strength **lower than -125 dBM**, because any service higher than that allows the placement of outdoor wireless phone calls which is the **only valid test of a significant gap** in carrier-specific Wireless Telecommunications service.

You can't bamboozle the public at this stage. We know what is going on. You are not going to be able to "manage" the public and get away with anything that is not true, accurate and verifiable. Full stop. You understand our resolve, right?

See my other comments, below.

>>> Bendix, Brittany wrote on 10/26/2020 5:05 PM:

Paul,

The contract with CTC just got finalized on Friday.

pmg: The contract was started 17 days earlier on Oct 6, meaning it was a public record available for our inspection as part of our 9/23/2020 immediate record inspections request. In short, the public **had a right to inspect that contract prior** to it getting signed. The m-Group **violated** the CPRA by not showing that contract-in-process to the public on a timely basis. I would not choose again to break State law like that going forward, Brittany, as we will hold everyone accountable during this process.

I've connected with them briefly this morning, making sure they have all the materials they need to get going to review the details of the project. CTC can do a drive test,

pmg: CTC is **required** to do a drive test, according to City Manager Peggy Flynn:

Recall that on 9/24/2020 Petaluma City Manager Peggy Flynn wrote in an email:

> **"A drive test is being required** (a sincere thank you Mr. Springhorn for your continued recommendations!). We will continue **to provide updates** as we have them to you, and most importantly, to the community."

but we haven't discussed specifics of timing and methodology as they just came on board.

pmg: Let's get that **commitment right now** from the m-Group, the City of Petaluma and from CTC Technology and **then** you can discuss the specifics by answering our questions **before you finalize** the final methodology of the test.

1. Who is the Drive Test vendor — CTC Technology or some other vendor? **We need that answer now.**
2. When will the Drive Test work start? **We need that answer asap.**
3. What is the methodology of the drive test? **We need that answer asap.**
4. What equipment will the vendor use to collect and log the data? **We need that answer asap.**
5. Is the vendor doing coverage analysis in dBm? . . . or is the vendor doing some other analysis, which may not be necessary? **We need to know that now.**
6. Will the vendor place the raw data of the Drive test into the public record? **There is no way the m-group should hide this data from anyone.**
7. **Is the City asking for a written report?** None is needed.
8. We need to understand the format of the data **before** the test is ordered/conducted.

pmg: We have **already established** there is no significant gap in Verizon Telecommunications coverage in a 3,000 foot radius area of the Petaluma Creamery --> https://www.unsafeatanyg.com/petaluma/nogap/ The drive test data will be a professional engineer's stamp of the what the data already tells us (dBM signal strength readings of telecommunications frequencies and bands (See exhibit A) and will join our data as **substantial written evidence of no need for any of these proposed Verizon antennas at the Petaluma Creamery**.

I'm also expecting them to request additional information.

pmg: CTC needs **no additional** information to commit to doing a drive test. Full Stop.

> I saw that you sent the same questions directly to CTC on Friday afternoon. Once there are answers, they will be shared.

We are seeking a **commitment to do a drive** test that meets the public's approval **now**.

Appendix A: Verizon Licensed Frequencies/Bands for Petaluma, CA

Source: https://specmap.sequence-omega.net/

Label	Num	Blk	Area	Freq	BndWdth	Ctr	TxRx
700 MHz	9	C	REA	746-757	11	751.5	tbd
700 MHz	9	C	REA	776-787	11	781.5	tbd
Cellular	489	B	CMA	835-845	10	840	tbd
Cellular	489	B	CMA	846.5-849	2.5	847.75	tbd
Cellular	489	B	CMA	880-894	14	887	tbd
Cellular	489	B	CMA	891.5-894	2.5	892.75	tbd
PCS	25	A	MTA	1850-1865	15	1857.5	tbd
PCS	25	A	MTA	1930-1945	15	1937.5	tbd
PCS	29	B	MTA	1870-1885	15	1877.5	tbd
PCS	29	B	MTA	1950-1965	15	1957.5	tbd
PCS	165	C	BTA	1895-1910	15	1902.5	tbd
PCS	165	C	BTA	1975-1990	15	1982.5	tbd
AWS	141	B	BEA	1720-1730	10	1725	tbd
AWS	141	B	BEA	2120-2130	10	2125	tbd
AWS	57	C	BEA	1730-1735	5	1732.5	tbd
AWS	57	C	BEA	2130-2135	5	2132.5	tbd
AWS	7	D	REA	1735-1740	5	1737.5	tbd
AWS	7	D	REA	2135-2140	5	2137.5	tbd
AWS	6	E	REA	1740-1745	5	1742.5	tbd
AWS	6	E	REA	2140-2145	5	2142.5	tbd
AWS	7	F	REA	1745-1755	10	1750	tbd
AWS	7	F	REA	2145-2155	10	2150	tbd
AWS-3	45	J	BEA	1755-1760	5	1757.5	tbd
AWS-3	45	J	BEA	2155-2160	5	2157.5	tbd
mmWave	101	L1	BTA	27500-27925	425	27712.5	tbd
mmWave	103	L2	BTA	27925-28350	425	28137.5	tbd
mmWave	411	M1	PEA	37600-37700	100	37650	tbd
mmWave	411	M2	PEA	37700-37800	100	37750	tbd
mmWave	411	M3	PEA	37800-37900	100	37850	tbd
mmWave	411	M4	PEA	37900-38000	100	37950	tbd

Label	Num	Blk	Area	Freq	BndWdth	Ctr	TxRx
mmWave	411	M5	PEA	38000-38100	100	38050	tbd
mmWave	411	M6	PEA	38100-38200	100	38150	tbd
mmWave	411	M7	PEA	38200-38300	100	38250	tbd
mmWave	409	M8	PEA	38300-38400	100	38350	tbd
mmWave	375	M9	PEA	38400-38500	100	38450	tbd
mmWave	371	M10	PEA	38500-38600	100	38550	tbd

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Bendix, Brittany

From: EBERLE EWING <eberle16@comcast.net>
Sent: Monday, October 26, 2020 1:16 PM
To: Bendix, Brittany; Code Enforcement
Cc: Flynn, Peggy; Barrett,Teresa
Subject: Petaluma Creamery Noise violations
Attachments: Scan 2020-10-25 23.03.19.pdf; Scan 2020-10-26 12.00.29.pdf

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Hello Brittney and Joe,

I want to give further evidence regarding the need to repeat a noise study and have a sensor placed in a location which will capture the Petaluma Creamery's most offensive sound (per many in the neighborhood) , which is the evaporative condenser on Baker Street. As you can see from the attached noise study from 2015, a sensor was moved from where the acoustic engineer originally placed it in his noise study in 2008. It was moved from Baker Street to English St. with the rationale that it was being moved closer to the homes of the loudest complainers. We are not the problem, the Creamery's cooling tower is. How did it make sense to move the sensor away from the Creamery?

Baker street is still public property, the prior location is still the border of the industrial zone, and there are still two homes on Baker street where families reside. The goal post should be put back where it originally was.

By the way, I never received a response to the attached letter that I sent to Fred Svinth.

And finally, and this is for Brittney, I reiterate my argument that the Verizon Project must be rejected until it can be proven that the additional noise which will be produced by the Cell Tower inverters and air conditioning unit will not be over the allowable noise when it is ADDED to the noise already being produced by the Creamery.

One last note-the Creamery is not in full operations currently, although it did wake me up last night and I am having to use ear plugs inside my house. None the less, the variability of their operations should be taken in to account when and if the noise study is repeated.

Thank you,

Eberle Ewing

Bendix, Brittany

From: Pascoe, Samantha
Sent: Monday, October 26, 2020 1:04 PM
To: Bendix, Brittany; Hines, Heather
Cc: Flynn, Peggy; Rose, Kendall
Subject: FW: Creamery Cell Phone Tower Concerns

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

City of Petaluma records, including emails, are subject to the California Public Records Act. Unless exemptions apply, this email, any attachments and any replies are subject to disclosure on request, and neither the sender nor any recipients should have any expectation of privacy regarding the contents of such communications.

-----Original Message-----
From: Stephen Price <stephenmichaelprice@gmail.com>
Sent: Sunday, October 25, 2020 3:20 PM
To: Barrett,Teresa <tbarrett@cityofpetaluma.org>; flynn@cityofpetaluma.org
Cc: -- City Clerk <CityClerk@cityofpetaluma.org>; Cochran, Brian <BCochran@cityofpetaluma.org>
Subject: Creamery Cell Phone Tower Concerns

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Hi Mayor Barrett and Ms Flynn

Hope you are both staying well during these difficult times. Writing to inquire about the proposed Petaluma Creamery cell tower. My family and I live in the immediate vicinity and are concerned about the ill-effects of such an installation. While we have not been too involved with the matter so far, the more research we do, the more concerned we are. So before we dive headlong into the debate, wanted to simply ask you:

Are there any details you can share about the city's plan to order and complete a test of signal strength (Drive Test)? My understanding is the signal strength is the single most measurable and relevant data point to address before seriously considering an installation like this. From what I've read, this test has not yet been performed or ordered. Can you please advise, or direct me to the best contact for this information?

Thanks very much!

Stephen Price

Bendix, Brittany

From: Pascoe, Samantha
Sent: Monday, October 26, 2020 12:48 PM
To: -- City Council
Cc: Bendix, Brittany; Hines, Heather
Subject: FW: STOP VERNON CELL TOWERS

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

City of Petaluma records, including emails, are subject to the California Public Records Act. Unless exemptions apply, this email, any attachments and any replies are subject to disclosure on request, and neither the sender nor any recipients should have any expectation of privacy regarding the contents of such communications.

From: Patricia Buckley <patriciabuckley335@comcast.net>
Sent: Sunday, October 25, 2020 3:07 PM
To: -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: STOP VERNON CELL TOWERS

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

As a resident who lives about one block from the Creamery, I want to register my opposition against the proposed Verizon cell towers.

Where is the "Drive Test" or Wireless Antenna Need Test??? When is this going to be done???? This should be placed in the Public Record for all to access!!

I am totally against the Verizon cell towers that the Petaluma Creamery wants to allow! These towers emit DANGEROUS RADIATION into a residential neighborhood!!! How can this possibly be *allowed???* This is totally against the rights and welfare of the residents of the surrounding neighborhood!!

Please, please STOP the Petaluma Creamery from allowing Verizon to install these dangerous towers of radiation!!!!

Patricia Buckley

Resident & Property Owner on English Street

Bendix, Brittany

From: Patricia Buckley <patriciabuckley335@comcast.net>
Sent: Sunday, October 25, 2020 3:22 PM
To: Bendix, Brittany
Subject: STOP VERIZON TOWERS

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

As a resident who lives about one block from the Creamery, I want to register my opposition against the proposed Verizon cell towers.

Where is the "Drive Test" or Wireless Antenna Need Test??? When is this going to be done???? This should be placed in the Public Record for all to access!!

I am totally against the Verizon cell towers that the Petaluma Creamery wants to allow! These towers emit DANGEROUS RADIATION into a residential neighborhood!!! How can this possibly be *allowed???* This is totally against the rights and welfare of the residents of the surrounding neighborhood!!

Please, please STOP the Petaluma Creamery from allowing Verizon to install these dangerous towers of radiation!!!!

Patricia Buckley

Resident & Property Owner on English Street

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Friday, October 23, 2020 6:34 PM
To: Bendix, Brittany
Cc: Scott Springhorn; Taryn Obaid
Subject: Re: Immediate Inspection of Records for Verizon PLMA-20-0003/PLUP-19-000 Project, Round 15

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi, Brittany

Our emails were crossing in the Ether of my Ethernet. You can see that I recognized receiving the email to all.

Will you, at least **now** answer the following reasonable questions?

1. Who is the Drive Test vendor — does the public have the ability to research the vendor's background? **We need that answer now.**
2. When will the Drive Test work start? **We need that answer now.**
3. What is the methodology of the drive test? **We need that answer now.**
4. What equipment will the vendor use to collect and log the data? **We need that answer now.**
5. Is the vendor doing coverage analysis in dBm? . . . or is the vendor doing some other analysis, which may not be necessary? **We need to know that now.**
6. Will the vendor place the raw data of the Drive test into the public record? **There is no way the m-group should hide this data from anyone.**
7. **Is the City asking for a written report?** None is needed.
8. We need to understand the format of the data **before** the test is ordered/conducted.

Thank you.

Bendix, Brittany wrote on 10/23/2020 6:21 PM:

> Paul,
>
> Resending my email as you appear to have missed it. Also adding in those you chose to include in your other message.
>
> Good Night.
>
> Brittany

From: Bendix, Brittany
Sent: Friday, October 23, 2020 6:13 PM

To: 'Paul McGavin' <paul@mystreetmychoice.com>; Flynn, Peggy <PFlynn@cityofpetaluma.org>; Cochran, Brian <BCochran@cityofpetaluma.org>; Barrett,Teresa <tbarrett@cityofpetaluma.org>
Cc: Green, Jordan <JGreen@cityofpetaluma.org>; Hines, Heather <hhines@cityofpetaluma.org>; Rose, Kendall <krose@cityofpetaluma.org>; -- City Clerk <CityClerk@cityofpetaluma.org>; 'Scott Springhorn' <sspringhorn@gmail.com>; 'Taryn Obaid' <taryn_obaid@hotmail.com>; Danly, Eric <EDanly@cityofpetaluma.org>; 'Patrick Streeter' <patrickstreeter@gmail.com>; 'Heidi Bauer' <heidibauer2000@gmail.com>; 'Christopher Caputo' <tukuto@yahoo.com>; 'Kit Schlich' <kitschlich@gmail.com>; 'Scott Springhorn' <sspringhorn@gmail.com>; 'Taryn Obaid' <taryn_obaid@hotmail.com>; shad@cloneyrealestate.com
Subject: RE: Immediate Inspection of Records for Verizon PLMA-20-0003/PLUP-19-000 Project

Paul, Scott, Taryn, and Shad,

Please find the file materials available electronically at this link:

https://m-group.box.com/s/bcqck167rq7aiylqr4x1jaoum7gfjgza

Given the volume of information, should you prefer a more concise record of the current application materials, it is available on the project website here:

https://cityofpetaluma.org/611-western-avenue-verizon-telecommunications-facility/

We will upload the additional documents noted by Eric Danly by the end of day, next Friday.

Brittan

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Friday, October 23, 2020 6:26 PM
To: Hines, Heather; Flynn, Peggy; Teresa Barrett
Cc: Rose, Kendall; Patrick Streeter; Heidi Bauer; Christopher Caputo; Kit Schlich; Taryn Obaid; Scott Springhorn; heathermuir@msn.com; Samantha Buller; Ellis, Evelyn; Bendix, Brittany
Subject: Re: Looks like the following showed up shortly after I sent my previous email.

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
October 23, 2020

To:
Ms. Heather Hines
Contract Planning Manager
m-Group
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

Peggy Flynn, City Manager
Teresa Barrett, Mayor

cc:
Kendall Rose, City Clerk
Patrick Streeter, Chair Planning Commission
Heidi Bauer, Vice Chair Planning Commission
Christopher Caputo, HCPC Chair
Kit Schlich, HCPC Vice Chair
Bendix, Brittany <bbendix@cityofpetaluma.org>
Taryn Obaid <taryn_obaid@hotmail.com>
Scott Springhorn <sspringhorn@gmail.com>
heathermuir@msn.com <heathermuir@msn.com>
Samantha Buller <samanthabuller@gmail.com>
Ellis, Evelyn <eellis@cityofpetaluma.org>
Petaluma VHP-members

Re: Looks like the following showed up shortly after I sent my previous email.

Looks like the following showed up shortly after I sent my email. We will inspect these digital files, but we still need to compare this delivery against the full paper record in the City of Petaluma offices.

May we please complete that comparison on Monday Oct 26 between 9:00 am and 3:00 pm -- **as is our right to do so, under CA law?**

> Paul, Scott, Taryn, and Shad,
>
> Please find the file materials available electronically at this link:
>
> https://m-group.box.com/s/bcqck167rq7aiylqr4x1jaoum7gfjgza

Given the volume of information, should you prefer a more concise record of the current application materials, it is available on the project website here:

https://cityofpetaluma.org/611-western-avenue-verizon-telecommunications-facility/

We will upload the additional documents noted by Eric Danly by the end of day, next Friday.

Brittany

Next week, we will provide **yet another list of still missing materials** from the Verizon PLMA-20-0003/PLUP-19-000 Project application.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Bendix, Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Friday, October 23, 2020 1:50 PM
To: Lee Afflerbach
Cc: Bendix, Brittany; Hines, Heather; Flynn, Peggy; Scott Springhorn; Taryn Obaid
Subject: CTC Technology has just been hired to assist Petaluma -- a few questions

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi, Lee.

Congratulations. Apparently, your firm, CTC Technology has just been hired to assist Petaluma, my home town, in evaluating a proposed Wireless Telecommunications Facility (WTF) on the roof of the Petaluma Creamery.

There is a lot of information about the project here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest

This is where you will find some questions for which we have been seeking answers for a long time.

Please see first the substantial written evidence of **No Significant Gap in Verizon Telecommunications Coverage** in Petaluma CA, Aug 3, 2020 --> https://www.unsafeatanyg.com/petaluma/nogap/

Are you planning to execute a drive test (between 10/23/2020 11/20/202) similar to the one that you completed in Monterey, CA in 2017/2018?

From https://mystreetmychoice.com/monterey.html

Key Monterey Documents for Mar 15, 2018

- 2017-1220-CTC-Monterey-Drive-Test.pdf
- 2018-0314-Monterey-Extenet-Update.pdf
- Link to Meeting Agenda
- Link to Meeting packet
- Link to Meeting minutes
- 2018-0324-Planning-Commission-resolution.pdf

Will you please let me know? Thank you.

These are the other questions we need answered . . .

On 9/24/2020 Petaluma City Manager Peggy Flynn wrote in an email:

> **"A drive test is being required** (a sincere thank you Mr. Springhorn for your continued recommendations!). We will continue **to provide updates** as we have them to you, and most importantly, to the community.

It is a month after our request for immediate inspection of records and we have **no answers** to the following reasonable questions — **of which City Staff has been well-aware, yet we still have no answers.** You, Ms Flynn, wrote "A drive test is being required" on 9/24/2020 **. . . a month later we still lack these specifics.**

1. Who is the Drive Test vendor — does the public have the ability to research the vendor's background? **We need that answer now.**
2. When will the Drive Test work start? **We need that answer now.**

3. What is the methodology of the drive test? **We need that answer now.**
4. What equipment will the vendor use to collect and log the data? **We need that answer now.**
5. Is the vendor doing coverage analysis in dBm? . . . or is the vendor doing some other analysis, which may not be necessary? **We need to know that now.**
6. Will the vendor place the raw data of the Drive test into the public record? **There is no way the m-group should hide this data from anyone.**
7. **Is the City asking for a written report?** None is needed.
8. We need to understand the format of the data **before** the test is ordered/conducted.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

City Council Script-Dec 15- W Denny

Last week another fire occurred at the Petaluma Creamery. This was the 2nd fire in the past 6 months in the same location -the boiler room- located in the same building the proposed Cell tower would be placed. With both of these fires - No Alarm was triggered.

The circumstances of these fires demonstrate that the Creamery is a high risk facility which places our neighborhood in jeopardy, and not a safe location for a Cell Tower.

The potential danger from a Cell Tower fire could become a catastrophic accident; where lives and homes are put in harm's way.

The owner of the Creamery has not demonstrated good faith in the upkeep of his facility, he has not shown he can be trusted with the responsibility and liability of having a cell tower on his building. These recent fires show the danger in choosing the Creamery site and the potential harm which could occur.

The Creamery does Not meet the stipulation for being the 'least intrusive location' for a cell tower. A large Cell Tower does not belong in the middle of our neighborhood, with homes, daycare centers, churches and open space nearby.

The Cell Tower application should be denied. The Creamery is a high fire risk facility and absolutely the wrong place for a large Cell Tower.

Thank you city of Petaluma for commissioning a firm to conduct a drive test to measure the level of telecommunications service in a 3 mile radius around the Petaluma Creamery.

We've been told that CTC consultants have completed the drive test, and now it's very important to place the results into the public record.

These results MUST include the Raw Data which shows the actual service levels measured, and it's critical that the city and public have the opportunity to review these findings.

This ensures that regardless of whatever information the consultants present, that it's the actual Raw Data which drives the truth.

Verizon has stated that there is a need for greater capacity but this term is not legally viable and is not in the 1996 TCA.

The Raw Data will show what is important, that there is no significant gap in Verizon telecommunications service within a 3 mile radius of the Creamery.

On Verizon's website, their coverage map shows 'No Significant Gap' in coverage within a 3 mile radius of the Creamery.

The basis of need for a Cell Tower on top of the Creamery is unfounded.

We're asking the City to immediately put the 'Raw Data' into the public record.

Thank you for your time.

Violation/Issue

Bay Area Air Quality Management District
Bay Area Air Quality Management District
Bay Area Air Quality Management District
Bay Area Air Quality Management District
Bay Area Air Quality Management District
SF Bay Area Regional Water Quality Control Board - Stormwater Discharge Vi
SF Bay Area Regional Water Quality Control Board - Stormwater Discharge Vi

Fire Onsite - June 19, 2020 (third in as many years)

Fire and Hazardous Waste Risk
Fire Hazard

History of failure to address noise violations.
History of failure to address noise violations.

History of failure to address noise violations.

History of idling trucks
History of non-payment of fees and fines to City of Petaluma
OSHA Violation
National Labor Relations Board Violations

Air Quality - Summer 2020 per Purple Air
Organic Dairy Scorecard - Poor Ranking

Legal Issues

Lawsuit that mentions milk being delivered to the Creamery from Texas
Federal Failure to Appear for Deposition.

Description or Link

orders/2017/20170419_spring_hill_jersey_cheese_inc-pdf.pdf?la=vi-vn

29733/petaluma-creamery

orders/2018/20180122_spring_hill_jersey_cheese_inc-pdf.pdf?la=en

orders/2018/20180122_spring_hill_jersey_cheese_inc-pdf.pdf?la=en

Creamery at the corner of English and Upham Streets. Most recent complaints for both odor and

onCaseInChief.pdf

ng_Hill_Jersey_Cheese_R2-2020-1019.pdf

alarm sounded which is concern given the fire took place in the building where amonia is stored - which happens to be the building on which the Cell Towers are proposed. The Creamery facility sustained a major fire in 1975 which if would occur today, with the hazardous waste now being used, every 5 years. The Creamery is currently not in compliance with all the adjustments/repairs/modications identified in the PHA.

various locations on site

never addresssed, at least to the knowledge of the neighbhors - and certainly the significant noise issues have continued in the subsequent years.

the neighbors - and certainly the significant noise issues have continued in the subsequent years. Creamery Operator has verbally confirmed that one of the cooling towers generates up to 80 decibles, although it's the low vibration noise that is causing the neighbhors even more grief. The Creamery and have directed neighbors to report idling trucks to the Police Department. On occasion, the neighbhors will call the Police Department when it's particularly eggrgious - idling for more than 2 hours, or between the hours of midnight and 5am. However, in most cases, we prefer not to distract

https://www.pressdemocrat.com/article/news/petaluma-creamery-owes-city-hall-604000/

https://www.osha.gov/pls/imis/establishment.inspection_detail?id=316439009

https://www.nlrb.gov/case/20-CA-080629

https://www.nlrb.gov/case/20-CA-080495

https://www.nlrb.gov/case/20-RC-077725

https://casetext.com/case/natures-one-inc-v-spring-hill-jersey-cheese-inc-2

Petaluma shows good Air quality.

https://www.cornucopia.org/scorecard/dairy/

https://www.mamavation.com/food/organic-milk-best-and-worst-organic-dairies.html

https://casetext.com/case/natures-one-inc-v-spring-hill-jersey-cheese-inc-2

02820-2.pdf

Cnt	Carrier	Band	Freq	Start	Stop	Bandwidth	Cum-BW	Number	Block	Area Type	Other1	Other1
V-01	Verizon	700 MHz	746-757	746	757	11	11	9	C	REA	(Upper C)	
V-02	Verizon	700 MHz	776-787	776	787	11	22	9	C	REA	(Upper C)	
V-03	Verizon	Cellular	835-845	835	845	10	32	491	B	CMA		
V-04	Verizon	Cellular	846.5-849	846.5	849	2.5	34.5	491	B	CMA		
V-05	Verizon	Cellular	880-894	880	894	14	48.5	491	B	CMA		
V-06	Verizon	Cellular	891.5-894	891.5	894	2.5	51	491	B	CMA		
V-07	Verizon	AWS	1720-1730	1720	1730	10	61	141	B	BEA		
V-08	Verizon	AWS	2120-2130	2120	2130	10	71	141	B	BEA		
V-09	Verizon	AWS	1730-1735	1730	1735	5	76	59	C	BEA		
V-10	Verizon	AWS	2130-2135	2130	2135	5	81	59	C	BEA		
V-11	Verizon	AWS	1735-1740	1735	1740	5	86	7	D	REA		
V-12	Verizon	AWS	2135-2140	2135	2140	5	91	7	D	REA		
V-13	Verizon	AWS	1740-1745	1740	1745	5	96	6	E	REA		
V-14	Verizon	AWS	2140-2145	2140	2145	5	101	6	E	REA		
V-15	Verizon	AWS	1745-1755	1745	1755	10	111	7	F	REA		
V-16	Verizon	AWS	2145-2155	2145	2155	10	121	7	F	REA		
V-17	Verizon	AWS-3	1770-1780	1770	1780	10	131	45	J	BEA		
V-18	Verizon	AWS-3	2170-2180	2170	2180	10	141	45	J	BEA		
V-19	Verizon	PCS	1850-1865	1850	1865	15	156	24	A	MTA		
V-20	Verizon	PCS	1930-1945	1930	1945	15	171	24	A	MTA		
V-21	Verizon	PCS	1870-1885	1870	1885	15	186	29	B	MTA		
V-22	Verizon	PCS	1950-1965	1950	1965	15	201	29	B	MTA		
V-23	Verizon	PCS	1895-1910	1895	1910	15	216	164	C	BTA		
V-24	Verizon	PCS	1975-1990	1975	1990	15	231	164	C	BTA		
V-25	Verizon	CBRS-PAL	3550-3650	3550	3650	100	331	70	P4	PEA		
V-26	Verizon	CBRS-PAL	3550-3650	3550	3650	100	431	70	P4	PEA		
V-27	Verizon	CBRS-PAL	3550-3650	3550	3650	100	531	66	P5	PEA		
V-28	Verizon	mmWave	27500-27925	27500	27925	425	956	340	L1	BTA		
V-29	Verizon	mmWave	27925-28350	27925	28350	425	1381	332	L2	BTA		
V-30	Verizon	mmWave	37600-37700	37600	37700	100	1481	411	M1	PEA		
V-31	Verizon	mmWave	37700-37800	37700	37800	100	1581	411	M2	PEA		
V-32	Verizon	mmWave	37800-37900	37800	37900	100	1681	411	M3	PEA		
V-33	Verizon	mmWave	37900-38000	37900	38000	100	1781	411	M4	PEA		

Cnt	Carrier	Band	Freq	Start	Stop	Bandwidth	Cum-BW	Number	Block	Area Type	Other1	Other1
V-34	Verizon	mmWave	38000-38100	38000	38100	100	1881	411	M5	PEA		
V-35	Verizon	mmWave	38100-38200	38100	38200	100	1981	411	M6	PEA		
V-36	Verizon	mmWave	38200-38300	38200	38300	100	2081	411	M7	PEA		
V-37	Verizon	mmWave	38300-38400	38300	38400	100	2181	409	M8	PEA		
V-38	Verizon	mmWave	38400-38500	38400	38500	100	2281	375	M9	PEA		
V-39	Verizon	mmWave	38500-38600	38500	38600	100	2381	371	M10	PEA		
D-01	Dish	600 MHz	637-642	637	642	5	5	32	E	PEA		
D-02	Dish	600 MHz	683-688	683	688	5	10	32	E	PEA		
D-03	Dish	600 MHz	642-647	642	647	5	15	122	F	PEA		
D-04	Dish	600 MHz	688-693	688	693	5	20	122	F	PEA		
D-05	Dish	600 MHz	647-652	647	652	5	25	97	G	PEA		
D-06	Dish	600 MHz	693-698	693	698	5	30	97	G	PEA		
D-07	Dish	AWS-3	1695-1700	1695	1700	5	35	167	A1	BEA		
D-08	Dish	AWS-3	1700-1710	1700	1710	10	45	156	B1	BEA		
D-09	Dish	AWS-H	1915-1920	1915	1920	5	50	176	H	BEA		
D-10	Dish	AWS-H	1995-2000	1995	2000	5	55	176	H	BEA		
D-11	Dish	AWS-4	2000-2010	2000	2010	10	65	176	A	BEA		
D-12	Dish	AWS-4	2180-2190	2180	2190	10	75	176	A	BEA		
D-13	Dish	AWS-4	2010-2020	2010	2020	10	85	176	B	BEA		
D-14	Dish	AWS-4	2190-2200	2190	2200	10	95	176	B	BEA		
D-15	Dish	CBRS-PAL	3550-3650	3550	3650	100	195	140	P4	PEA		
D-16	Dish	CBRS-PAL	3550-3650	3550	3650	100	295	266	P5	PEA		
D-17	Dish	CBRS-PAL	3550-3650	3550	3650	100	395	287	P6	PEA		
D-18	Dish	CBRS-PAL	3550-3650	3550	3650	100	495	372	P7	PEA		
D-19	Dish	mmWave	47700-47800	47700	47800	100	595	416	P6	PEA		
D-20	Dish	mmWave	47800-47900	47800	47900	100	695	416	P7	PEA		
D-21	Dish	mmWave	47900-48000	47900	48000	100	795	416	P8	PEA		
D-22	Dish	mmWave	48000-48100	48000	48100	100	895	416	P9	PEA		
D-23	Dish	mmWave	48100-48200	48100	48200	100	995	416	P10	PEA		
A-01	AT&T	700 MHz	704-710	704	710	6	6	524	B	CMA	Lower	
A-02	AT&T	700 MHz	734-740	734	740	6	12	524	B	CMA	Lower	
A-03	AT&T	700 MHz	710-716	710	716	6	18	617	C	CMA	Lower	
A-04	AT&T	700 MHz	740-746	740	746	6	24	617	C	CMA	Lower	

Cnt	Carrier	Band	Freq	Start	Stop	Bandwidth	Cum-BW	Number	Block	Area Type	Other1	Other1
A-05	AT&T	700 MHz	716-722	716	722	6	30	6	D	EAG	Lower	
A-06	AT&T	700 MHz	722-728	722	728	6	36	5	E	BEA	Lower	
A-07	AT&T	Cellular	824-835	824	835	11	47	411	A	CMA		
A-08	AT&T	Cellular	845-846.5	845	846.5	1.5	48.5	411	A	CMA		
A-09	AT&T	Cellular	869-880	869	880	11	59.5	411	A	CMA		
A-10	AT&T	Cellular	890-891.5	890	891.5	1.5	61	411	A	CMA		
A-11	AT&T	Cellular	835-845	835	845	10	71	411	A	CMA		
A-12	AT&T	Cellular	846.5-849	846.5	849	2.5	73.5	411	A	CMA		
A-13	AT&T	AWS	1710-1720	1710	1720	10	83.5	311	A	CMA		
A-14	AT&T	AWS	2110-2120	2110	2120	10	93.5	311	A	CMA		
A-15	AT&T	AWS	1730-1735	1730	1735	5	98.5	97	C	BEA		
A-16	AT&T	AWS	2130-2135	2130	2135	5	103.5	97	C	BEA		
A-17	AT&T	AWS	1735-1740	1735	1740	5	108.5	5	D	REA		
A-18	AT&T	AWS	2135-2140	2135	2140	5	113.5	5	D	REA		
A-19	AT&T	AWS	1740-1745	1740	1745	5	118.5	4	E	REA		
A-20	AT&T	AWS	2140-2145	2140	2145	5	123.5	4	E	REA		
A-21	AT&T	AWS-3	1760-1765	1760	1765	5	128.5	36	H	BEA		
A-22	AT&T	AWS-3	2160-2165	2160	2165	5	133.5	36	H	BEA		
A-23	AT&T	AWS-3	1765-1770	1765	1770	5	138.5	60	I	BEA		
A-24	AT&T	AWS-3	2165-2170	2165	2170	5	143.5	60	I	BEA		
A-25	AT&T	PCS	1850-1865	1850	1865	15	158.5	37	A	MTA		
A-26	AT&T	PCS	1930-1945	1930	1945	15	173.5	37	A	MTA		
A-27	AT&T	PCS	1865-1870	1865	1870	5	178.5	194	D	BTA		
A-28	AT&T	PCS	1945-1950	1945	1950	5	183.5	194	D	BTA		
A-29	AT&T	PCS	1870-1885	1870	1885	15	198.5	30	B	MTA		
A-30	AT&T	PCS	1950-1965	1950	1965	15	213.5	30	B	MTA		
A-31	AT&T	WCS	2305-2310	2305	2310	5	218.5	48	A	MEA		
A-32	AT&T	WCS	2350-2355	2350	2355	5	223.5	48	B	MEA		
A-33	AT&T	WCS	2310-2315	2310	2315	5	228.5	48	A	MEA		
A-34	AT&T	WCS	2355-2360	2355	2360	5	233.5	48	B	MEA		
A-35	AT&T	WCS	2315-2320	2315	2320	5	238.5	8	C	REA		
A-36	AT&T	WCS	2345-2350	2345	2350	5	243.5	7	D	REA		
A-37	AT&T	mmWave	24950-25050	24950	25050	100	343.5	86	E	PEA		

Cnt	Carrier	Band	Freq	Start	Stop	Bandwidth	Cum-BW	Number	Block	Area Type	Other1	Other1
A-38	AT&T	mmWave	25050-25150	25050	25150	100	443.5	284	F	PEA		
A-39	AT&T	mmWave	25150-25250	25150	25250	100	543.5	273	G	PEA		
A-40	AT&T	mmWave	39200-39300	39200	39300	100	643.5	400	N7	PEA		
A-41	AT&T	mmWave	39300-39400	39300	39400	100	743.5	399	N8	PEA		
A-42	AT&T	mmWave	39400-39500	39400	39500	100	843.5	314	N9	PEA		
A-43	AT&T	mmWave	39500-39600	39500	39600	100	943.5	307	N10	PEA		
A-44	AT&T	mmWave	39600-39700	39600	39700	100	1043.5	231	N11	PEA		
A-45	AT&T	mmWave	39700-39800	39700	39800	100	1143.5	215	N12	PEA		
A-46	AT&T	mmWave	39800-39900	39800	39900	100	1243.5	115	N13	PEA		
A-47	AT&T	mmWave	39900-40000	39900	40000	100	1343.5	114	N14	PEA		
T-01	T-Mobile	600 MHz	622-627	622	627	5	5	394	B	PEA		
T-02	T-Mobile	600 MHz	668-673	668	673	5	10	394	B	PEA		
T-03	T-Mobile	600 MHz	627-632	627	632	5	15	411	C	PEA		
T-04	T-Mobile	600 MHz	673-678	673	678	5	20	411	C	PEA		
T-05	T-Mobile	600 MHz	632-637	632	637	5	25	407	D	PEA		
T-06	T-Mobile	600 MHz	678-683	678	683	5	30	407	D	PEA		
T-07	T-Mobile	700 MHz	698-704	698	704	6	36	124	A	BEA	Lower	
T-08	T-Mobile	700 MHz	728-734	728	734	6	42	124	A	BEA	Lower	
T-09	T-Mobile	800 MHz	808-824	808	824	16	58	161	X	BEA	SMR	(Rebrand)
T-10	T-Mobile	800 MHz	854-869	854	869	15	73	161	X	BEA	SMR	(Rebrand)
T-11	T-Mobile	SMR 800 MHz	816.5-818	816.5	818	1.5	74.5	167	B	BEA		
T-12	T-Mobile	SMR 800 MHz	861.5-863	861.5	863	1.5	76	167	B	BEA		
T-13	T-Mobile	AWS	1735-1740	1735	1740	5	81	8	D	REA		
T-14	T-Mobile	AWS	2135-2140	2135	2140	5	86	8	D	REA		
T-15	T-Mobile	AWS	1740-1745	1740	1745	5	91	8	E	REA		
T-16	T-Mobile	AWS	2140-2145	2140	2145	5	96	8	E	REA		
T-17	T-Mobile	AWS	1745-1755	1745	1755	10	106	8	F	REA		
T-18	T-Mobile	AWS	2145-2155	2145	2155	10	116	8	F	REA		
T-19	T-Mobile	PCS	1850-1865	1850	1865	15	131	40	A	MTA		
T-20	T-Mobile	PCS	1930-1945	1930	1945	15	146	40	A	MTA		
T-21	T-Mobile	PCS	1870-1885	1870	1885	15	161	35	B	MTA		
T-22	T-Mobile	PCS	1950-1965	1950	1965	15	176	35	B	MTA		
T-23	T-Mobile	PCS	1885-1890	1885	1890	5	181	152	E	BTA		

Cnt	Carrier	Band	Freq	Start	Stop	Bandwidth	Cum-BW	Number	Block	Area Type	Other1	Other1
T-24	T-Mobile	PCS	1965-1970	1965	1970	5	186	152	E	BTA		
T-25	T-Mobile	PCS	1890-1895	1890	1895	5	191	117	F	BTA		
T-26	T-Mobile	PCS	1970-1975	1970	1975	5	196	117	F	BTA		
T-27	T-Mobile	PCS	1895-1910	1895	1910	15	211	252	C	BTA		
T-28	T-Mobile	PCS	1975-1990	1975	1990	15	226	252	C	BTA		
T-29	T-Mobile	PCS-G	1910-1915	1910	1915	5	231	173	G	BEA		
T-30	T-Mobile	PCS-G	1990-1995	1990	1995	5	236	173	G	BEA		
T-31	T-Mobile	BRS	2496-2502	2496	2502	6	242	446	NBRS1	BTA		
T-32	T-Mobile	EBS	2502-2507.5	2502	2507.5	5.5	247.5	413	NA1	BTA		
T-33	T-Mobile	EBS	2507.5-2513	2507.5	2513	5.5	253	412	NA2	BTA		
T-34	T-Mobile	EBS	2513-2518	2513	2518	5	258	415	NA3	BTA		
T-35	T-Mobile	EBS	2518.5-2524	2518.5	2524	5.5	263.5	407	NB1	BTA		
T-36	T-Mobile	EBS	2524-2529.5	2524	2529.5	5.5	269	406	NB2	BTA		
T-37	T-Mobile	EBS	2529.5-2535	2529.5	2535	5.5	274.5	406	NB3	BTA		
T-38	T-Mobile	EBS	2535-2540.5	2535	2540.5	5.5	280	414	NC1	BTA		
T-39	T-Mobile	EBS	2540.5-2546	2540.5	2546	5.5	285.5	414	NC2	BTA		
T-40	T-Mobile	EBS	2546-2551.5	2546	2551.5	5.5	291	414	NC3	BTA		
T-41	T-Mobile	EBS	2551.5-2557	2551.5	2557	5.5	296.5	408	ND1	BTA		
T-42	T-Mobile	EBS	2557-2562.5	2557	2562.5	5.5	302	408	ND2	BTA		
T-43	T-Mobile	EBS	2562.5-2568	2562.5	2568	5.5	307.5	408	ND3	BTA		
T-44	T-Mobile	EBS	2572-2578	2572	2578	6	313.5	415	NA4	BTA		
T-45	T-Mobile	EBS	2578-2584	2578	2584	6	319.5	406	NB4	BTA		
T-46	T-Mobile	EBS	2584-2590	2584	2590	6	325.5	415	NC4	BTA		
T-47	T-Mobile	EBS	2590-2596	2590	2596	6	331.5	408	ND4	BTA		
T-48	T-Mobile	EBS	2596-2602	2596	2602	6	337.5	398	NG4	BTA		
T-49	T-Mobile	BRS	2602-2608	2602	2608	6	343.5	458	NF4	BTA		
T-50	T-Mobile	BRS	2608-2614	2608	2614	6	349.5	461	NE4	BTA		
T-51	T-Mobile	BRS	2618-2624	2618	2624	6	355.5	439	NBRS2	BTA		
T-52	T-Mobile	BRS	2624-2629.5	2624	2629.5	5.5	361	461	NE1	BTA		
T-53	T-Mobile	BRS	2529.5-2635	2529.5	2635	105.5	466.5	461	NE2	BTA		
T-54	T-Mobile	BRS	2635-2640.5	2635	2640.5	5.5	472	461	NE3	BTA		
T-55	T-Mobile	BRS	2640.5-2646	2640.5	2646	5.5	477.5	458	NF1	BTA		
T-56	T-Mobile	BRS	2646-2651.5	2646	2651.5	5.5	483	458	NF2	BTA		

Cnt	Carrier	Band	Freq	Start	Stop	Bandwidth	Cum-BW	Number	Block	Area Type	Other1	Other1
T-57	T-Mobile	BRS	2651.5-2657	2651.5	2657	5.5	488.5	458	NF3	BTA		
T-58	T-Mobile	BRS	2657-2662.5	2657	2662.5	5.5	494	459	NH1	BTA		
T-59	T-Mobile	BRS	2662.5-2668	2662.5	2668	5.5	499.5	462	NH2	BTA		
T-60	T-Mobile	BRS	2668-2673.5	2668	2673.5	5.5	505	461	NH3	BTA		
T-61	T-Mobile	EBS	2673.5-2679	2673.5	2679	5.5	510.5	401	NG1	BTA		
T-62	T-Mobile	EBS	2679-2684.5	2679	2684.5	5.5	516	400	NG2	BTA		
T-63	T-Mobile	EBS	2684.5-2690	2684.5	2690	5.5	521.5	400	NG3	BTA		
T-64	T-Mobile	mmWave	24250-24350	24250	24350	100	621.5	251	A	PEA		
T-65	T-Mobile	mmWave	24350-24450	24350	24450	100	721.5	283	B	PEA		
T-66	T-Mobile	mmWave	24750-24850	24750	24850	100	821.5	243	C	PEA		
T-67	T-Mobile	mmWave	24850-24950	24850	24950	100	921.5	268	D	PEA		
T-68	T-Mobile	mmWave	27500-27925	27500	27925	425	1346.5	155	L1	BTA		
T-69	T-Mobile	mmWave	27925-28350	27925	28350	425	1771.5	221	L2	BTA		
T-70	T-Mobile	mmWave	38800-38900	38800	38900	100	1871.5	25	N3	PEA		
T-71	T-Mobile	mmWave	38900-39000	38900	39000	100	1971.5	27	N4	PEA		
T-72	T-Mobile	mmWave	39000-39100	39000	39100	100	2071.5	24	N5	PEA		
T-73	T-Mobile	mmWave	39050-39100	39050	39100	50	2121.5	1	10-A	PEA		
T-74	T-Mobile	mmWave	39100-39200	39100	39200	100	2221.5	23	N6	PEA		
T-75	T-Mobile	mmWave	39750-39800	39750	39800	50	2271.5	2	10-B	PEA		
T-76	T-Mobile	mmWave	47200-47300	47200	47300	100	2371.5	382	P1	PEA		
T-77	T-Mobile	mmWave	47300-47400	47300	47400	100	2471.5	384	P2	PEA		
T-78	T-Mobile	mmWave	47400-47500	47400	47500	100	2571.5	362	P3	PEA		
T-79	T-Mobile	mmWave	47500-47600	47500	47600	100	2671.5	344	P4	PEA		
T-80	T-Mobile	mmWave	47600-47700	47600	47700	100	2771.5	10	P5	PEA		

Patricia Buckley
335 English Street
Petaluma, CA 94952

December 14, 2020

City Planning Commission
City of Petaluma
11 English Street
Petaluma, CA 94952

To Whom It May Concern:

I am writing with regard to the proposed Verizon cell towers that are to be erected on a rooftop of the Petaluma Creamery.

My home is located on English Street, just a block away from the Creamery. Having lived here for the past 12 years, I have noticed a real difference in the noise level coming from the Creamery. When I bought my home, the noise level was far less than it is now. It is my understanding that the noise level will be increased even more if the Verizon cell towers are installed, due to the necessary inverters and air conditioning units which will also be installed. The noise already grates on my nerves when I'm working in my yard, and it's not possible to sit in my back yard and relax anymore, due to the noise. I can also hear the noise at night, and my sleep is interrupted because of it. I cannot imagine how intolerable the noise will be if the Verizon cell towers are allowed.

Another issue would be blockage of view of the hills, which is one reason I bought this home. I can look out my front window and see the hills in the distance. If the Verizon cell towers are permitted, the tall building at the Creamery housing the cell towers would be vastly raised in height with skirting, causing an unsightly blockage of scenic view. Then, all I would see as a focal point would be a tall, ugly metal building, a definite blight to any scenery or aesthetics.

If the afore-mentioned isn't bad enough, the installation of Verizon cell towers would be an automatic deterrent to any prospective future buyer of my property. The all-to-close proximity of the Verizon cell towers would reduce my property value! I purchased this home in good faith, and am fully enjoying living here in this Petaluma neighborhood, but to be dealt this terrible financial blow of property value reduction and loss of potential equity would be such a personal violation.

Please vote against the installation of the Verizon cell towers on the Petaluma Creamery!

Sincerely,

Patricia Buckley

Justin Shiu

From: Paul Albritton <pa@mallp.com>
Sent: Thursday, July 2, 2020 10:28 AM
To: Danly, Eric
Cc: Bendix, Brittany; Justin Shiu; Hines, Heather
Subject: Re: NEPA Compliance Re Verizon Application at the Petaluma Creamery
Attachments: South Petaluma-C VZW FCC Section 106 Review.pdf

Eric: thank you for your email and inquiry regarding NEPA compliance for Verizon Wireless's proposed facility at the Creamery in Petaluma.

The FCC has determined that registering and licensing wireless towers and facilities for FCC-licensed services are major actions, triggering NEPA obligations. The FCC bears the obligation to comply with NEPA, rather than the applicant or licensee. Consequently, the FCC has established its own environmental rules. See, e.g., 47 CFR §1.1301 *et seq.*

The FCC presumes registering and licensing wireless towers and facilities are categorically excluded from NEPA. The FCC's rules categorically exclude all actions from detailed environmental review except for facilities located in a wilderness area or wildlife preserve; that might affect threatened and endangered species or their habitat; that might affect properties included in or eligible for inclusion in the National Register of Historic Places (NRHP) or Indian religious and cultural sites; that will be located a floodplain and where facility equipment will not be placed at least one foot above the base flood elevation of the floodplain; whose construction will involve "significant changes in surface features" (e.g., in wetlands, water diversions, significant ground disturbance, deforestation); that might affect migratory birds if the towers are over 450 feet; or that involve high intensity lighting in a residential area or would cause RF radiation in excess of FCC-established limits.

The FCC has delegated the initial assessment of categorical exemptions and environmental assessments to the licensee or applicant. If any of a proposed project's elements triggers any of these categories identified above, the applicant or licensee must prepare an environmental assessment.

Once an environmental assessment is prepared, it is publicly noticed for one month while the FCC reviews it. The FCC may order additional environmental review or ask for mitigation to reduce project impacts. If no issues have been identified, then the FCC issues findings of no significant impact (FONSI).

In this case, the wireless facility is proposed to be located on top of an existing building. To comply with the FCC's requirements and NEPA, Verizon Wireless commissioned a qualified consultant to prepare an analysis pursuant to Section 106 of the National Historic Preservation Act of 1966. The Section 106 review is attached here. It concludes that the proposed project will not affect any districts, sites, buildings, structures, or objects that are either listed or eligible to be listed in the National Register of Historic Places, nor does it affect an Indian religious site. Consequently, an environment assessment was not required, and Verizon Wireless has fulfilled its NEPA obligations pursuant to the FCC's rules.

Again, thank you for your inquiry regarding Verizon Wireless's propose facility and its compliance with NEPA requirements. Please let us know if we can provide you with any further background on this or any other aspect of Verizon Wireless's application.

Paul

P.S. I trust you and the staff are well and safe in Petaluma, and we particularly appreciate your assistance during these times.

Paul Albritton
Mackenzie & Albritton, LLP
155 Sansome Street, Suite 800
San Francisco, California 94104
(415) 288-4000

On Jun 23, 2020, at 4:00 PM, Danly, Eric <EDanly@cityofpetaluma.org> wrote:

Paul,

I hope you are well. I'm reaching out to you because as you may have heard from your client Verizon, we have received quit a bit of local comment in opposition to your client's application for cell facilities at the Petaluma Creamery, including assertions that approval of the application is subject to NEPA and verification of NEPA compliance as part of the City review and approval process. I have a strong suspicion that you will be aware of the extent to which that may be the case and have citations in support. Even though your client has opted to continue the hearing to August in view of some other issues relevant to the City's review of the application, namely the Creamery's CUPA compliance obligations and their effect on the City's review of the application, we are working on determining to what extent some of the community comment we are receiving may or may not have merit. Accordingly I think it would be helpful for us to have a conversation regarding potential NEPA applicability so that I can review authorities that will help us determine if NEPA considerations ought to be part of the City review discussion. Would you let me know if you are open to discussing this?

Thank you.

Eric W. Danly
City Attorney, City of Petaluma
11 English Street, Petaluma, CA 94952
Phone: (707) 778-4362 Facsimile: (707) 206-6040
City Business Hours: M-Th 8am-5pm, closed Fridays

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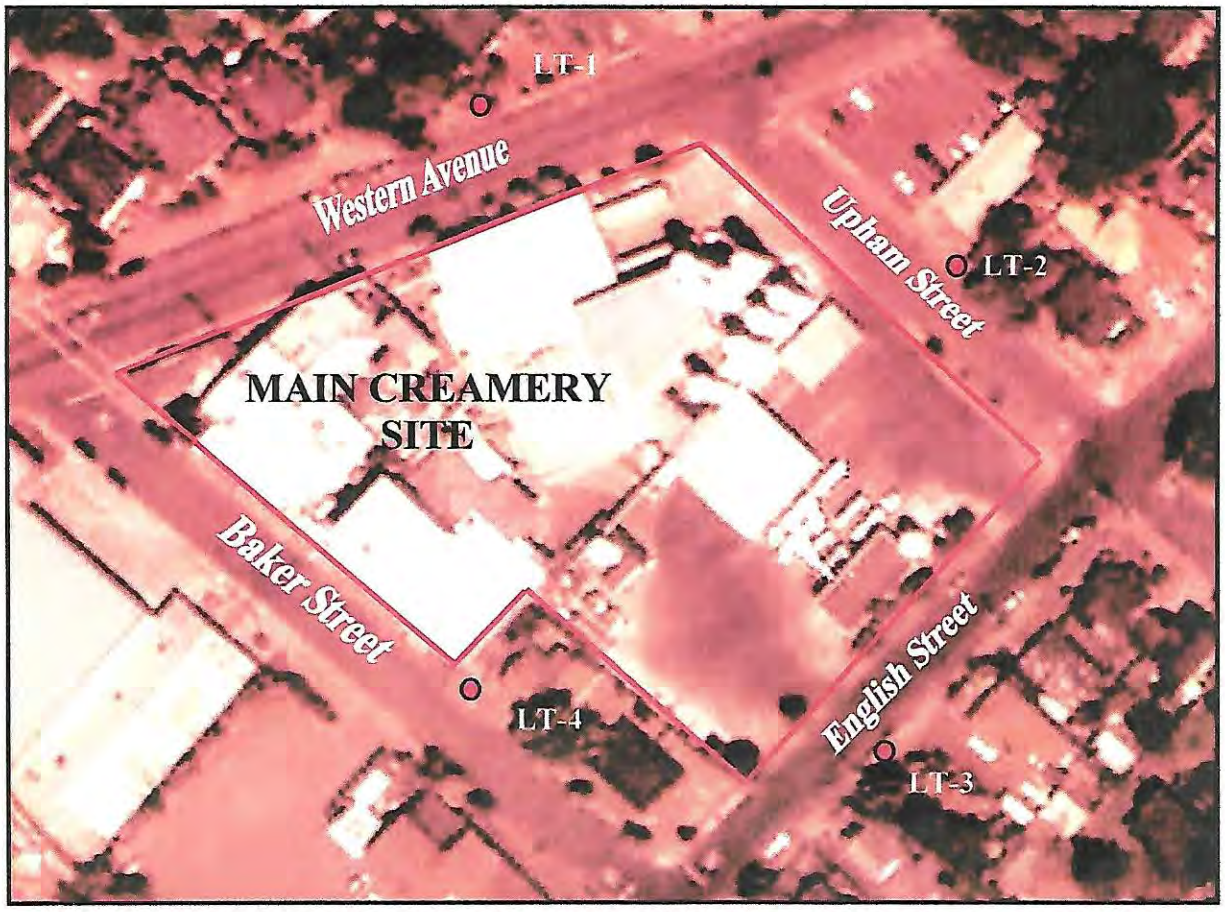


FIGURE 1: CREAMERY SITE SHOWING NOISE MEASUREMENT LOCATIONS

LT-1 (Western Avenue): The long-term noise measurement across Western Avenue from the Creamery site was made in the branches of a tree in front of 600 Western Avenue to establish the existing noise exposure at this receiver location from the facilities northern facade and milk loading bays and Western Avenue traffic noise.

LT-2 (Upham Street): The long-term noise measurement across Upham Street from the Creamery site was made on a utility pole on the property line shared between the 525 Western Avenue and 120 English Street to establish the existing noise exposure at this receiver location from the northeastern portion of the facility the milk loading bays and Upham Street and Western Avenue traffic noise.

LT-3 (English Street): The long-term noise measurement across English Street from the Creamery site was made on a utility pole on the property line in front of the residence at 215 English Street to establish the existing noise exposure at this receiver location from the southern portion of the facility, the milk loading bays and English Street traffic noise.

LT-4 (Baker Street): The long-term noise measurement on the Creamery side of Baker Street was made on a utility pole on the property line shared between the Creamery and the residence at 432 Baker Street to establish the existing noise exposure at this receiver location from the Evaporator and Boiler louvers on the southwestern facility façade and the cream loading bay and Baker Street traffic noise.

The results of the measurements at the above locations are presented in the following section and compared to the City of Petaluma Noise Ordinance standards

MEASUREMENT RESULTS

Location LT-1 (Western Avenue):

The hourly trend in noise levels at LT-1, including the energy equivalent noise level (L_{eq}), and the statistical noise levels representing the limits set forth in City of Petaluma Noise Ordinance standards (the L_{25}, L_8, and L_2 noise level descriptors) and City of Petaluma Noise Ordinance standards themselves are shown on Chart 1, below.

Chart 1: Western Avenue Hourly Noise Levels

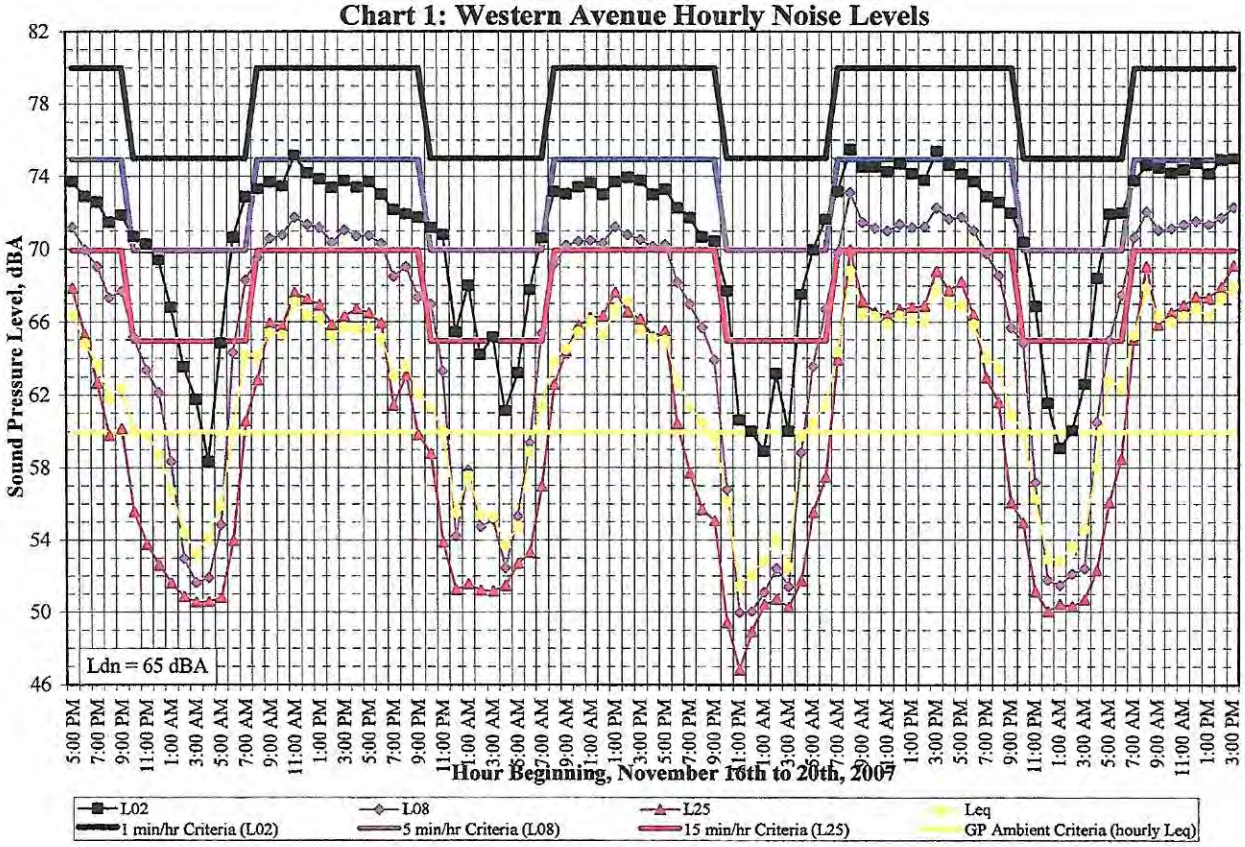
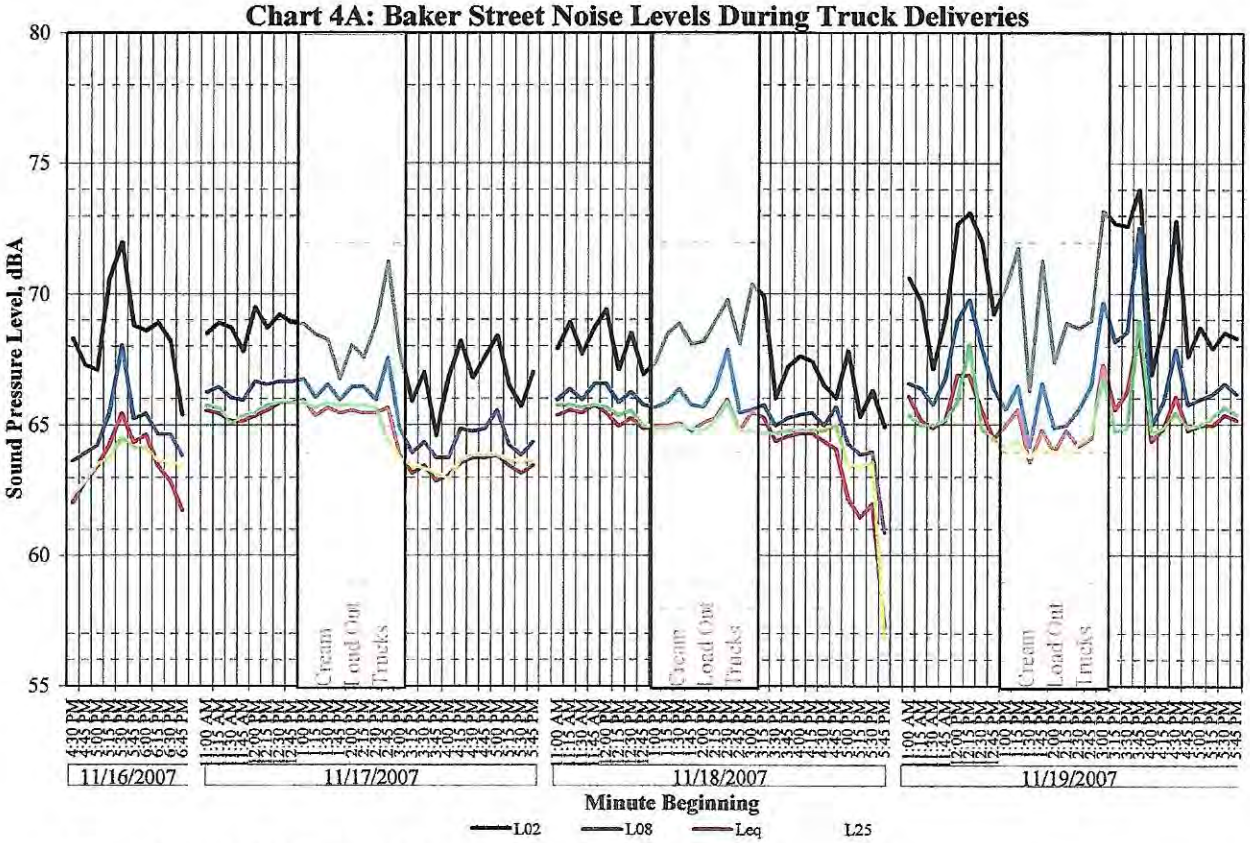


Chart 4A: Baker Street Noise Levels During Truck Deliveries



CONCLUSIONS AND RECOMMENDATIONS

Based on the results of our measurements and analysis it may be concluded that with the exception of noise emissions from the Baker Street louvers (see Figure 2), Creamery operations do not exceed the of the City of Petaluma's Noise Ordinance limits at the adjacent land-uses. To reduce noise emissions from the Baker Street louvers, which were found to exceed City standards, we recommend upgrading the existing louvers to 6" thick acoustical grade louvers such as Vibron VAL/2 or C/S Louver Model A6370 Acoustic Louvers (see attached cut sheets in Appendix B), or equivalent.

This concludes I&R's study of noise emissions from the Petaluma Creamery facility versus the City of Petaluma's noise ordinance limits. Please feel free to call with questions and comments.

Sincerely,

Fred M. Svinth, Assoc., AIA
Senior Consultant, Acoustics
Illingworth & Rodkin, Inc.

CITY OF PETALUMA

POST OFFICE BOX 61
PETALUMA, CA 94953-0061

David Glass
Mayor

Chris Albertson
Teresa Barrett
Mike Harris
Mike Healy
Gabe Kearney
Kathy Miller
Councilmembers

November 5, 2014

Spring Hill Jersey Cheese, Inc.
Larry K. Peter
621 Western Avenue
Petaluma, CA 94952

Subject Property: **611/621 Western Avenue (main production facility)**
APN: **008-032-009**

RE: Ongoing noise complaints.

Dear Mr. Peter:

It has been almost 7 years since we first addressed noise concerns at your creamery in Petaluma. Recently, the City has been receiving an increased level of complaints regarding the noise level of the machinery for your business. This week, I received a complaint signed by 21 residents in your neighborhood. The complaint describes the increased noise levels that your neighbors have experienced.

In December of 2007, you obtained the services of Illingworth & Rodkin, Inc. to conduct a noise study. At that time, the suggestion was made to install acoustical grade louvers at the base of the evaporation tower. Based on recent observations by myself and neighbors, it does not appear as though these louvers were installed. The base of the evaporation tower seems to be the area of your operation that generates the largest, constant level of noise. It is the City's stance that your business is operating outside of the allowable limits of the City's noise ordinance.

To avoid further enforcement action, please take the following actions by **November 30, 2014**:

1. Obtain an updated noise study to confirm that your business is operating within the maximum limits established in the City's Noise ordinance.
2. If necessary, take corrective action to bring the operation into compliance.
3. Verify that the corrective action has brought your business into compliance.

Your cooperation with this matter is greatly appreciated. Please do not hesitate to contact me with any further questions or concerns you may have. Thank you.

Sincerely,

Joe Garcia
Neighborhood Preservation Coordinator
Code Enforcement Division
City of Petaluma Police Department
707-778-4558

Police Department
969 Petaluma Boulevard North
Petaluma, CA 94952-6320

Phone (707) 778-4372
Fax (707) 778-4502

E-Mail:
idmin@ci.petaluma.ca.us

Joe Garcia
Neighborhood Preservation Coordinator
Code Enforcement Division
City of Petaluma Police Department
707-778-4558

From: Edwin [mailto:edwin@springhillcheese.com]
Sent: Thursday, March 12, 2015 4:04 PM
To: Garcia, Joe
Cc: michael@springhillcheese.com
Subject: FW: Creamery Noise Study

Hello Joe –

Here you do (attached).

Please let me know if you should have any questions.

Thanks, Ed.

From: Fred Svinth [mailto:fsvinth@illingworthrodkin.com]
Sent: Friday, March 06, 2015 3:21 PM
To: edwin@springhillcheese.com
Subject: Creamery Noise Study

Hi Ed,
After many delays, I have completed the Creamery noise study update. This is attached in pdf format. My findings show that noise levels on Upham Street (near the truck bays) and on English Street opposite the Creamery have increased since 2007, and are over City Noise Standards. However I did not find any noise ordinance issues further west on English Street.

I will be in on Monday if you want to discuss this.

Regards,

Fred M. Svinth, INCE, Assoc. AIA
Senior Consultant, Principal
Illingworth & Rodkin, Inc.
1 Willowbrook Court, Suite 120
Petaluma, CA 94954
Office: (707) 794-0400 ext 30
Cell: (415) 309-5532
www.illingworthrodkin.com

FW: Creamery Noise Study

From : Joe Garcia <jgarcia@ci.petaluma.ca.us> Thu, Mar 12, 2015 04:50 PM

Subject : FW: Creamery Noise Study

To : eberle16@comcast.net, jenohagan@comcast.net

Here is the response to the noise study that I just sent to the Creamery.

Joe Garcia
Neighborhood Preservation Coordinator
Code Enforcement Division
City of Petaluma Police Department
707-778-4558

From: Garcia, Joe
Sent: Thursday, March 12, 2015 4:50 PM
To: 'Edwin'
Cc: michael@springhillcheese.com; Ed Crosby (ECROSBY@ci.petaluma.ca.us); Danny Fish (DFISH@ci.petaluma.ca.us)
Subject: RE: Creamery Noise Study

Ed:

Thank you very much for the copy of the noise study. On page 13 of the study, Mr. Svinth has made 3 recommendations to reduce the noise impacts on the neighborhood and bring the Creamery into compliance with the City's noise ordinance. Would you or a representative of the Creamery please provide me with a letter outlining how you plan to bring the Creamery into compliance. If you choose to use the recommendations of Mr. Svinth, please describe how you will implement these recommendations and a timeframe for implementation. If you choose not to use some or all of the recommendations, please explain the reasons why, and also provide a solution as to how you will address the issue. A timeframe for implementation is still required if you choose alternative methods.

I feel it is important to point out that the evaporation tower was a major contributor to the noise disturbances in 2007. At that time, it was recommended that new louvres be installed. 8 Years, later, the same recommendations are being made, as the evaporation tower is still the leading cause of noise. The City will no longer allow the evaporation tower to operate if significant changes to bring the tower into compliance are not made. I would strongly advise the Creamery to order and install the suggested louvres immediately, followed up by new noise measurements to confirm their reduction in noise levels. Before installation of the louvres, please contact the Building Division at City Hall to inquire about any necessary permits that may be required.

Could you please submit this letter to me by Wednesday, March 18, 2015. Please do not hesitate to contact me with any further questions or concerns you may have.

Thank you.

Joe Garcia

November 16th 2020

To whom it may concern,

My name is Samantha Buller, I live at 824 Western Avenue with my family of three, soon to be four. We reside in the childhood home of the well known Petaluma family, the Kortum's. All three of the Kortum children left an impact on our specific community, as well as the surrounding areas. Karl Kortum founded the Maritime museum in San Francisco, Maxine Kortum was a Petaluma librarian/environmental leader and Bill (maybe the most familiar locally) championed the cause of environmental protection in Sonoma County and played an instrumental role in keeping the nuclear power plant from being built at Bodega head. Our home is a part of Petaluma history and sits within viewing distance of the Petaluma Creamery.

This proposed Verizon Cell Tower is my nuclear power plant at Bodega Head. Imagine driving out to the picturesque Bodega Bay, only to have panoramic views obstructed by the equipment and structures needed for such a plant? The same can be said for our charming West side neighborhoods, with massive communication centers being installed.

Growing up in Sebastopol, I knew that one day I would want to raise a family in Petaluma. I enjoyed its vibrant social scene, its family friendly neighborhoods and it's beautiful West side architecture that holds so much history. I wanted to be a part of all of that. In 2011 my husband and I lived with family for two *very long* years, saving every dime we earned in hopes to one day be able to afford our own piece of Petaluma. Our dream became possible when the previous owner for 824 Western had financially walked from the property and the home was scheduled to go to auction. With a small miracle, we offered everything we had to the bank and the deal was accepted. In dismal condition, we spent the next 7 years pouring our literal blood, sweat, and tears into our home to bring it back to life, all the while trying to maintain its original character and charm. Our goal was and always will be, to add to the history of Petaluma, and we want to do our part to keep our town beautiful.

Within this past year alone we have invested $50,000 in renovations, which included work to remove multiple illegal structures, and $30,000 of that investment went strictly towards painting the exterior of the home in order to protect the original redwood siding that had been so neglected over the years. Overall, we have put more than $100,000 into this property so far, and have more work to go. Our intentions from the beginning were to make this our forever home and that plan now feels absolutely compromised. If we spend all of our time, money, and energy trying to better our neighborhood aesthetic by fixing up the "worst house" on the block, why would we want to stay when the city will allow unsightly cell towers to be plopped down directly next to us?

November 16th 2020

Please deny this project in order to allow my family and the generations to come, a beautiful neighborhood with views of the quaint homes, hills and trees instead of an eyesore cell tower that will tarnish our small town skyline.

Sincerely,

Samantha Buller

Bendix, Brittany

From: Pascoe, Samantha
Sent: Monday, January 11, 2021 9:19 AM
To: Bendix, Brittany
Subject: FW: NO to Petaluma Creamery Verizon

Samantha Pascoe, CMC
Deputy City Clerk, City of Petaluma
D: 707.778.4575 | O: 707.778.4360
11 English Street, Petaluma, CA 94952
Regular Schedule: M-Th

City of Petaluma records, including emails, are subject to the California Public Records Act. Unless exemptions apply, this email, any attachments and any replies are subject to disclosure on request, and neither the sender nor any recipients should have any expectation of privacy regarding the contents of such communications.

From: Jennifer Stock <jenniferstock9@gmail.com>
Sent: Monday, January 11, 2021 7:36 AM
To: McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; Barrett,Teresa <tbarrett@cityofpetaluma.org>; Fischer, D'Lynda <dfischer@cityofpetaluma.org>; Healy, Mike <mhealy@cityofpetaluma.org>; King, Dave <dking@cityofpetaluma.org>; -- City Clerk <CityClerk@cityofpetaluma.org>; Barnacle, Brian <bbarnacle@cityofpetaluma.org>; Pocekay, Dennis <dpocekay@cityofpetaluma.org>
Subject: NO to Petaluma Creamery Verizon

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Dear Council Members,

Thank you for your service to the City of Petaluma and hearing from residents on issues that matter for our great city. I am writing today to oppose the proposed installation of 16 Macro Tower Antennas for Verizon on top of the Petaluma Creamery.

I am a resident on Western Ave, within two blocks of the Creamery and am greatly concerned about the potential for a high radiation cell tower being installed. This is a neighborhood with houses of people. Working people, retired people, parents, children, babies and thousands of people. The science has shown that excessive exposure to radiation is detrimental to our health. It is not acceptable to install this tower on that merit alone.

On top of radiation towers being detrimental to human health and in such close proximity, I'm very concerned for the other issues the Creamery has for safety and sustainability. Since I've moved here in 2008, there have been multiple fires, noxious odors and they owe $1.4 million in back fines, have had its wastewater permit revoked after 34 fines, they are NOT compliant with its toxic & flammable ammonia system, they are NOT compliant with BAAQMD - its boilers & emissions, they have had 2 fires in 6 months in location underneath where the proposed tower would be!!!!!!!! They are not compliant with multiple fire codes and have ongoing noise issues at all hours of the day. Why does a business with all these issues even have the ability to exist? Do we just let every business in town operate with infractions like this? To add yet another health risk to the community to a facility and management that doesn't care for being in compliance is just not acceptable.

You have the ability to deny this terrible health hazard to this community. I am a Verizon customer already and have perfect cell coverage here. There is no need for this insane array. If this is a need, another location away from humans needs to be identified. To me this seems like the last gasp for this business to exist.

Please listen to the community that has voiced its concern for the incredibly dangerous health hazards this array proposal brings.

Thank you for your attention

Jennifer Stock
resident of Petaluma, Western Ave

April 27, 2015

Mr. Fred Svinth
Illingworth and Rodkin Inc.
505 Petalum Blvd. South
Petaluma CA 94952

Dear Mr. Svinth,

Regarding the Petaluma Creamery noise study of March 6, we have an issue with the location of the measurement receptors. Many of the neighborhood residents who are disturbed by the increased noise live in a fairly direct line with the evaporation tower. There were no measurements taken in this area, with the reason stated in your study being that the previous measurement receptor is in a location now owned by the Creamery.

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We request the future noise study undertaken after noise abatement improvements have been made include a receptor at this location.

Sincerely,

Amy Whelan 405 Fair St. Petaluma CA 94952
Eberle Ewing - 330 English St.
Dan Nelson 326A English Petaluma, CA 94952
ELIZABETH VOETSCH 322 ENGLISH, PETALUMA, CA 94952
Wade Hicks 338 Fair St. 94952
[signature] 330 ENGLISH ST
[signature] 412 FAIR STREET

Cc Joe Garcia, Neighborhood Preservation City of Petaluma

21.40(A) 4 Noise Measurement.

a. If the measured ambient noise level is greater than 60 dB(A), the maximum noise exposure standard shall be adjusted in 5 dB increments for each time period as appropriate to encompass or reflect the measured ambient noise level. In no case shall the maximum allowed threshold exceed 75 dB after adjustments are made.
b. In the event the measured ambient noise level is 70 dB(A) or greater, the maximum allowable noise level shall be increased to reflect the maximum ambient noise level. In no case adjustment for loudness and time as contained in Table 21.1 shall not be permitted are made.
c. No person shall cause or allow to cause, any source of sound…, which when measured on the property where the noise disturbance is being experienced within … open/outdoor spaces, exceeds the noise level of Table 21.1.

TABLE 21.1: Maximum Exterior Noise Exposure (Leq, dBA)

Category Description	Noise Metric	Nighttime Hours (10:00 pm to 7:00 am M-F, 10:00 pm to 8:00 am S, S and Holidays)	Daytime Hours (7:00 am to 10:00 pm M-F, 8:00 am to 10:00 pm S, S and Holidays)
General Plan Ambient	L_{eq}	60 dBA	60 dBA
Cumulative period of 15 min. or more in one hour	L_{25}	65 dBA	70 dBA
Cumulative period of 5 min. or more in one hour	L_{08}	70 dBA	75 dBA
Cumulative period of 1 min. or more in one hour	L_{02}	75 dBA	80 dBA

CREAMERY OPERATIONS REVIEW

The Petaluma Creamery is located at 621 Western Avenue in Petaluma encompassing the block bordered by Western Avenue, Baker Street, English Street and Upham Street near downtown Petaluma (see Figure 1). The facility includes several large buildings used for cheese, condensed milk, and dry milk production, milk and cream receiving bays, and a waste treatment facility. Noise sources on the site include truck deliveries and load outs, liquid evaporators, boilers, exhaust fans, and compressors. Many of these noise sources, while audible, are not particularly loud, however some of the fixed sources on the site such as compressors, evaporators, and valve noise can cause noise concerns. Milk truck deliveries and cream load-outs at the site have also been reported to cause noise concerns.

MEASUREMENT METHODS

To update the results of our 2007 noise survey and document the current noise levels produced by Creamery operations and trucking activities at noise sensitive residential receptors at the periphery of the project site, I&R conducted a series of four continuous long-term noise measurements. Three of these were ant the same locations as those completed in 2007, Western Avenue (LT-1), Upham Street (LT-2), English Street (LT-3). The location of the previously conducted fourth measurement on Baker Street was relocated to a new location further west on English Street (LT-4) to document noise levels in this residential area from which more recent noise complaints have originated, an because we understand that the home on Baker Street in front of which the 2007 measurement was made is now owned by the Creamery. As in 2007 the measurements made in 15 minute and hourly intervals for a multiday weekday and week end

period. The current measurements were conducted between 3:00 pm on Thursday January 8th and 3:00 pm on Monday January 12th, 2015. Measurements were made with Larson-Davis (LDL) model 820 Type 1 sound level meters fitted with a ½-inch pre-polarized condenser microphone and windscreens. The meters were calibrated before and after installation with a 114 dB, 1000 hertz Larson Davis acoustical calibrator. The locations of these measurements are shown in Figure 1 and discussed below:

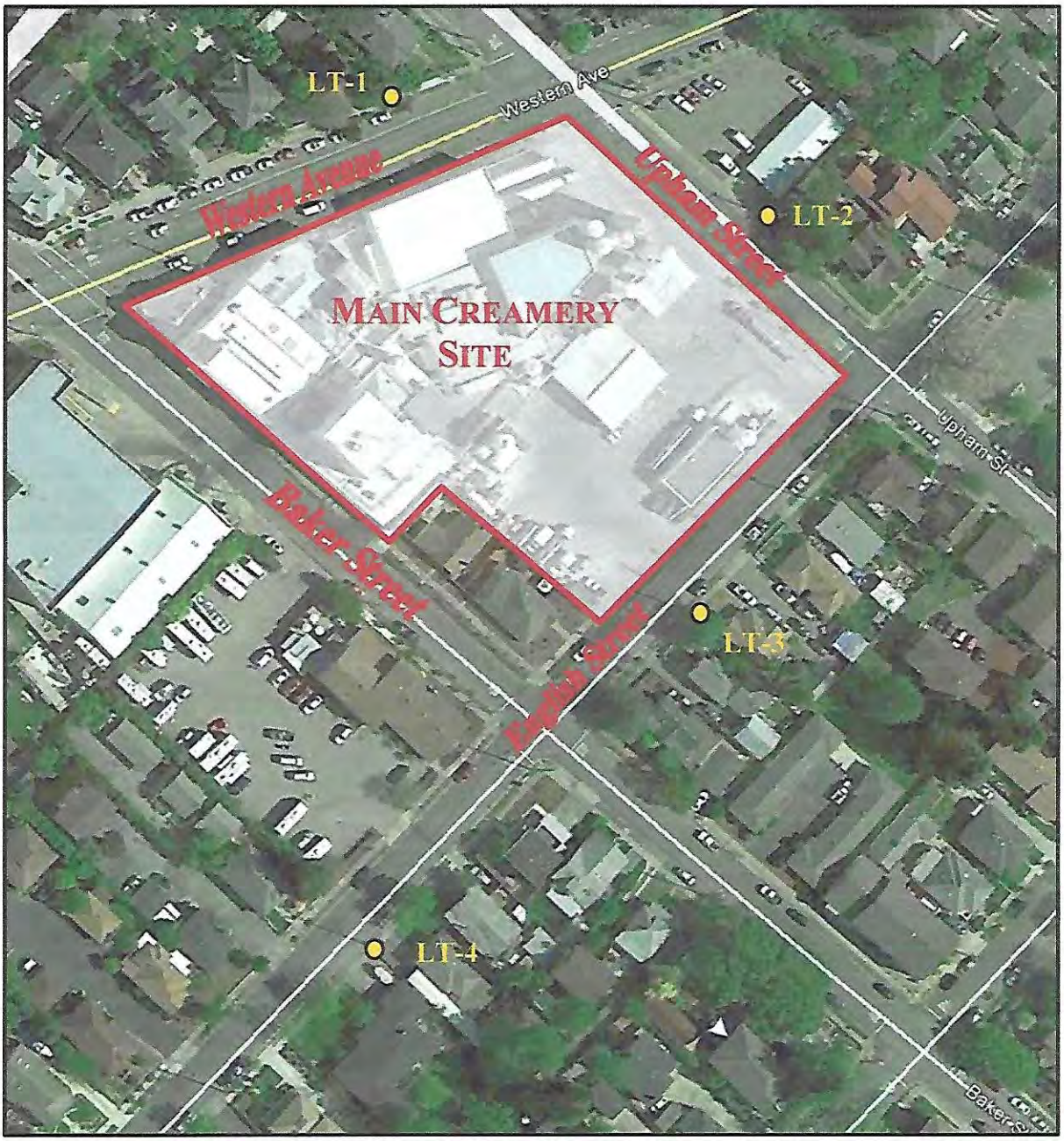

FIGURE 1: CREAMERY SITE SHOWING NOISE MEASUREMENT LOCATIONS

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The results of the measurements at the above locations are presented in the following section and compared to the City of Petaluma Noise Ordinance standards and levels previously measured at locations LT-1, LT-2, and LT-3 for comparable weekday and weekend hours.

MEASUREMENT RESULTS

Location LT-1 (Western Avenue):

The current hourly trend in noise levels measured at LT-1, including the energy equivalent noise level (L_{eq}), and the statistical noise levels representing the limits set forth in City of Petaluma Noise Ordinance standards (the L_{25}, L_8, and L_2 noise level descriptors) and City of Petaluma Noise Ordinance standards themselves are shown on Chart 1, below.

A review of Chart 1 shows that daytime and nighttime average (L_{eq}) noise levels ranged from 61 to 69 dBA and 54 to 64 dBA, respectively, with an average daytime L_{eq} of 66 dBA and an average nighttime L_{eq} of 59 dBA. The day-night average noise level (L_{dn}) measured at this location was 67 dBA.

Joe Garcia
Neighborhood Preservation Coordinator
Code Enforcement Division
City of Petaluma Police Department
707-778-4558

From: Edwin [mailto:edwin@springhillcheese.com]
Sent: Thursday, March 12, 2015 4:04 PM
To: Garcia, Joe
Cc: michael@springhillcheese.com
Subject: FW: Creamery Noise Study

Hello Joe –

Here you do (attached).

Please let me know if you should have any questions.

Thanks, Ed.

From: Fred Svinth [mailto:fsvinth@illingworthrodkin.com]
Sent: Friday, March 06, 2015 3:21 PM
To: edwin@springhillcheese.com
Subject: Creamery Noise Study

Hi Ed,
After many delays, I have completed the Creamery noise study update. This is attached in pdf format. My findings show that noise levels on Upham Street (near the truck bays) and on English Street opposite the Creamery have increased since 2007, and are over City Noise Standards. However I did not find any noise ordinance issues further west on English Street.

I will be in on Monday if you want to discuss this.

Regards,

Fred M. Svinth, INCE, Assoc. AIA
Senior Consultant, Principal
Illingworth & Rodkin, Inc.
1 Willowbrook Court, Suite 120
Petaluma, CA 94954
Office: (707) 794-0400 ext 30
Cell: (415) 309-5532
www.illingworthrodkin.com

330 English St.
Petaluma CA 94952

To the Members of the Petaluma Planning Commission:

I have lived in my home on English St., just up from the Petaluma Creamery, since 1989. A simple 700 square foot victorian "carpenter style"cottage built in 1900 that my family quickly outgrew, we initially planned to move to a larger home. That changed as we got to know the neighbors, appreciated the heterogeneous character of the area, its proximity to down town. So, instead of moving, we added on, fixed up, put down roots. My husband is a meticulous craftsman and put his heart and sole into the property. Because of the improvements we made to **our** home, neighbors told us that they too decided to stay put and fix up their own places. It was a fine place to live and we were looking forward to spending our retirement here.

If Verizon and the Petaluma Creamery have their way and the Petaluma City Government grants a permit for a wireless cell facility, our decision to stay and invest in the neighborhood will have been a huge mistake. Not only will our view of Sonoma Mountain be forever blighted by the increased height of the drying tower that we look directly out on, but the increase in noise created by the inverters and air conditioning unit will disturb the quiet on those days and evenings when we sit outside, or open our windows to get the evening breeze. The already overly loud noise generated by the Creamery will increase, taking away from the enjoyment of walking to downtown.

I ask that you stand by the residents of the neighborhood and do the right thing by denying this proposal.

Eberle Ewing
November 14, 2020

April 27, 2015

Mr. Fred Svinth
Illingworth and Rodkin Inc.
505 Petalum Blvd. South
Petaluma CA 94952

Dear Mr. Svinth,

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Cc Joe Garcia, Neighborhood Preservation City of Petaluma

For Immediate Release: 21 January 2021

THE MICROWAVE DELUSION

Why 'Smart' Wireless Means We Are Dying Younger in Poorer Health and Endangering the Wellbeing of Our Children.

The Diary of an Electrosensitive

Brian Stein CBE and Jonathan Mantle

'We are taking advice from a small, self-appointed circle of insiders who reject all research showing harm, and who set safety limits.' **Brian Stein, UK**

'We are taking risks of the sort that no rational society on earth should take.' **Professor Martin Pall, Washington State University, USA.**

'We should have ethical permission for people who are going to be exposed to 5G. Thirteen persons make decisions for the whole world – as opposed to 250 persons who have signed the independent scientific declaration.' **Professor Lennart Hardell, Sweden.**

'The non-thermal effects on our cells, organs and tissues do damage at energy levels that may be hundreds or thousands of times lower than those that cause significant heating. Our governments and health authorities are doing nothing to protect us.' **Professor Andrew Goldsworthy, UK.**

'The car was not invented to be safe, it was invented to sell. Lots of people died. Only consumer pressure eventually forced car manufacturers to introduce seat belts. It's the same with mobile phones.' **Dr Andrew Tresidder, UK.**

Brian Stein CBE

The Microwave Delusion is the story of how one man's personal experience of the damaging health effects of low-level microwave radiation became part of an international campaign to hold the mobile phone industry to account for its defective safety practices.

This book charts industry dirty tricks, government indifference and the rise of independent science over industry-controlled studies, leading to campaigns, political action, legal judgements in mainland Europe, North America and Israel and action to protect children in schools: a change of process which many countries are adopting and which British health authorities, politicians and those with a duty of care are the slowest to acknowledge.

The roll out of 5G worldwide presents the greatest threat yet to public health from low-level microwave radiation generated by a mobile phone industry which places profit above the long-term wellbeing of pregnant women, babies, children and adults at home, school, in public and in the workplace. As one leading independent scientist says: 'We are taking risks of the sort that no rational society on earth should take.'

The Microwave Delusion describes how an industry-driven tragedy in the making has come into being on a scale comparable to tobacco and asbestos, how it can be averted, and what we as individuals and a society can do about it.

*All profits from this book go to charities campaigning for a safer wireless environment around the world.

How to Buy:

'The Microwave Delusion' is published by Grosvenor House Publishing and available for sale online and from bookshops including Waterstones, Amazon Book Depository,

Barnes and Noble, Foyles and eBay. RRP: £14.99

Author Contacts:

Brian Stein: 01949 20498

brian.stein61@hotmail.com

Jonathan Mantle:

07833 128174

jonathan@jonathanmantle.com

www.jonathanmantle.com

The Authors:

Brian Stein CBE is a successful retired business leader and chairman of the EM-Radiation Research Trust.

Jonathan Mantle's books are published in 30 countries and 16 languages. He is not as far as he knows electrically sensitive.

Response to: *Human Exposure to Radiofrequency Electromagnetic Fields A Proposed Rule by the Federal Communications Commission*.

Docket No. 19-226

All Links in text and attached pdf hereby incorporated by reference

For the record.

To whom it may concern –

I seeking to establish new rules on exposure to ultra high frequencies (above 100 GHz), the FCC argues that as body penetration diminishes at higher frequencies, "there is no apparent reason to expect that thermal effects will effectively change" at higher frequencies, and to extend current RF limits up to the 3 THz range.

Although both the Telecom industry and the FCC have made extensive use of this argument, does this line of reasoning make scientific sense?

No - this just seems bad science - without testing, without actual evidence, a theory remains just that - a theory. And this particular theory promotes the idea that if the outside of your body gets exposed in a concentrated way to high levels of millimeter radiation, where most (but not all) of it will get absorbed, that this somehow makes it “safe”.

It does not, for the following reasons.

First, while the skin does absorb a higher percentage of shorter mm RF waves than it does of longer RF waves, decreasing RF intensity for the tissues below, it does not eliminate exposure to deeper tissues. Even visible light - a much higher frequency - with wavelengths much much shorter than mm RF (10^{-3} meters) - 450 to 780 nanometers (10^{-9} meters) - penetrates deeply - as a flashlight held to ones palm in a very dark room - once your eyes have dark adapted! - visibly demonstrates when you look at the other side.

5G mm waves do penetrate all the way through, but the deeper they go, the more attenuated they become. So, at what level of intensity does exposure become safe?

Industry advocates tacitly and covertly assume that when mm RF 5G falls below the FCC RF thermal absorption limit of 1.6W/kg that this makes them safe, just as safe as if the tissue did not get exposed at all. Yet animal studies have shown for example that even RF exposures less than 1 thousandth of that can cause leakage of the blood brain barrier and a host of other harmful biological effects. (See my "RF Health and Safety Research: 2018 Science Summary", pdf also filed, with additional references and links.)

Second, unsafe penetration and bioactivity depends not just on the frequency of the RF exposure**,** and on the intensity of RF exposure, but as Panagopoulos pointed out in a 2019 comprehensive review (*"Comparing DNA damage induced by mobile telephony and other types of man-made electromagnetic fields"* *Mutation Research-Reviews in Mutation Research* **781 (2019)** 53–62), on the degree to which RF carrier signals emit variable information moment to moment, which in turn makes the emission variable in intensity, frequency, waveform etc.

5G will. as Panagopoulos documented in the review paper cited above, **expose users to potentially more harmful bioactive RF**, given the higher variability and complexity of 5G signals due to the marked increase of information transmitted per unit time.

Third, in focusing on the skin and the surface of the body for mm RF, both the telecom industry AND many safety advocates have somehow forgotten that the body has HOLES through which mm RF can enter. Ear canals, nostrils, and of course the mouth - of particular importance to people using a cell phone - or any other mm RF device when talking!

As Dr. Joel Moskowitz (Director Center for Family and Community Health School of Public Health. at U.C. Berkeley) put it in a 2019 ***Scientific American*** article *"We Have No Reason to Believe 5G Is Safe*."
https://blogs.scientificamerican.com/observations/we-have-no-reason-to-believe-5g-is-safe/):

"Millimeter waves are mostly absorbed within a few millimeters of human skin and in the surface layers of the cornea. Short-term exposure can have adverse physiological effects in the peripheral nervous system, the immune system and the cardiovascular system. The research suggests that long-term exposure may pose health risks to the skin (e.g., melanoma), the eyes (e.g., ocular melanoma) and the testes (e.g., sterility)."

I believe Dr. Moskowitz underestimates the problem and the potential human impact. First, **exactly because** millimeter waves "*are mostly absorbed within a few millimeters of human skin and in the surface layers,"* these layers will have much higher and more concentrated doses of RF radiation from 5G devices than they have ever gotten exposed to before. And second, because the areas of the body which would have the highest exposure, and where mm RF would have its major biological impact, includes not just the sensory nerves in the skin, or the cornea of the eye, but the eardrum in the ear, and the sensory nerves in the nose and in the tongue.

In short, the areas that will have the greatest exposure to mm RF - without precautionary safety testing - puts at potential risk user's ability to see, to hear, to smell, to taste, and to touch. Without setting exposure guidelines based on actual research, rather than on a disproven theory that at best only applied to longer and less penetrating RF, it seems plausible to expect that long term human exposure may well cause blindness, deafness, and peripheral neuropathies of all kinds. In short, impairment of almost all of the senses that make life worth living.

I ask the FCC to **disapprove** expanding the range of frequencies for which the current radiofrequency (RF) exposure limits apply to higher frequencies, and to also disapprove the averaging of exposures over time with respect FCC exposure limits **until testing by the *National Toxicology Program*** has confirmed the safety of such exposures, and has clearly demonstrated they have no harmful biological effects, either alone, or in combination with other frequencies already in use.

Thank you.

Ed Kellogg, Ph.D.
P.O. Box 1019
Ashland, Oregon 97520

Interpretation of 5G and Covid-19 Frequency Signatures

Cyril Smith 18 January 2021

smithce@waitrose.com

Table 1 below lists frequency measurements on imprints taken from an image of a 5G Wuhan antenna and an image of the Wuhan COVID-19 virus. Light scattered from a bio-system is modulated by its endogenous frequencies and these can be extracted from images even after transmission over internet[1].

Table 1. Comparison of 5G and Covid-19 Frequency Signatures

↑ indicates L-chirality - ↓indicates D-chirality.

5G antenna Wuhan	COVID-19 Wuhan	COVID-19 Wuhan Layer #1	COVID-19 Wuhan Layer #2
Caduceus Excitation			
4.000×10^{-1}	5.000×10^{-1}	4.202×10^{-1}	7.801×10^{0}
Toroid Excitation			
$\uparrow 4.00 \times 10^{0}$	$\uparrow 5.00 \times 10^{-2}$	$\uparrow 4.20 \times 10^{0}$	$\uparrow 7.801 \times 10^{0}$
$\downarrow 4.00 \times 10^{+1}$	$\downarrow 5.00 \times 10^{-1}$	$\downarrow 4.20 \times 10^{+1}$	
$\uparrow 4.00 \times 10^{+2}$	$\uparrow 5.00 \times 10^{0}$	$\uparrow 4.20 \times 10^{+2}$	
$\downarrow 1.54 \times 10^{+4}$		$\downarrow 1.54 \times 10^{+4}$	
$\uparrow 1.68 \times 10^{+5}$		$\uparrow 1.68 \times 10^{+5}$	
$\downarrow 2.95 \times 10^{+5}$		$\downarrow 2.95 \times 10^{+5}$	
$\uparrow 7.40 \times 10^{+5}$		$\uparrow 7.40 \times 10^{+5}$	
$\downarrow 2.70 \times 10^{+6}$		$\downarrow 2.70 \times 10^{+6}$	
$\uparrow 8.00 \times 10^{+6}$		$\uparrow 8.00 \times 10^{+6}$	
$\downarrow 2.50 \times 10^{+7}$		$\downarrow 2.50 \times 10^{+7}$	
$\uparrow 1.26 \times 10^{+8}$		$\uparrow 1.26 \times 10^{+8}$	
$\downarrow 2.86 \times 10^{+8}$		$\downarrow 2.86 \times 10^{+8}$	
$\uparrow 4.50 \times 10^{+8}$		$\uparrow 4.50 \times 10^{+8}$	
$\downarrow 9.40 \times 10^{+8}$		$\downarrow 9.40 \times 10^{+8}$	
$\uparrow 1.50 \times 10^{+9}$			
$\downarrow 2.26 \times 10^{+9}$		$\uparrow 1.84 \times 10^{+9}$	
$\uparrow 2.45 \times 10^{+9}$		$\uparrow 2.45 \times 10^{+9}$	
$\downarrow 2.66 \times 10^{+9}$			
$\uparrow 2.87 \times 10^{+9}$			
$\downarrow 3.22 \times 10^{+9}$			
$\uparrow 3.60 \times 10^{+9}$			

Comments on Table 1

The frequency measurements in Table 1 demonstrate that the COVID-19 virus can detect and remember environmental frequencies to which it has been exposed.

1. The virus has memory for environmental frequencies to which it has had previous exposure.

2. There are three layers of frequency memory present in this case.

3. The bottom layer (Layer #2) is the normal healthy body frequency of 7.801 Hz. This indicates that the virus has remembered an encounter with a normal body field and it identifies targets suitable for its virus attack.

4. The Wuhan antenna pattern in Layer #1 indicates that the Wuhan environment frequency signature has been assimilated.

5. The 4.202 Hz pattern in layer #1 predicts a possible interaction between 5G and haemoglobin. This would affect oxygen transport and absorption as is seen in COVID infections.

6. The 5.000 decade sequence in the top layer of frequencies is an instruction to activate the ribosomes to make more virus.

Comments on 2.45 GHz

The coloured sections in Table 1 emphasise identical frequency values in the environmental irradiation and virus columns. This shows that a virus can recognise a frequency in its environment and take a copy.

The yellow emphasised 2.45 GHz in both columns is a particularly active frequency. It causes the switching or isomerisation of L-amino acids to D-amino acids. L-amino acids are needed to make proteins[2]. The frequency 62.5 MHz can effect the reverse isomerisation from D-chirality to L-chirality. This does not seem be able to operate in the case of a 24/7 irradiation by 2.45 GHz.

If the 2.45 GHz is persistent as with 24/7 exposures or imprints and the 62.5 MHz does not effect the reverse D- to L- isomerisation of the amino acids, imprinting the frequency 1.42 GHz does restore the original frequency signature of the amino acid. The frequency 1.42 GHz is the microwave frequency of molecular hydrogen. This must be able to disrupt the unwanted item in the water memory.

References

1. Smith CW (2010 *Reflected Light Modulated by Biofields***.** The Journal of Alternative and Complementary Medicine November 2010, Vol. 16, No. 11: 1133-1134.

2. Smith CW (2017), L to D and Back. J Complement Med Alt Healthcare. 2017; 2(5): 555600.DOI: 10.19080/JCMAH.2017.02.555600 - open access.

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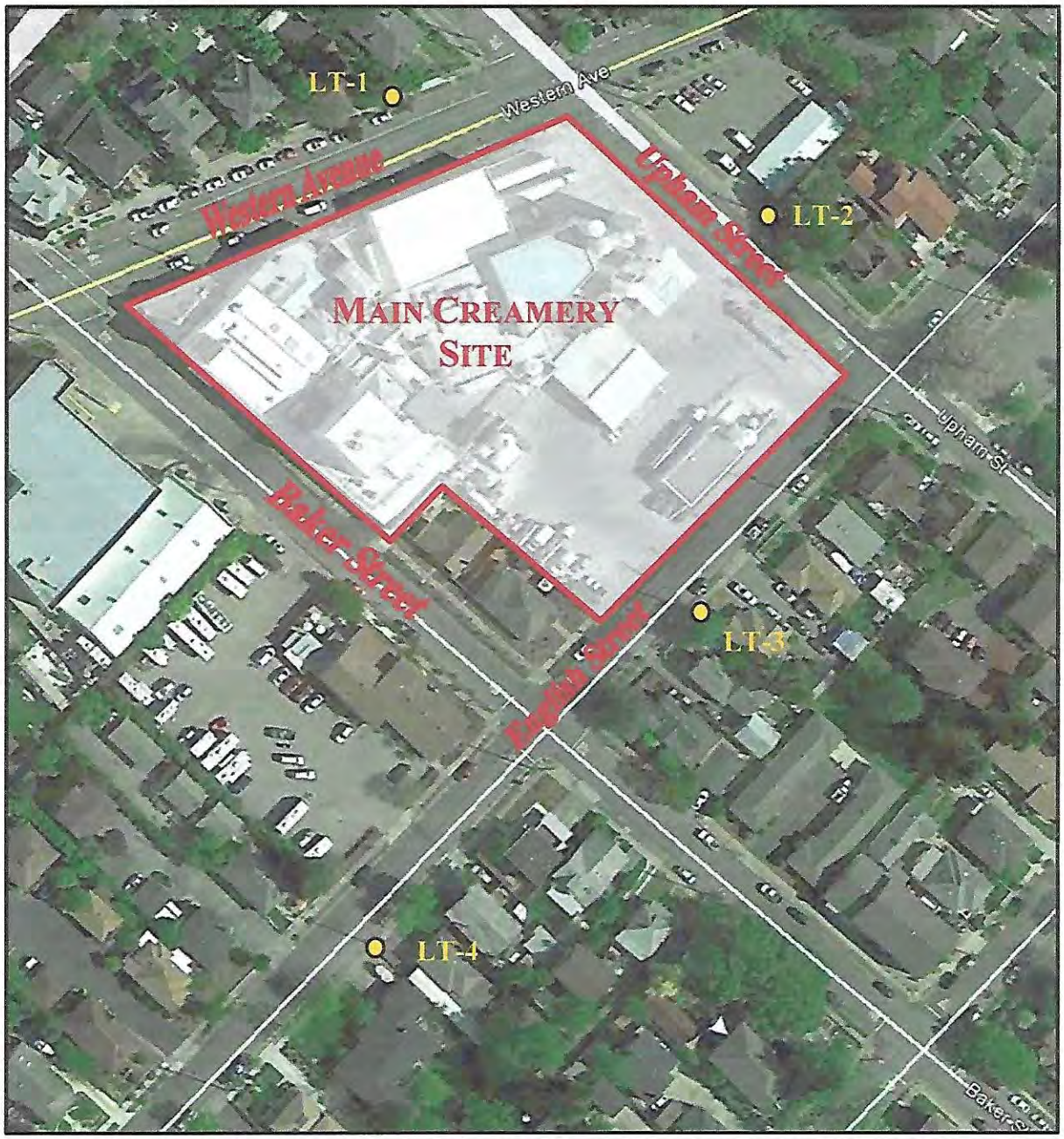

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FW: Creamery Noise Study

From : Joe Garcia <jgarcia@ci.petaluma.ca.us> Thu, Mar 12, 2015 04:50 PM

Subject : FW: Creamery Noise Study

To : eberle16@comcast.net, jenohagan@comcast.net

Here is the response to the noise study that I just sent to the Creamery.

Joe Garcia
Neighborhood Preservation Coordinator
Code Enforcement Division
City of Petaluma Police Department
707-778-4558

From: Garcia, Joe
Sent: Thursday, March 12, 2015 4:50 PM
To: 'Edwin'
Cc: michael@springhillcheese.com; Ed Crosby (ECROSBY@ci.petaluma.ca.us); Danny Fish (DFISH@ci.petaluma.ca.us)
Subject: RE: Creamery Noise Study

Ed:

Thank you very much for the copy of the noise study. On page 13 of the study, Mr. Svinth has made 3 recommendations to reduce the noise impacts on the neighborhood and bring the Creamery into compliance with the City's noise ordinance. Would you or a representative of the Creamery please provide me with a letter outlining how you plan to bring the Creamery into compliance. If you choose to use the recommendations of Mr. Svinth, please describe how you will implement these recommendations and a timeframe for implementation. If you choose not to use some or all of the recommendations, please explain the reasons why, and also provide a solution as to how you will address the issue. A timeframe for implementation is still required if you choose alternative methods.

I feel it is important to point out that the evaporation tower was a major contributor to the noise disturbances in 2007. At that time, it was recommended that new louvres be installed. 8 Years, later, the same recommendations are being made, as the evaporation tower is still the leading cause of noise. The City will no longer allow the evaporation tower to operate if significant changes to bring the tower into compliance are not made. I would strongly advise the Creamery to order and install the suggested louvres immediately, followed up by new noise measurements to confirm their reduction in noise levels. Before installation of the louvres, please contact the Building Division at City Hall to inquire about any necessary permits that may be required.

Could you please submit this letter to me by Wednesday, March 18, 2015. Please do not hesitate to contact me with any further questions or concerns you may have.

Thank you.

Joe Garcia

Bendix, Brittany

From: Healy, Mike
Sent: Tuesday, June 9, 2020 11:15 AM
To: Bendix, Brittany
Subject: Re: Verizon Wireless tower Petaluma Creamery

Thank you.
Mike

From: Bendix, Brittany <bbendix@cityofpetaluma.org>
Sent: Monday, June 8, 2020 5:29 PM
To: Healy, Mike <mhealy@cityofpetaluma.org>
Subject: RE: Verizon Wireless tower Petaluma Creamery

That didn't sound right to me, I was at the meeting and thought I heard the opposite. I was able to confirm with the applicant this afternoon that the equipment for 5G v. 4G is different.

To that end, I've advised her that this will be an important question raised at the PC (and potentially CC) hearing. It's important that the distinction is clear and that the engineers that are there to speak make it clear that going from 4G to 5G isn't just turning a switch. It's different equipment and would require a new application.

From: Healy, Mike <mhealy@cityofpetaluma.org>
Sent: Monday, June 8, 2020 7:50 AM
To: Bendix, Brittany <bbendix@cityofpetaluma.org>
Subject: Re: Verizon Wireless tower Petaluma Creamery

Thanks for that. One of the neighbors believes he heard at a virtual meeting that the proposal is compatible with and would support 5G - does that sound right?
Mike

Get Outlook for iOS

From: Bendix, Brittany <bbendix@cityofpetaluma.org>
Sent: Monday, June 8, 2020 7:44:46 AM
To: Flynn, Peggy <PFlynn@cityofpetaluma.org>; Healy, Mike <mhealy@cityofpetaluma.org>
Cc: Danly, Eric <EDanly@cityofpetaluma.org>
Subject: Re: Verizon Wireless tower Petaluma Creamery

Good morning!

It's not 5G. It's a 4G site and similar to what's been processed in the past.

Brittany

From: Flynn, Peggy <PFlynn@cityofpetaluma.org>
Sent: Sunday, June 7, 2020 11:14 AM
To: Healy, Mike <mhealy@cityofpetaluma.org>
Cc: Danly, Eric <EDanly@cityofpetaluma.org>; Bendix, Brittany <bbendix@cityofpetaluma.org>
Subject: RE: Verizon Wireless tower Petaluma Creamery

I don't know—am assuming not 5G. Will confirm with staff.

Peggy Flynn, City Manager
City of Petaluma | 11 English Street, Petaluma, CA 94952
Direct 707.776.3765 | Office 707.778.4345
City Hall is open M-Th; closed Fridays

From: Healy, Mike <mhealy@cityofpetaluma.org>
Sent: Friday, June 5, 2020 2:47 PM
To: Flynn, Peggy <PFlynn@cityofpetaluma.org>
Cc: Danly, Eric <EDanly@cityofpetaluma.org>
Subject: Re: Verizon Wireless tower Petaluma Creamery

Is this a 5G facility of the type the City banned near residential uses, or the older, more traditional type?
Thanks,
Mike

From: Flynn, Peggy <PFlynn@cityofpetaluma.org>
Sent: Friday, June 5, 2020 2:25 PM
To: -- City Council <--CityCouncil@cityofpetaluma.org>
Cc: Danly, Eric <EDanly@cityofpetaluma.org>; Bendix, Brittany <bbendix@cityofpetaluma.org>; Thompson, Leonard <LeonardThompson@cityofpetaluma.org>; Power, Jessica <JPower@cityofpetaluma.org>; Petnic, Gina <GPETNIC@cityofpetaluma.org>; Hughes, Doug <DHughes@cityofpetaluma.org>
Subject: Verizon Wireless tower Petaluma Creamery

Dear Mayor and Councilmembers—

Apparently, Petaluma Creamery is looking to install a Verizon wireless tower on their facility. The project is subject to the FCC's shot clock standards for local review meaning that cities must act on proposed new installations, which is the case at this site, within 150 days. The only way to extend that timeframe is through a tolling agreement, which both parties must agree to. Because of COVID, we're currently in a tolling agreement period with Verizon that goes through September 1. This requires us to move forward with the PC in June and bring the item, if an appealed is filed, to the City Council in August.

Once entitled, the telecommunications facility is then subject to Building Permit review, where per the conditions of approval it must demonstrate compliance with Building and Fire standards, especially as they relate to CUPA, which is a standard requirement for these facilities. As the Creamery is still not in compliance and probably won't be for a while, we will not issue a building permit. Additionally, as there are outstanding financial penalties that need to be resolved prior to issuance of the permit, we will include that into the conditions of approval as well.

On another note, we met with the Creamery owner and reps this week to discuss the replacement of their aging cooling system which uses ammonia rather than freon. Per the Creamery, they want to replace but the cost is prohibitive (~$900k). We are working with them to find a way for them to upgrade their system asap—especially given the potential risk for an ammonia leak. This may mean negotiating their outstanding wastewater fines with the commitment to upgrade the system. The alternative is to shut them down which would probably close the business indefinitely.

Staff will be reaching out to the resident who reached out to the Mayor (see email chain below) and will prepare a letter to the residents who will receive the public notice regarding the proposed tower. Once I have spoken with staff on next steps, I will update you.

Thank you,
Peggy

From: Bendix, Brittany <bbendix@cityofpetaluma.org>
Sent: Friday, June 5, 2020 1:25 PM
To: Flynn, Peggy <PFlynn@cityofpetaluma.org>
Cc: Danly, Eric <EDanly@cityofpetaluma.org>; Justin Shiu <JShiu@m-group.us>; Green, Jordan <JGreen@cityofpetaluma.org>; Petnic, Gina <GPETNIC@cityofpetaluma.org>; Power, Jessica <JPower@cityofpetaluma.org>; Hines, Heather <hhines@cityofpetaluma.org>
Subject: RE: PLEASE HELP! Verison Wireless tower Petaluma Creamery

Peggy,

I just discussed this on the phone with Eric and he confirmed that we are required to move forward.

Thank you,

Brittany

On Jun 5, 2020, at 12:27 PM, Bendix, Brittany <bbendix@cityofpetaluma.org> wrote:

Peggy,

Here are some notes:

- Verizon held a virtual neighborhood meeting last night, with invites sent to all neighbors within 1,000 feet of the property. This is the first of required outreach on the project.
- We're moving forward with a 6/23 PC hearing for the installation and are subject to a tolling agreement that ends 9/1. If we don't review and approve the project by 9/1, it's approved automatically per the FCC. There's no exception due to COVID from the FCC.
- Staff Report materials were sent to Eric yesterday for review. Materials aren't published until 6/16.
- Included in the Muni Code requirements and Conditions of Approval is that the project has to conform to CUPA requirements. This is the issue with the Creamery, so the wireless permit effectively can't move forward unless the Creamery gets into compliance.

I'll call Shad to discuss further.

Brittany

Begin forwarded message:

From: Shad Cloney <shad@cloneyrealestate.com>
Date: June 5, 2020 at 11:31:35 AM PDT
To: "Barrett,Teresa" <tbarrett@cityofpetaluma.org>
Cc: "Flynn, Peggy" <PFlynn@cityofpetaluma.org>, "Hines, Heather"

Cnt	Date	Time	Network	Freq/Band	Data activity:	Latitude	Longitude	WTF ID - short	WTF ID- long	??? (dBm)	Avg (dBm)	Best (dBm)
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2	11/17/2020	13:28:50	LTE	???	no activity	38.23787746	-122.6411268	65535	2147483647	-65	-64	-63
3	11/17/2020	13:28:55	LTE	???	no activity	38.23787732	-122.6411268	65535	2147483647	-64	-64	-63
4	11/17/2020	13:29:00	LTE	???	no activity	38.23786863	-122.6411421	65535	2147483647	-63	-63	-63
5	11/17/2020	13:29:05	LTE	???	no activity	38.23786485	-122.6411747	65535	2147483647	-60	-63	-60
6	11/17/2020	13:29:10	LTE	???	Unknown	38.23777844	-122.6410642	65535	2147483647	-56	-61	-56
7	11/17/2020	13:29:15	LTE	???	Unknown	38.23762283	-122.6409522	65535	2147483647	-62	-61	-56
8	11/17/2020	13:29:20	LTE	???	Unknown	38.23741124	-122.6408379	65535	2147483647	-61	-61	-56
9	11/17/2020	13:29:25	LTE	???	Unknown	38.23715574	-122.6407573	65535	2147483647	-70	-62	-56
10	11/17/2020	13:29:30	LTE	???	no activity	38.23690103	-122.6407311	65535	2147483647	-77	-64	-56
11	11/17/2020	13:29:35	LTE	???	no activity	38.2366322	-122.6407081	65535	2147483647	-70	-64	-56
12	11/17/2020	13:29:40	LTE	???	Unknown	38.23636428	-122.6407014	65535	2147483647	-65	-64	-56
13	11/17/2020	13:29:45	LTE	???	Unknown	38.23611564	-122.6406653	65535	2147483647	-64	-64	-56
14	11/17/2020	13:29:50	LTE	???	Unknown	38.23600533	-122.6406753	65535	2147483647	-64	-64	-56
15	11/17/2020	13:29:55	LTE	???	Unknown	38.23591572	-122.6408862	65535	2147483647	-66	-64	-56
16	11/17/2020	13:30:00	LTE	???	Unknown	38.23582406	-122.6412399	65535	2147483647	-70	-65	-56
17	11/17/2020	13:30:05	LTE	???	Unknown	38.23572864	-122.6415764	65535	2147483647	-68	-65	-56
18	11/17/2020	13:30:10	LTE	???	Unknown	38.2356262	-122.6419071	65535	2147483647	-71	-65	-56
19	11/17/2020	13:30:15	LTE	???	Unknown	38.23549706	-122.6423022	65535	2147483647	-76	-66	-56
20	11/17/2020	13:30:20	LTE	???	upload + download activity	38.23532614	-122.6427282	65535	2147483647	-79	-66	-56
21	11/17/2020	13:30:25	LTE	???	no activity	38.23518042	-122.6429607	65535	2147483647	-81	-67	-56
22	11/17/2020	13:30:30	LTE	???	no activity	38.23498152	-122.6429036	65535	2147483647	-83	-68	-56
23	11/17/2020	13:30:36	LTE	???	Unknown	38.23476342	-122.6428067	65535	2147483647	-81	-68	-56
24	11/17/2020	13:30:41	LTE	???	Unknown	38.23455457	-122.6427273	65535	2147483647	-84	-69	-56
25	11/17/2020	13:30:46	LTE	???	Unknown	38.23445455	-122.6426711	65535	2147483647	-84	-69	-56
26	11/17/2020	13:30:51	LTE	???	Unknown	38.23429158	-122.6425924	65535	2147483647	-85	-70	-56
27	11/17/2020	13:30:56	LTE	???	Unknown	38.23408542	-122.6424745	65535	2147483647	-86	-71	-56
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29	11/17/2020	13:31:06	LTE	???	Unknown	38.23364859	-122.6422328	65535	2147483647	-83	-71	-56
30	11/17/2020	13:31:11	LTE	???	Unknown	38.23357411	-122.6421964	65535	2147483647	-83	-72	-56
31	11/17/2020	13:31:16	LTE	???	Unknown	38.23355027	-122.6421843	65535	2147483647	-82	-72	-56
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34	11/17/2020	13:31:31	LTE	???	Unknown	38.23289683	-122.6418541	65535	2147483647	-79	-73	-56
35	11/17/2020	13:31:36	LTE	???	Unknown	38.23264787	-122.6417107	65535	2147483647	-75	-73	-56
36	11/17/2020	13:31:41	LTE	???	Unknown	38.23238984	-122.6415838	65535	2147483647	-72	-73	-56
37	11/17/2020	13:31:46	LTE	???	Unknown	38.2322263	-122.641336	65535	2147483647	-79	-73	-56
38	11/17/2020	13:31:51	LTE	???	Unknown	38.23212662	-122.6410614	65535	2147483647	-79	-73	-56
39	11/17/2020	13:31:56	LTE	???	Unknown	38.23202358	-122.6407587	65535	2147483647	-81	-73	-56
40	11/17/2020	13:32:01	LTE	???	Unknown	38.23190372	-122.6404654	65535	2147483647	-82	-74	-56
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42	11/17/2020	13:32:12	LTE	???	Unknown	38.23177833	-122.6401468	65535	2147483647	-81	-74	-56
43	11/17/2020	13:32:17	LTE	???	Unknown	38.23164108	-122.6398143	65535	2147483647	-87	-74	-56
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45	11/17/2020	13:32:27	LTE	???	Unknown	38.23136937	-122.6390627	65535	2147483647	-82	-75	-56
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51	11/17/2020	13:32:57	LTE	???	Unknown	38.23039179	-122.6382341	65535	2147483647	-82	-76	-56
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53	11/17/2020	13:33:07	LTE	???	Unknown	38.23017303	-122.6383711	65535	2147483647	-83	-76	-56
54	11/17/2020	13:33:12	LTE	???	Unknown	38.23017328	-122.6383923	65535	2147483647	-82	-76	-56
55	11/17/2020	13:33:17	LTE	???	Unknown	38.23017457	-122.6384008	65535	2147483647	-82	-76	-56
56	11/17/2020	13:33:22	LTE	???	Unknown	38.23001352	-122.6385138	65535	2147483647	-84	-76	-56
57	11/17/2020	13:33:27	LTE	???	Unknown	38.22969087	-122.6387044	65535	2147483647	-84	-76	-56
58	11/17/2020	13:33:32	LTE	???	no activity	38.229381	-122.6388858	65535	2147483647	-83	-76	-56
59	11/17/2020	13:33:37	LTE	???	no activity	38.22900889	-122.6391276	65535	2147483647	-83	-77	-56
60	11/17/2020	13:33:42	LTE	???	upload + download activity	38.22866776	-122.6393295	65535	2147483647	-85	-77	-56
61	11/17/2020	13:33:47	LTE	???	no activity	38.22829685	-122.6395352	65535	2147483647	-84	-77	-56
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65	11/17/2020	13:34:08	LTE	???	Unknown	38.22740911	-122.6401214	65535	2147483647	-90	-78	-56
66	11/17/2020	13:34:13	LTE	???	Unknown	38.22706647	-122.6403202	65535	2147483647	-93	-78	-56
67	11/17/2020	13:34:18	LTE	???	no activity	38.22668994	-122.6405459	65535	2147483647	-92	-78	-56
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69	11/17/2020	13:34:28	LTE	???	upload + download activity	38.22595055	-122.6410245	65535	2147483647	-100	-79	-56
70	11/17/2020	13:34:33	LTE	???	upload + download activity	38.22554628	-122.6412466	65535	2147483647	-94	-79	-56
71	11/17/2020	13:34:38	LTE	???	upload + download activity	38.22516082	-122.6414916	65535	2147483647	-98	-79	-56
72	11/17/2020	13:34:43	LTE	???	no activity	38.22473597	-122.6417143	65535	2147483647	-97	-79	-56
73	11/17/2020	13:34:48	LTE	???	no activity	38.22435603	-122.6419747	65535	2147483647	-100	-80	-56
74	11/17/2020	13:34:53	LTE	???	no activity	38.22399689	-122.6421998	65535	2147483647	-90	-80	-56
75	11/17/2020	13:34:58	LTE	???	no activity	38.22364758	-122.6424338	65535	2147483647	-91	-80	-56
76	11/17/2020	13:35:03	LTE	???	Unknown	38.22335129	-122.6426256	65535	2147483647	-97	-80	-56

Cnt	Date	Time	Network	Freq/Band	Data activity:	Latitude	Longitude	WTF ID - short	WTF ID- long	??? (dBm)	Avg (dBm)	Best (dBm)
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78	11/17/2020	13:35:13	LTE	???	Unknown	38.22313097	-122.6427551	65535	2147483647	-92	-80	-56
79	11/17/2020	13:35:18	LTE	???	Unknown	38.22274711	-122.6428682	65535	2147483647	-95	-81	-56
80	11/17/2020	13:35:23	LTE	???	upload + download activity	38.22234087	-122.6429315	65535	2147483647	-95	-81	-56
81	11/17/2020	13:35:28	LTE	???	no activity	38.22192485	-122.6430446	65535	2147483647	-93	-81	-56
82	11/17/2020	13:35:33	LTE	???	no activity	38.22150019	-122.6431194	65535	2147483647	-85	-81	-56
83	11/17/2020	13:35:39	LTE	???	Unknown	38.22106799	-122.6432589	65535	2147483647	-84	-81	-56
84	11/17/2020	13:35:44	LTE	???	upload + download activity	38.22056325	-122.6435521	65535	2147483647	-93	-81	-56
85	11/17/2020	13:35:49	LTE	???	upload + download activity	38.22004178	-122.6439106	65535	2147483647	-91	-81	-56
86	11/17/2020	13:35:54	LTE	???	no activity	38.21958167	-122.6442855	65535	2147483647	-97	-81	-56
87	11/17/2020	13:35:59	LTE	???	no activity	38.21933301	-122.6445806	65535	2147483647	-97	-82	-56
88	11/17/2020	13:36:04	LTE	???	no activity	38.21935938	-122.6449252	65535	2147483647	-100	-82	-56
89	11/17/2020	13:36:09	LTE	???	Unknown	38.2192769	-122.6453264	65535	2147483647	-108	-82	-56
90	11/17/2020	13:36:14	LTE	???	Unknown	38.21915828	-122.6457936	65535	2147483647	-98	-82	-56
91	11/17/2020	13:36:19	LTE	???	Unknown	38.21902502	-122.6463193	65535	2147483647	-95	-82	-56
92	11/17/2020	13:36:24	LTE	???	Unknown	38.2189293	-122.6468924	65535	2147483647	-96	-82	-56
93	11/17/2020	13:36:29	LTE	???	Unknown	38.21891843	-122.6475344	65535	2147483647	-86	-83	-56
94	11/17/2020	13:36:34	LTE	???	upload + download activity	38.21904882	-122.6481714	65535	2147483647	-94	-83	-56
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96	11/17/2020	13:36:44	LTE	???	Unknown	38.21958395	-122.6491438	65535	2147483647	-109	-83	-56
97	11/17/2020	13:36:49	LTE	???	Unknown	38.21985716	-122.6496631	65535	2147483647	-110	-83	-56
98	11/17/2020	13:36:54	LTE	???	Unknown	38.21998251	-122.6500658	65535	2147483647	-107	-84	-56
99	11/17/2020	13:36:59	LTE	???	Unknown	38.21998198	-122.6502654	65535	2147483647	-108	-84	-56
100	11/17/2020	13:37:04	LTE	???	no activity	38.21999583	-122.6505978	65535	2147483647	-107	-84	-56
101	11/17/2020	13:37:09	LTE	???	no activity	38.22003581	-122.6507824	65535	2147483647	-100	-84	-56
102	11/17/2020	13:37:14	LTE	???	no activity	38.22007735	-122.6509585	65535	2147483647	-100	-84	-56
103	11/17/2020	13:37:19	LTE	???	Unknown	38.22015455	-122.6513644	65535	2147483647	-98	-84	-56
104	11/17/2020	13:37:24	LTE	???	no activity	38.22023918	-122.6518047	65535	2147483647	-100	-85	-56
105	11/17/2020	13:37:30	LTE	???	no activity	38.22041295	-122.6522492	65535	2147483647	-101	-85	-56
106	11/17/2020	13:37:35	LTE	???	upload activity	38.22061531	-122.6526375	65535	2147483647	-98	-85	-56
107	11/17/2020	13:37:40	LTE	???	no activity	38.22077466	-122.6528573	65535	2147483647	-101	-85	-56
108	11/17/2020	13:37:45	LTE	???	upload + download activity	38.22091145	-122.6530267	65535	2147483647	-99	-85	-56
109	11/17/2020	13:37:50	LTE	???	no activity	38.22108423	-122.6533938	65535	2147483647	-105	-85	-56
110	11/17/2020	13:37:55	LTE	???	Unknown	38.22125847	-122.6538384	65535	2147483647	-103	-85	-56
111	11/17/2020	13:38:00	LTE	???	upload + download activity	38.22137556	-122.6543049	65535	2147483647	-103	-86	-56
112	11/17/2020	13:38:05	LTE	???	upload + download activity	38.22148711	-122.6547951	65535	2147483647	-100	-86	-56
113	11/17/2020	13:38:10	LTE	???	no activity	38.22154983	-122.6551777	65535	2147483647	-98	-86	-56
114	11/17/2020	13:38:15	LTE	???	no activity	38.22158222	-122.6552955	65535	2147483647	-98	-86	-56
115	11/17/2020	13:38:20	LTE	???	upload + download activity	38.22165654	-122.6557214	65535	2147483647	-98	-86	-56
116	11/17/2020	13:38:25	LTE	???	no activity	38.22183207	-122.6562511	65535	2147483647	-106	-86	-56
117	11/17/2020	13:38:30	LTE	???	no activity	38.22205719	-122.6567502	65535	2147483647	-106	-86	-56
118	11/17/2020	13:38:35	LTE	???	no activity	38.22228391	-122.6572434	65535	2147483647	-114	-87	-56
119	11/17/2020	13:38:40	LTE	???	upload + download activity	38.22248578	-122.6577324	65535	2147483647	-115	-87	-56
120	11/17/2020	13:38:45	LTE	???	upload + download activity	38.22267645	-122.6582765	65535	2147483647	-118	-87	-56
121	11/17/2020	13:38:50	LTE	???	no activity	38.22277809	-122.6588505	65535	2147483647	-118	-87	-56
122	11/17/2020	13:38:55	LTE	???	no activity	38.22281078	-122.6595792	65535	2147483647	-114	-88	-56
123	11/17/2020	13:39:00	LTE	???	Unknown	38.22282694	-122.6602158	65535	2147483647	-110	-88	-56
124	11/17/2020	13:39:05	LTE	???	Unknown	38.22286356	-122.6609196	65535	2147483647	-99	-88	-56
125	11/17/2020	13:39:10	LTE	???	Unknown	38.22298145	-122.6616033	65535	2147483647	-99	-88	-56
126	11/17/2020	13:39:15	LTE	???	no activity	38.22325423	-122.6622717	65535	2147483647	-100	-88	-56
127	11/17/2020	13:39:21	LTE	???	no activity	38.22357782	-122.6629287	65535	2147483647	-106	-88	-56
128	11/17/2020	13:39:26	LTE	???	no activity	38.22391005	-122.6635364	65535	2147483647	-105	-88	-56
129	11/17/2020	13:39:31	LTE	???	upload + download activity	38.22426944	-122.6640359	65535	2147483647	-105	-88	-56
130	11/17/2020	13:39:36	LTE	???	no activity	38.22456929	-122.6642622	65535	2147483647	-108	-89	-56
131	11/17/2020	13:39:41	LTE	???	Unknown	38.22475352	-122.6643671	65535	2147483647	-113	-89	-56
132	11/17/2020	13:39:46	LTE	???	Unknown	38.22495396	-122.664564	65535	2147483647	-110	-89	-56
133	11/17/2020	13:39:51	LTE	???	Unknown	38.22530567	-122.6646758	65535	2147483647	-109	-89	-56
134	11/17/2020	13:39:56	LTE	???	Unknown	38.22576092	-122.664717	65535	2147483647	-109	-89	-56
135	11/17/2020	13:40:01	LTE	???	Unknown	38.22616943	-122.6646753	65535	2147483647	-95	-89	-56
136	11/17/2020	13:40:06	LTE	???	Unknown	38.22647228	-122.664706	65535	2147483647	-110	-89	-56
137	11/17/2020	13:40:11	LTE	???	Unknown	38.22661843	-122.6647382	65535	2147483647	-104	-89	-56
138	11/17/2020	13:40:16	LTE	???	Unknown	38.22683267	-122.6645092	65535	2147483647	-111	-90	-56
139	11/17/2020	13:40:21	LTE	???	Unknown	38.22716079	-122.6640572	65535	2147483647	-109	-90	-56
140	11/17/2020	13:40:26	LTE	???	Unknown	38.22748914	-122.663533	65535	2147483647	-112	-90	-56
141	11/17/2020	13:40:31	LTE	???	Unknown	38.22783964	-122.663027	65535	2147483647	-113	-90	-56
142	11/17/2020	13:40:36	LTE	???	Unknown	38.22822335	-122.6625114	65535	2147483647	-102	-90	-56
143	11/17/2020	13:40:41	LTE	???	upload + download activity	38.22858163	-122.6619517	65535	2147483647	-103	-90	-56
144	11/17/2020	13:40:46	LTE	???	upload + download activity	38.22901058	-122.6613078	65535	2147483647	-99	-90	-56
145	11/17/2020	13:40:51	LTE	???	no activity	38.22934675	-122.6608111	65535	2147483647	-100	-90	-56
146	11/17/2020	13:40:56	LTE	???	upload + download activity	38.22970318	-122.6603017	65535	2147483647	-91	-90	-56
147	11/17/2020	13:41:01	LTE	???	no activity	38.23006786	-122.659812	65535	2147483647	-96	-90	-56
148	11/17/2020	13:41:07	LTE	???	no activity	38.2304645	-122.6593458	65535	2147483647	-97	-90	-56
149	11/17/2020	13:41:12	LTE	???	no activity	38.2307234	-122.6588669	65535	2147483647	-84	-90	-56
150	11/17/2020	13:41:17	LTE	???	Unknown	38.23076364	-122.6582524	65535	2147483647	-87	-90	-56
151	11/17/2020	13:41:22	LTE	???	Unknown	38.23054674	-122.6576506	65535	2147483647	-88	-90	-56
152	11/17/2020	13:41:27	LTE	???	Unknown	38.23028572	-122.6570024	65535	2147483647	-85	-90	-56

Cnt	Date	Time	Network	Freq/Band	Data activity:	Latitude	Longitude	WTF ID - short	WTF ID- long	??? (dBm)	Avg (dBm)	Best (dBm)
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154	11/17/2020	13:41:37	LTE	???	no activity	38.22985886	-122.6555425	65535	2147483647	-84	-90	-56
155	11/17/2020	13:41:42	LTE	???	Unknown	38.22971207	-122.6547632	65535	2147483647	-95	-90	-56
156	11/17/2020	13:41:47	LTE	???	Unknown	38.22961642	-122.6540922	65535	2147483647	-98	-90	-56
157	11/17/2020	13:41:52	LTE	???	Unknown	38.22975168	-122.6535587	65535	2147483647	-103	-90	-56
158	11/17/2020	13:41:57	LTE	???	Unknown	38.22991059	-122.6530648	65535	2147483647	-92	-90	-56
159	11/17/2020	13:42:02	LTE	???	Unknown	38.23001286	-122.6527694	65535	2147483647	-93	-90	-56
160	11/17/2020	13:42:07	LTE	???	Unknown	38.23004727	-122.6526501	65535	2147483647	-95	-90	-56
161	11/17/2020	13:42:12	LTE	???	Unknown	38.23016575	-122.652285	65535	2147483647	-93	-90	-56
162	11/17/2020	13:42:17	LTE	???	Unknown	38.23032421	-122.6517948	65535	2147483647	-86	-90	-56
163	11/17/2020	13:42:22	LTE	???	Unknown	38.23048807	-122.6512575	65535	2147483647	-91	-90	-56
164	11/17/2020	13:42:27	LTE	???	Unknown	38.23068377	-122.6506414	65535	2147483647	-91	-90	-56
165	11/17/2020	13:42:32	LTE	???	upload + download activity	38.23084132	-122.6501561	65535	2147483647	-91	-90	-56
166	11/17/2020	13:42:37	LTE	???	upload + download activity	38.23101475	-122.6496923	65535	2147483647	-90	-90	-56
167	11/17/2020	13:42:42	LTE	???	upload + download activity	38.23115683	-122.6491751	65535	2147483647	-92	-90	-56
168	11/17/2020	13:42:47	LTE	???	no activity	38.23131043	-122.648666	65535	2147483647	-91	-90	-56
169	11/17/2020	13:42:52	LTE	???	upload + download activity	38.23149232	-122.6481949	65535	2147483647	-93	-90	-56
170	11/17/2020	13:42:57	LTE	???	Unknown	38.23153838	-122.6479776	65535	2147483647	-92	-90	-56
171	11/17/2020	13:43:02	LTE	???	no activity	38.23153169	-122.647966	65535	2147483647	-91	-90	-56
172	11/17/2020	13:43:08	LTE	???	no activity	38.23148817	-122.6479706	65535	2147483647	-92	-90	-56
173	11/17/2020	13:43:13	LTE	???	Unknown	38.23148411	-122.6479687	65535	2147483647	-92	-90	-56
174	11/17/2020	13:43:18	LTE	???	Unknown	38.23148464	-122.6479594	65535	2147483647	-95	-90	-56
175	11/17/2020	13:43:23	LTE	???	Unknown	38.23149913	-122.6479732	65535	2147483647	-100	-91	-56
176	11/17/2020	13:43:28	LTE	???	Unknown	38.23150717	-122.6479747	65535	2147483647	-98	-91	-56
177	11/17/2020	13:43:33	LTE	???	no activity	38.23150762	-122.6479747	65535	2147483647	-104	-91	-56
178	11/17/2020	13:43:38	LTE	???	no activity	38.2315078	-122.6479745	65535	2147483647	-100	-91	-56
179	11/17/2020	13:43:43	LTE	???	Unknown	38.23150799	-122.6479741	65535	2147483647	-101	-91	-56
180	11/17/2020	13:43:48	LTE	???	Unknown	38.23150812	-122.6479738	65535	2147483647	-101	-91	-56
181	11/17/2020	13:43:53	LTE	???	Unknown	38.23150827	-122.6479735	65535	2147483647	-101	-91	-56
182	11/17/2020	14:18:55	LTE	???	no activity	38.23236043	-122.6447277	65535	2147483647	-87	-87	-87
183	11/17/2020	14:19:00	LTE	???	no activity	38.23236009	-122.6447278	65535	2147483647	-88	-87	-87
184	11/17/2020	14:19:06	LTE	???	upload activity	38.23236009	-122.6447275	65535	2147483647	-90	-88	-87
185	11/17/2020	14:19:11	LTE	???	upload + download activity	38.23228553	-122.6448055	65535	2147483647	-90	-88	-87
186	11/17/2020	14:19:16	LTE	???	upload + download activity	38.23224023	-122.6449459	65535	2147483647	-92	-89	-87
187	11/17/2020	14:19:21	LTE	???	upload + download activity	38.23236802	-122.6451024	65535	2147483647	-89	-89	-87
188	11/17/2020	14:19:26	LTE	???	no activity	38.23241263	-122.645147	65535	2147483647	-84	-88	-84
189	11/17/2020	14:19:31	LTE	???	Unknown	38.23243619	-122.6453589	65535	2147483647	-86	-88	-84
190	11/17/2020	14:19:36	LTE	???	Unknown	38.23233271	-122.6457248	65535	2147483647	-95	-89	-84
191	11/17/2020	14:19:41	LTE	???	Unknown	38.23219093	-122.6462287	65535	2147483647	-95	-89	-84
192	11/17/2020	14:19:46	LTE	???	Unknown	38.23200789	-122.6467704	65535	2147483647	-98	-90	-84
193	11/17/2020	14:19:51	LTE	???	Unknown	38.23185073	-122.6473189	65535	2147483647	-101	-91	-84
194	11/17/2020	14:19:56	LTE	???	Unknown	38.2317143	-122.6477274	65535	2147483647	-99	-91	-84
195	11/17/2020	14:20:01	LTE	???	Unknown	38.23165857	-122.6478448	65535	2147483647	-101	-92	-84
196	11/17/2020	14:20:06	LTE	???	upload activity	38.23153021	-122.6482288	65535	2147483647	-100	-93	-84
197	11/17/2020	14:20:11	LTE	???	Unknown	38.23136714	-122.6487783	65535	2147483647	-102	-93	-84
198	11/17/2020	14:20:16	LTE	???	upload activity	38.23118828	-122.6493086	65535	2147483647	-100	-93	-84
199	11/17/2020	14:20:21	LTE	???	upload activity	38.23100568	-122.6498038	65535	2147483647	-98	-94	-84
200	11/17/2020	14:20:26	LTE	???	no activity	38.23085309	-122.6503051	65535	2147483647	-97	-94	-84
201	11/17/2020	14:20:31	LTE	???	no activity	38.23067151	-122.65082	65535	2147483647	-95	-94	-84
202	11/17/2020	14:20:36	LTE	???	no activity	38.23049919	-122.6513716	65535	2147483647	-95	-94	-84
203	11/17/2020	14:20:41	LTE	???	Unknown	38.23032034	-122.6518912	65535	2147483647	-97	-94	-84
204	11/17/2020	14:20:46	LTE	???	Unknown	38.23017975	-122.652366	65535	2147483647	-94	-94	-84
205	11/17/2020	14:20:52	LTE	???	Unknown	38.23014529	-122.6525588	65535	2147483647	-91	-94	-84
206	11/17/2020	14:20:57	LTE	???	Unknown	38.23026016	-122.6527244	65535	2147483647	-108	-94	-84
207	11/17/2020	14:21:02	LTE	???	Unknown	38.2304943	-122.6528388	65535	2147483647	-108	-95	-84
208	11/17/2020	14:21:07	LTE	???	Unknown	38.23073762	-122.6529592	65535	2147483647	-112	-96	-84
209	11/17/2020	14:21:12	LTE	???	Unknown	38.23097757	-122.6530809	65535	2147483647	-115	-96	-84
210	11/17/2020	14:21:17	LTE	???	Unknown	38.23122385	-122.6532174	65535	2147483647	-109	-97	-84
211	11/17/2020	14:21:22	LTE	???	Unknown	38.23152051	-122.6533709	65535	2147483647	-108	-97	-84
212	11/17/2020	14:21:27	LTE	???	Unknown	38.23181314	-122.653524	65535	2147483647	-106	-97	-84
213	11/17/2020	14:21:32	LTE	???	Unknown	38.23211951	-122.6536874	65535	2147483647	-107	-98	-84
214	11/17/2020	14:21:37	LTE	???	Unknown	38.23229033	-122.6537927	65535	2147483647	-103	-98	-84
215	11/17/2020	14:21:42	LTE	???	Unknown	38.23246096	-122.653848	65535	2147483647	-103	-98	-84
216	11/17/2020	14:21:47	LTE	???	Unknown	38.2327846	-122.653872	65535	2147483647	-105	-98	-84
217	11/17/2020	14:21:52	LTE	???	no activity	38.23314581	-122.6538488	65535	2147483647	-104	-98	-84
218	11/17/2020	14:21:57	LTE	???	no activity	38.23350177	-122.6538138	65535	2147483647	-97	-98	-84
219	11/17/2020	14:22:02	LTE	???	Unknown	38.2338205	-122.6537898	65535	2147483647	-109	-98	-84
220	11/17/2020	14:22:07	LTE	???	Unknown	38.23412546	-122.6537771	65535	2147483647	-103	-99	-84
221	11/17/2020	14:22:12	LTE	???	Unknown	38.23439933	-122.6537362	65535	2147483647	-107	-99	-84
222	11/17/2020	14:22:17	LTE	???	Unknown	38.23444912	-122.653512	65535	2147483647	-112	-99	-84
223	11/17/2020	14:22:22	LTE	???	Unknown	38.23443015	-122.6530872	65535	2147483647	-95	-99	-84
224	11/17/2020	14:22:27	LTE	???	Unknown	38.23442445	-122.6526114	65535	2147483647	-94	-99	-84
225	11/17/2020	14:22:33	LTE	???	Unknown	38.23440828	-122.6520762	65535	2147483647	-98	-99	-84
226	11/17/2020	14:22:38	LTE	???	Unknown	38.23437115	-122.6516421	65535	2147483647	-100	-99	-84
227	11/17/2020	14:22:43	LTE	???	Unknown	38.23422087	-122.6514272	65535	2147483647	-100	-99	-84
228	11/17/2020	14:22:48	LTE	???	Unknown	38.23407011	-122.6511708	65535	2147483647	-99	-99	-84

Cnt	Date	Time	Network	Freq/Band	Data activity:	Latitude	Longitude	WTF ID - short	WTF ID- long	??? (dBm)	Avg (dBm)	Best (dBm)
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230	11/17/2020	14:22:58	LTE	???	no activity	38.23367043	-122.6506628	65535	2147483647	-102	-99	-84
231	11/17/2020	14:23:03	LTE	???	Unknown	38.23346794	-122.6503877	65535	2147483647	-96	-99	-84
232	11/17/2020	14:23:08	LTE	???	Unknown	38.23325333	-122.6501289	65535	2147483647	-92	-99	-84
233	11/17/2020	14:23:13	LTE	???	Unknown	38.23302947	-122.6498772	65535	2147483647	-97	-99	-84
234	11/17/2020	14:23:18	LTE	???	upload + download activity	38.23283397	-122.6496151	65535	2147483647	-95	-99	-84
235	11/17/2020	14:23:23	LTE	???	no activity	38.23262727	-122.6493326	65535	2147483647	-94	-98	-84
236	11/17/2020	14:23:28	LTE	???	upload activity	38.23238457	-122.6490239	65535	2147483647	-94	-98	-84
237	11/17/2020	14:23:33	LTE	???	upload + download activity	38.23211392	-122.648694	65535	2147483647	-97	-98	-84
238	11/17/2020	14:23:38	LTE	???	Unknown	38.23190834	-122.6484318	65535	2147483647	-92	-98	-84
239	11/17/2020	14:23:43	LTE	???	Unknown	38.23183909	-122.6483157	65535	2147483647	-94	-98	-84
240	11/17/2020	14:23:48	LTE	???	upload activity	38.23192066	-122.6481205	65535	2147483647	-98	-98	-84
241	11/17/2020	14:23:53	LTE	???	no activity	38.23210933	-122.6479368	65535	2147483647	-94	-98	-84
242	11/17/2020	14:23:58	LTE	???	Unknown	38.23230431	-122.6477069	65535	2147483647	-90	-98	-84
243	11/17/2020	14:24:03	LTE	???	Unknown	38.23249515	-122.6474872	65535	2147483647	-87	-98	-84
244	11/17/2020	14:24:08	LTE	???	Unknown	38.23252633	-122.6474531	65535	2147483647	-88	-98	-84
245	11/17/2020	14:24:13	LTE	???	Unknown	38.23266778	-122.6472765	65535	2147483647	-87	-97	-84
246	11/17/2020	14:24:18	LTE	???	Unknown	38.23287788	-122.647014	65535	2147483647	-85	-97	-84
247	11/17/2020	14:24:23	LTE	???	Unknown	38.23310894	-122.6467326	65535	2147483647	-89	-97	-84
248	11/17/2020	14:24:28	LTE	???	Unknown	38.23332045	-122.6464868	65535	2147483647	-83	-97	-83
249	11/17/2020	14:24:34	LTE	???	Unknown	38.23342131	-122.6463517	65535	2147483647	-81	-97	-81
250	11/17/2020	14:24:39	LTE	???	Unknown	38.23362254	-122.6461017	65535	2147483647	-82	-96	-81
251	11/17/2020	14:24:44	LTE	???	Unknown	38.23381722	-122.6458502	65535	2147483647	-82	-96	-81
252	11/17/2020	14:24:49	LTE	???	Unknown	38.23393964	-122.6456951	65535	2147483647	-77	-96	-77
253	11/17/2020	14:24:54	LTE	???	Unknown	38.23393103	-122.64554	65535	2147483647	-83	-96	-77
254	11/17/2020	14:24:59	LTE	???	Unknown	38.23373975	-122.6452534	65535	2147483647	-84	-96	-77
255	11/17/2020	14:25:04	LTE	???	Unknown	38.23354093	-122.6449179	65535	2147483647	-84	-95	-77
256	11/17/2020	14:25:09	LTE	???	Unknown	38.23332756	-122.6446256	65535	2147483647	-83	-95	-77
257	11/17/2020	14:25:14	LTE	???	Unknown	38.23313289	-122.6443164	65535	2147483647	-78	-95	-77
258	11/17/2020	14:25:19	LTE	???	Unknown	38.23298043	-122.6441291	65535	2147483647	-81	-95	-77
259	11/17/2020	14:25:24	LTE	???	Unknown	38.23298528	-122.6441442	65535	2147483647	-77	-95	-77
260	11/17/2020	14:25:29	LTE	???	Unknown	38.23284363	-122.6442239	65535	2147483647	-84	-94	-77
261	11/17/2020	14:25:34	LTE	???	Unknown	38.23274103	-122.6445547	65535	2147483647	-85	-94	-77
262	11/17/2020	14:25:39	LTE	???	Unknown	38.2326072	-122.6449714	65535	2147483647	-85	-94	-77
263	11/17/2020	14:25:44	LTE	???	Unknown	38.23253355	-122.6452829	65535	2147483647	-87	-94	-77
264	11/17/2020	14:25:49	LTE	???	Unknown	38.23265264	-122.6455113	65535	2147483647	-90	-94	-77
265	11/17/2020	14:25:54	LTE	???	Unknown	38.23277924	-122.6457138	65535	2147483647	-90	-94	-77
266	11/17/2020	14:25:59	LTE	???	no activity	38.23281656	-122.6457547	65535	2147483647	-87	-94	-77
267	11/17/2020	14:26:04	LTE	???	no activity	38.23295097	-122.6456525	65535	2147483647	-72	-94	-72
268	11/17/2020	14:26:09	LTE	???	Unknown	38.23317958	-122.6453773	65535	2147483647	-72	-93	-72
269	11/17/2020	14:26:14	LTE	???	Unknown	38.23340392	-122.6451086	65535	2147483647	-79	-93	-72
270	11/17/2020	14:26:19	LTE	???	Unknown	38.23349781	-122.6450088	65535	2147483647	-84	-93	-72
271	11/17/2020	14:26:25	LTE	???	Unknown	38.23364977	-122.6450694	65535	2147483647	-81	-93	-72
272	11/17/2020	14:26:30	LTE	???	Unknown	38.23384524	-122.645336	65535	2147483647	-87	-93	-72
273	11/17/2020	14:26:35	LTE	???	Unknown	38.23401675	-122.6455637	65535	2147483647	-84	-93	-72
274	11/17/2020	14:26:40	LTE	???	Unknown	38.23417242	-122.6457923	65535	2147483647	-85	-93	-72
275	11/17/2020	14:26:45	LTE	???	Unknown	38.23418901	-122.645831	65535	2147483647	-82	-93	-72
276	11/17/2020	14:26:50	LTE	???	no activity	38.23431737	-122.6460647	65535	2147483647	-86	-92	-72
277	11/17/2020	14:26:55	LTE	???	upload + download activity	38.23454848	-122.6464035	65535	2147483647	-87	-92	-72
278	11/17/2020	14:27:00	LTE	???	upload activity	38.23476926	-122.6467069	65535	2147483647	-94	-92	-72
279	11/17/2020	14:27:05	LTE	???	no activity	38.23501076	-122.647047	65535	2147483647	-94	-92	-72
280	11/17/2020	14:27:10	LTE	???	no activity	38.2352812	-122.6474031	65535	2147483647	-92	-92	-72
281	11/17/2020	14:27:15	LTE	???	no activity	38.23552697	-122.6476512	65535	2147483647	-94	-92	-72
282	11/17/2020	14:27:20	LTE	???	no activity	38.23557245	-122.6476788	65535	2147483647	-83	-92	-72
283	11/17/2020	14:27:25	LTE	???	no activity	38.23564526	-122.6475955	65535	2147483647	-70	-92	-70
284	11/17/2020	14:27:30	LTE	???	no activity	38.23572399	-122.6473029	65535	2147483647	-73	-92	-70
285	11/17/2020	14:27:35	LTE	???	upload activity	38.23584393	-122.6469734	65535	2147483647	-81	-92	-70
286	11/17/2020	14:27:40	LTE	???	no activity	38.23594082	-122.6466845	65535	2147483647	-79	-92	-70
287	11/17/2020	14:27:45	LTE	???	Unknown	38.23602833	-122.6463717	65535	2147483647	-85	-92	-70
288	11/17/2020	14:27:50	LTE	???	Unknown	38.23612965	-122.6460655	65535	2147483647	-88	-92	-70
289	11/17/2020	14:27:55	LTE	???	upload activity	38.23617722	-122.6459843	65535	2147483647	-76	-91	-70
290	11/17/2020	14:28:00	LTE	???	no activity	38.23625312	-122.6457649	65535	2147483647	-69	-91	-69
291	11/17/2020	14:28:05	LTE	???	upload activity	38.23634568	-122.6454942	65535	2147483647	-68	-91	-68
292	11/17/2020	14:28:10	LTE	???	no activity	38.23643037	-122.6452284	65535	2147483647	-70	-91	-68
293	11/17/2020	14:28:15	LTE	???	Unknown	38.23647121	-122.645155	65535	2147483647	-71	-91	-68
294	11/17/2020	14:28:21	LTE	???	no activity	38.23652057	-122.6449274	65535	2147483647	-73	-90	-68
295	11/17/2020	14:28:26	LTE	???	no activity	38.23662364	-122.6446134	65535	2147483647	-68	-90	-68
296	11/17/2020	14:28:31	LTE	???	Unknown	38.23670078	-122.6443356	65535	2147483647	-64	-90	-64
297	11/17/2020	14:28:36	LTE	???	Unknown	38.23675136	-122.6442036	65535	2147483647	-64	-90	-64
298	11/17/2020	14:28:41	LTE	???	Unknown	38.23679868	-122.6440595	65535	2147483647	-61	-90	-61
299	11/17/2020	14:28:46	LTE	???	Unknown	38.23689941	-122.6437147	65535	2147483647	-60	-89	-60
300	11/17/2020	14:28:51	LTE	???	Unknown	38.23700331	-122.643399	65535	2147483647	-60	-89	-60
301	11/17/2020	14:28:56	LTE	???	Unknown	38.23704358	-122.6432861	65535	2147483647	-62	-89	-60
302	11/17/2020	14:29:01	LTE	???	Unknown	38.23710165	-122.6431528	65535	2147483647	-59	-89	-59
303	11/17/2020	14:29:06	LTE	???	Unknown	38.23718484	-122.6428873	65535	2147483647	-62	-88	-59
304	11/17/2020	14:29:11	LTE	???	Unknown	38.23726267	-122.6426428	65535	2147483647	-60	-88	-59

Cnt	Date	Time	Network	Freq/Band	Data activity:	Latitude	Longitude	WTF ID - short	WTF ID- long	??? (dBm)	Avg (dBm)	Best (dBm)
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306	11/17/2020	14:29:21	LTE	???	Unknown	38.23739365	-122.6422834	65535	2147483647	-79	-88	-59
307	11/17/2020	14:29:26	LTE	???	Unknown	38.23762787	-122.6423741	65535	2147483647	-76	-88	-59
308	11/17/2020	14:29:31	LTE	???	Unknown	38.23796127	-122.642546	65535	2147483647	-79	-88	-59
309	11/17/2020	14:29:36	LTE	???	Unknown	38.23827875	-122.6427312	65535	2147483647	-76	-88	-59
310	11/17/2020	14:29:41	LTE	???	Unknown	38.23861421	-122.6429026	65535	2147483647	-79	-88	-59
311	11/17/2020	14:29:46	LTE	???	Unknown	38.23891507	-122.6430851	65535	2147483647	-67	-87	-59
312	11/17/2020	14:29:51	LTE	???	Unknown	38.23900514	-122.643282	65535	2147483647	-66	-87	-59
313	11/17/2020	14:29:56	LTE	???	Unknown	38.23890691	-122.6435794	65535	2147483647	-68	-87	-59
314	11/17/2020	14:30:01	LTE	???	Unknown	38.23880734	-122.6438808	65535	2147483647	-74	-87	-59
315	11/17/2020	14:30:06	LTE	???	Unknown	38.23877889	-122.6440033	65535	2147483647	-76	-87	-59
316	11/17/2020	14:30:12	LTE	???	Unknown	38.23867565	-122.6442815	65535	2147483647	-74	-87	-59
317	11/17/2020	14:30:17	LTE	???	Unknown	38.23854324	-122.6446658	65535	2147483647	-76	-87	-59
318	11/17/2020	14:30:22	LTE	???	Unknown	38.23844832	-122.6450196	65535	2147483647	-76	-87	-59
319	11/17/2020	14:30:27	LTE	???	Unknown	38.23834394	-122.6453558	65535	2147483647	-80	-87	-59
320	11/17/2020	14:30:32	LTE	???	Unknown	38.23825086	-122.645664	65535	2147483647	-88	-87	-59
321	11/17/2020	14:30:37	LTE	???	Unknown	38.23822333	-122.6457775	65535	2147483647	-91	-87	-59
322	11/17/2020	14:30:42	LTE	???	Unknown	38.23815944	-122.6460544	65535	2147483647	-89	-87	-59
323	11/17/2020	14:30:47	LTE	???	Unknown	38.23803542	-122.6464277	65535	2147483647	-99	-87	-59
324	11/17/2020	14:30:52	LTE	???	Unknown	38.23795161	-122.6466817	65535	2147483647	-93	-87	-59
325	11/17/2020	14:30:57	LTE	???	Unknown	38.23790296	-122.6467707	65535	2147483647	-93	-87	-59
326	11/17/2020	14:31:02	LTE	???	Unknown	38.23777943	-122.647146	65535	2147483647	-92	-87	-59
327	11/17/2020	14:31:07	LTE	???	Unknown	38.23765723	-122.6475669	65535	2147483647	-94	-87	-59
328	11/17/2020	14:31:12	LTE	???	Unknown	38.23751178	-122.6480453	65535	2147483647	-85	-87	-59
329	11/17/2020	14:31:17	LTE	???	Unknown	38.23739457	-122.6484514	65535	2147483647	-89	-87	-59
330	11/17/2020	14:31:22	LTE	???	Unknown	38.23725727	-122.6488487	65535	2147483647	-93	-87	-59
331	11/17/2020	14:31:27	LTE	???	Unknown	38.23714281	-122.6491983	65535	2147483647	-92	-87	-59
332	11/17/2020	14:31:32	LTE	???	Unknown	38.23705812	-122.6494813	65535	2147483647	-92	-87	-59
333	11/17/2020	14:31:37	LTE	???	Unknown	38.23698747	-122.6496543	65535	2147483647	-93	-87	-59
334	11/17/2020	14:31:42	LTE	???	Unknown	38.23702601	-122.6498	65535	2147483647	-94	-87	-59
335	11/17/2020	14:31:47	LTE	???	Unknown	38.23720677	-122.6500212	65535	2147483647	-96	-87	-59
336	11/17/2020	14:31:52	LTE	???	no activity	38.23742934	-122.6503606	65535	2147483647	-98	-87	-59
337	11/17/2020	14:31:57	LTE	???	no activity	38.23765533	-122.6506851	65535	2147483647	-105	-87	-59
338	11/17/2020	14:32:02	LTE	???	no activity	38.237737	-122.6507907	65535	2147483647	-105	-87	-59
339	11/17/2020	14:32:08	LTE	???	no activity	38.23778088	-122.6505396	65535	2147483647	-106	-87	-59
340	11/17/2020	14:32:13	LTE	???	Unknown	38.23789466	-122.6501929	65535	2147483647	-102	-88	-59
341	11/17/2020	14:32:18	LTE	???	no activity	38.23802397	-122.6498176	65535	2147483647	-96	-88	-59
342	11/17/2020	14:32:23	LTE	???	no activity	38.2381334	-122.6494091	65535	2147483647	-102	-88	-59
343	11/17/2020	14:32:28	LTE	???	no activity	38.23826536	-122.6490332	65535	2147483647	-91	-88	-59
344	11/17/2020	14:32:33	LTE	???	Unknown	38.23835411	-122.6487235	65535	2147483647	-76	-88	-59
345	11/17/2020	14:32:38	LTE	???	Unknown	38.23843904	-122.6483876	65535	2147483647	-81	-88	-59
346	11/17/2020	14:32:43	LTE	???	Unknown	38.23850062	-122.6482608	65535	2147483647	-80	-88	-59
347	11/17/2020	14:32:48	LTE	???	Unknown	38.23857938	-122.647987	65535	2147483647	-82	-88	-59
348	11/17/2020	14:32:53	LTE	???	Unknown	38.23868993	-122.6476455	65535	2147483647	-81	-87	-59
349	11/17/2020	14:32:58	LTE	???	Unknown	38.23874673	-122.6474461	65535	2147483647	-77	-87	-59
350	11/17/2020	14:33:03	LTE	???	Unknown	38.23882266	-122.6472339	65535	2147483647	-81	-87	-59
351	11/17/2020	14:33:08	LTE	???	Unknown	38.23895323	-122.6467692	65535	2147483647	-77	-87	-59
352	11/17/2020	14:33:13	LTE	???	Unknown	38.23901217	-122.646537	65535	2147483647	-73	-87	-59
353	11/17/2020	14:33:18	LTE	???	Unknown	38.23908825	-122.6463358	65535	2147483647	-78	-87	-59
354	11/17/2020	14:33:23	LTE	???	Unknown	38.23923946	-122.6459012	65535	2147483647	-78	-87	-59
355	11/17/2020	14:33:28	LTE	???	Unknown	38.23930917	-122.6456452	65535	2147483647	-77	-87	-59
356	11/17/2020	14:33:33	LTE	???	Unknown	38.23936404	-122.6454866	65535	2147483647	-72	-87	-59
357	11/17/2020	14:33:38	LTE	???	Unknown	38.2394518	-122.6451468	65535	2147483647	-60	-87	-59
358	11/17/2020	14:33:43	LTE	???	Unknown	38.23953769	-122.6448045	65535	2147483647	-75	-87	-59
359	11/17/2020	14:33:48	LTE	???	Unknown	38.23960432	-122.6446851	65535	2147483647	-75	-87	-59
360	11/17/2020	14:18:55	LTE	???	no activity	38.23236043	-122.6447277	65535	2147483647	-87	-87	-87
361	11/17/2020	14:19:00	LTE	???	no activity	38.23236009	-122.6447278	65535	2147483647	-88	-87	-87
362	11/17/2020	14:19:06	LTE	???	upload activity	38.23236009	-122.6447275	65535	2147483647	-90	-88	-87
363	11/17/2020	14:19:11	LTE	???	upload + download activity	38.23228553	-122.6448055	65535	2147483647	-90	-88	-87
364	11/17/2020	14:19:16	LTE	???	upload + download activity	38.23224023	-122.6449459	65535	2147483647	-92	-89	-87
365	11/17/2020	14:19:21	LTE	???	upload + download activity	38.23236802	-122.6451024	65535	2147483647	-89	-89	-87
366	11/17/2020	14:19:26	LTE	???	no activity	38.23241263	-122.645147	65535	2147483647	-84	-88	-84
367	11/17/2020	14:19:31	LTE	???	Unknown	38.23243619	-122.6453589	65535	2147483647	-86	-88	-84
368	11/17/2020	14:19:36	LTE	???	Unknown	38.23233271	-122.6457248	65535	2147483647	-95	-89	-84
369	11/17/2020	14:19:41	LTE	???	Unknown	38.23219093	-122.6462287	65535	2147483647	-95	-89	-84
370	11/17/2020	14:19:46	LTE	???	Unknown	38.23200789	-122.6467704	65535	2147483647	-98	-90	-84
371	11/17/2020	14:19:51	LTE	???	Unknown	38.23185073	-122.6473189	65535	2147483647	-101	-91	-84
372	11/17/2020	14:19:56	LTE	???	Unknown	38.2317143	-122.6477274	65535	2147483647	-99	-91	-84
373	11/17/2020	14:20:01	LTE	???	Unknown	38.23165857	-122.6478448	65535	2147483647	-101	-92	-84
374	11/17/2020	14:20:06	LTE	???	upload activity	38.23153021	-122.6482288	65535	2147483647	-100	-93	-84
375	11/17/2020	14:20:11	LTE	???	Unknown	38.23136714	-122.6487783	65535	2147483647	-102	-93	-84
376	11/17/2020	14:20:16	LTE	???	upload activity	38.23118828	-122.6493086	65535	2147483647	-100	-93	-84
377	11/17/2020	14:20:21	LTE	???	upload activity	38.23100568	-122.6498038	65535	2147483647	-98	-94	-84
378	11/17/2020	14:20:26	LTE	???	no activity	38.23085309	-122.6503051	65535	2147483647	-97	-94	-84
379	11/17/2020	14:20:31	LTE	???	no activity	38.23067151	-122.65082	65535	2147483647	-95	-94	-84
380	11/17/2020	14:20:36	LTE	???	no activity	38.23049919	-122.6513716	65535	2147483647	-95	-94	-84

Cnt	Date	Time	Network	Freq/Band	Data activity:	Latitude	Longitude	WTF ID - short	WTF ID- long	??? (dBm)	Avg (dBm)	Best (dBm)
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382	11/17/2020	14:20:46	LTE	???	Unknown	38.23017975	-122.652366	65535	2147483647	-94	-94	-84
383	11/17/2020	14:20:52	LTE	???	Unknown	38.23014529	-122.6525588	65535	2147483647	-91	-94	-84
384	11/17/2020	14:20:57	LTE	???	Unknown	38.23026016	-122.6527244	65535	2147483647	-108	-94	-84
385	11/17/2020	14:21:02	LTE	???	Unknown	38.2304943	-122.6528388	65535	2147483647	-108	-95	-84
386	11/17/2020	14:21:07	LTE	???	Unknown	38.23073762	-122.6529592	65535	2147483647	-112	-96	-84
387	11/17/2020	14:21:12	LTE	???	Unknown	38.23097757	-122.6530809	65535	2147483647	-115	-96	-84
388	11/17/2020	14:21:17	LTE	???	Unknown	38.23122385	-122.6532174	65535	2147483647	-109	-97	-84
389	11/17/2020	14:21:22	LTE	???	Unknown	38.23152051	-122.6533709	65535	2147483647	-108	-97	-84
390	11/17/2020	14:21:27	LTE	???	Unknown	38.23181314	-122.653524	65535	2147483647	-106	-97	-84
391	11/17/2020	14:21:32	LTE	???	Unknown	38.23211951	-122.6536874	65535	2147483647	-107	-98	-84
392	11/17/2020	14:21:37	LTE	???	Unknown	38.23229033	-122.6537927	65535	2147483647	-103	-98	-84
393	11/17/2020	14:21:42	LTE	???	Unknown	38.23246096	-122.653848	65535	2147483647	-103	-98	-84
394	11/17/2020	14:21:47	LTE	???	Unknown	38.2327846	-122.653872	65535	2147483647	-105	-98	-84
395	11/17/2020	14:21:52	LTE	???	no activity	38.23314581	-122.6538488	65535	2147483647	-104	-98	-84
396	11/17/2020	14:21:57	LTE	???	no activity	38.23350177	-122.6538138	65535	2147483647	-97	-98	-84
397	11/17/2020	14:22:02	LTE	???	Unknown	38.2338205	-122.6537898	65535	2147483647	-109	-98	-84
398	11/17/2020	14:22:07	LTE	???	Unknown	38.23412546	-122.6537771	65535	2147483647	-103	-99	-84
399	11/17/2020	14:22:12	LTE	???	Unknown	38.23439933	-122.6537362	65535	2147483647	-107	-99	-84
400	11/17/2020	14:22:17	LTE	???	Unknown	38.23444912	-122.653512	65535	2147483647	-112	-99	-84
401	11/17/2020	14:22:22	LTE	???	Unknown	38.23443015	-122.6530872	65535	2147483647	-95	-99	-84
402	11/17/2020	14:22:27	LTE	???	Unknown	38.23442445	-122.6526114	65535	2147483647	-94	-99	-84
403	11/17/2020	14:22:33	LTE	???	Unknown	38.23440828	-122.6520762	65535	2147483647	-98	-99	-84
404	11/17/2020	14:22:38	LTE	???	Unknown	38.23437115	-122.6516421	65535	2147483647	-100	-99	-84
405	11/17/2020	14:22:43	LTE	???	Unknown	38.23422087	-122.6514272	65535	2147483647	-100	-99	-84
406	11/17/2020	14:22:48	LTE	???	Unknown	38.23407011	-122.6511708	65535	2147483647	-99	-99	-84
407	11/17/2020	14:22:53	LTE	???	upload + download activity	38.23387778	-122.6509019	65535	2147483647	-101	-99	-84
408	11/17/2020	14:22:58	LTE	???	no activity	38.23367043	-122.6506628	65535	2147483647	-102	-99	-84
409	11/17/2020	14:23:03	LTE	???	Unknown	38.23346794	-122.6503877	65535	2147483647	-96	-99	-84
410	11/17/2020	14:23:08	LTE	???	Unknown	38.23325333	-122.6501289	65535	2147483647	-92	-99	-84
411	11/17/2020	14:23:13	LTE	???	Unknown	38.23302947	-122.6498772	65535	2147483647	-97	-99	-84
412	11/17/2020	14:23:18	LTE	???	upload + download activity	38.23283397	-122.6496151	65535	2147483647	-95	-99	-84
413	11/17/2020	14:23:23	LTE	???	no activity	38.23262727	-122.6493326	65535	2147483647	-94	-98	-84
414	11/17/2020	14:23:28	LTE	???	upload activity	38.23238457	-122.6490239	65535	2147483647	-94	-98	-84
415	11/17/2020	14:23:33	LTE	???	upload + download activity	38.23211392	-122.648694	65535	2147483647	-97	-98	-84
416	11/17/2020	14:23:38	LTE	???	Unknown	38.23190834	-122.6484318	65535	2147483647	-92	-98	-84
417	11/17/2020	14:23:43	LTE	???	Unknown	38.23183909	-122.6483157	65535	2147483647	-94	-98	-84
418	11/17/2020	14:23:48	LTE	???	upload activity	38.23192066	-122.6481205	65535	2147483647	-98	-98	-84
419	11/17/2020	14:23:53	LTE	???	no activity	38.23210933	-122.6479368	65535	2147483647	-94	-98	-84
420	11/17/2020	14:23:58	LTE	???	Unknown	38.23230431	-122.6477069	65535	2147483647	-90	-98	-84
421	11/17/2020	14:24:03	LTE	???	Unknown	38.23249515	-122.6474872	65535	2147483647	-87	-98	-84
422	11/17/2020	14:24:08	LTE	???	Unknown	38.23252633	-122.6474531	65535	2147483647	-88	-98	-84
423	11/17/2020	14:24:13	LTE	???	Unknown	38.23266778	-122.6472765	65535	2147483647	-87	-97	-84
424	11/17/2020	14:24:18	LTE	???	Unknown	38.23287788	-122.647014	65535	2147483647	-85	-97	-84
425	11/17/2020	14:24:23	LTE	???	Unknown	38.23310894	-122.6467326	65535	2147483647	-89	-97	-84
426	11/17/2020	14:24:28	LTE	???	Unknown	38.23332045	-122.6464868	65535	2147483647	-83	-97	-83
427	11/17/2020	14:24:34	LTE	???	Unknown	38.23342131	-122.6463517	65535	2147483647	-81	-97	-81
428	11/17/2020	14:24:39	LTE	???	Unknown	38.23362254	-122.6461017	65535	2147483647	-82	-96	-81
429	11/17/2020	14:24:44	LTE	???	Unknown	38.23381722	-122.6458502	65535	2147483647	-82	-96	-81
430	11/17/2020	14:24:49	LTE	???	Unknown	38.23393964	-122.6456951	65535	2147483647	-77	-96	-77
431	11/17/2020	14:24:54	LTE	???	Unknown	38.23393103	-122.64554	65535	2147483647	-83	-96	-77
432	11/17/2020	14:24:59	LTE	???	Unknown	38.23373975	-122.6452534	65535	2147483647	-84	-96	-77
433	11/17/2020	14:25:04	LTE	???	Unknown	38.23354093	-122.6449179	65535	2147483647	-84	-95	-77
434	11/17/2020	14:25:09	LTE	???	Unknown	38.23332756	-122.6446256	65535	2147483647	-83	-95	-77
435	11/17/2020	14:25:14	LTE	???	Unknown	38.23313289	-122.6443164	65535	2147483647	-78	-95	-77
436	11/17/2020	14:25:19	LTE	???	Unknown	38.23298043	-122.6441291	65535	2147483647	-81	-95	-77
437	11/17/2020	14:25:24	LTE	???	Unknown	38.23298528	-122.6441442	65535	2147483647	-77	-95	-77
438	11/17/2020	14:25:29	LTE	???	Unknown	38.23284363	-122.6442239	65535	2147483647	-84	-94	-77
439	11/17/2020	14:25:34	LTE	???	Unknown	38.23274103	-122.6445547	65535	2147483647	-85	-94	-77
440	11/17/2020	14:25:39	LTE	???	Unknown	38.2326072	-122.6449714	65535	2147483647	-85	-94	-77
441	11/17/2020	14:25:44	LTE	???	Unknown	38.23253355	-122.6452829	65535	2147483647	-87	-94	-77
442	11/17/2020	14:25:49	LTE	???	Unknown	38.23265264	-122.6455113	65535	2147483647	-90	-94	-77
443	11/17/2020	14:25:54	LTE	???	Unknown	38.23277924	-122.6457138	65535	2147483647	-90	-94	-77
444	11/17/2020	14:25:59	LTE	???	no activity	38.23281656	-122.6457547	65535	2147483647	-87	-94	-77
445	11/17/2020	14:26:04	LTE	???	no activity	38.23295097	-122.6456525	65535	2147483647	-72	-94	-72
446	11/17/2020	14:26:09	LTE	???	Unknown	38.23317958	-122.6453773	65535	2147483647	-72	-93	-72
447	11/17/2020	14:26:14	LTE	???	Unknown	38.23340392	-122.6451086	65535	2147483647	-79	-93	-72
448	11/17/2020	14:26:19	LTE	???	Unknown	38.23349781	-122.6450088	65535	2147483647	-84	-93	-72
449	11/17/2020	14:26:25	LTE	???	Unknown	38.23364977	-122.6450694	65535	2147483647	-81	-93	-72
450	11/17/2020	14:26:30	LTE	???	Unknown	38.23384524	-122.645336	65535	2147483647	-87	-93	-72
451	11/17/2020	14:26:35	LTE	???	Unknown	38.23401675	-122.6455637	65535	2147483647	-84	-93	-72
452	11/17/2020	14:26:40	LTE	???	Unknown	38.23417242	-122.6457923	65535	2147483647	-85	-93	-72
453	11/17/2020	14:26:45	LTE	???	Unknown	38.23418901	-122.645831	65535	2147483647	-82	-93	-72
454	11/17/2020	14:26:50	LTE	???	no activity	38.23431737	-122.6460647	65535	2147483647	-86	-92	-72
455	11/17/2020	14:26:55	LTE	???	upload + download activity	38.23454848	-122.6464035	65535	2147483647	-87	-92	-72
456	11/17/2020	14:27:00	LTE	???	upload activity	38.23476926	-122.6467069	65535	2147483647	-94	-92	-72

Cnt	Date	Time	Network	Freq/Band	Data activity:	Latitude	Longitude	WTF ID - short	WTF ID- long	??? (dBm)	Avg (dBm)	Best (dBm)
457	11/17/2020	14:27:05	LTE	???	no activity	38.23501076	-122.647047	65535	2147483647	-94	-92	-72
458	11/17/2020	14:27:10	LTE	???	no activity	38.2352812	-122.6474031	65535	2147483647	-92	-92	-72
459	11/17/2020	14:27:15	LTE	???	no activity	38.23552697	-122.6476512	65535	2147483647	-94	-92	-72
460	11/17/2020	14:27:20	LTE	???	no activity	38.23557245	-122.6476788	65535	2147483647	-83	-92	-72
461	11/17/2020	14:27:25	LTE	???	no activity	38.23564526	-122.6475955	65535	2147483647	-70	-92	-70
462	11/17/2020	14:27:30	LTE	???	no activity	38.23572399	-122.6473029	65535	2147483647	-73	-92	-70
463	11/17/2020	14:27:35	LTE	???	upload activity	38.23584393	-122.6469734	65535	2147483647	-81	-92	-70
464	11/17/2020	14:27:40	LTE	???	no activity	38.23594082	-122.6466845	65535	2147483647	-79	-92	-70
465	11/17/2020	14:27:45	LTE	???	Unknown	38.23602833	-122.6463717	65535	2147483647	-85	-92	-70
466	11/17/2020	14:27:50	LTE	???	Unknown	38.23612965	-122.6460655	65535	2147483647	-88	-92	-70
467	11/17/2020	14:27:55	LTE	???	upload activity	38.23617722	-122.6459843	65535	2147483647	-76	-91	-70
468	11/17/2020	14:28:00	LTE	???	no activity	38.23625312	-122.6457649	65535	2147483647	-69	-91	-69
469	11/17/2020	14:28:05	LTE	???	upload activity	38.23634568	-122.6454942	65535	2147483647	-68	-91	-68
470	11/17/2020	14:28:10	LTE	???	no activity	38.23643037	-122.6452284	65535	2147483647	-70	-91	-68
471	11/17/2020	14:28:15	LTE	???	Unknown	38.23647121	-122.645155	65535	2147483647	-71	-91	-68
472	11/17/2020	14:28:21	LTE	???	no activity	38.23652057	-122.6449274	65535	2147483647	-73	-90	-68
473	11/17/2020	14:28:26	LTE	???	no activity	38.23662364	-122.6446134	65535	2147483647	-68	-90	-68
474	11/17/2020	14:28:31	LTE	???	Unknown	38.23670078	-122.6443356	65535	2147483647	-64	-90	-64
475	11/17/2020	14:28:36	LTE	???	Unknown	38.23675136	-122.6442036	65535	2147483647	-64	-90	-64
476	11/17/2020	14:28:41	LTE	???	Unknown	38.23679868	-122.6440595	65535	2147483647	-61	-90	-61
477	11/17/2020	14:28:46	LTE	???	Unknown	38.23689941	-122.6437147	65535	2147483647	-60	-89	-60
478	11/17/2020	14:28:51	LTE	???	Unknown	38.23700331	-122.643399	65535	2147483647	-60	-89	-60
479	11/17/2020	14:28:56	LTE	???	Unknown	38.23704358	-122.6432861	65535	2147483647	-62	-89	-60
480	11/17/2020	14:29:01	LTE	???	Unknown	38.23710165	-122.6431528	65535	2147483647	-59	-89	-59
481	11/17/2020	14:29:06	LTE	???	Unknown	38.23718484	-122.6428873	65535	2147483647	-62	-88	-59
482	11/17/2020	14:29:11	LTE	???	Unknown	38.23726267	-122.6426428	65535	2147483647	-60	-88	-59
483	11/17/2020	14:29:16	LTE	???	Unknown	38.23732854	-122.6423914	65535	2147483647	-69	-88	-59
484	11/17/2020	14:29:21	LTE	???	Unknown	38.23739365	-122.6422834	65535	2147483647	-79	-88	-59
485	11/17/2020	14:29:26	LTE	???	Unknown	38.23762787	-122.6423741	65535	2147483647	-76	-88	-59
486	11/17/2020	14:29:31	LTE	???	Unknown	38.23796127	-122.642546	65535	2147483647	-79	-88	-59
487	11/17/2020	14:29:36	LTE	???	Unknown	38.23827875	-122.6427312	65535	2147483647	-76	-88	-59
488	11/17/2020	14:29:41	LTE	???	Unknown	38.23861421	-122.6429026	65535	2147483647	-79	-88	-59
489	11/17/2020	14:29:46	LTE	???	Unknown	38.23891507	-122.6430851	65535	2147483647	-67	-87	-59
490	11/17/2020	14:29:51	LTE	???	Unknown	38.23900514	-122.643282	65535	2147483647	-66	-87	-59
491	11/17/2020	14:29:56	LTE	???	Unknown	38.23890691	-122.6435794	65535	2147483647	-68	-87	-59
492	11/17/2020	14:30:01	LTE	???	Unknown	38.23880734	-122.6438808	65535	2147483647	-74	-87	-59
493	11/17/2020	14:30:06	LTE	???	Unknown	38.23877889	-122.6440033	65535	2147483647	-76	-87	-59
494	11/17/2020	14:30:12	LTE	???	Unknown	38.23867565	-122.6442815	65535	2147483647	-74	-87	-59
495	11/17/2020	14:30:17	LTE	???	Unknown	38.23854324	-122.6446658	65535	2147483647	-76	-87	-59
496	11/17/2020	14:30:22	LTE	???	Unknown	38.23844832	-122.6450196	65535	2147483647	-76	-87	-59
497	11/17/2020	14:30:27	LTE	???	Unknown	38.23834394	-122.6453558	65535	2147483647	-80	-87	-59
498	11/17/2020	14:30:32	LTE	???	Unknown	38.23825086	-122.645664	65535	2147483647	-88	-87	-59
499	11/17/2020	14:30:37	LTE	???	Unknown	38.23822333	-122.6457775	65535	2147483647	-91	-87	-59
500	11/17/2020	14:30:42	LTE	???	Unknown	38.23815944	-122.6460544	65535	2147483647	-89	-87	-59
501	11/17/2020	14:30:47	LTE	???	Unknown	38.23803542	-122.6464277	65535	2147483647	-99	-87	-59
502	11/17/2020	14:30:52	LTE	???	Unknown	38.23795161	-122.6466817	65535	2147483647	-93	-87	-59
503	11/17/2020	14:30:57	LTE	???	Unknown	38.23790296	-122.6467707	65535	2147483647	-93	-87	-59
504	11/17/2020	14:31:02	LTE	???	Unknown	38.23777943	-122.647146	65535	2147483647	-92	-87	-59
505	11/17/2020	14:31:07	LTE	???	Unknown	38.23765723	-122.6475669	65535	2147483647	-94	-87	-59
506	11/17/2020	14:31:12	LTE	???	Unknown	38.23751178	-122.6480453	65535	2147483647	-85	-87	-59
507	11/17/2020	14:31:17	LTE	???	Unknown	38.23739457	-122.6484514	65535	2147483647	-89	-87	-59
508	11/17/2020	14:31:22	LTE	???	Unknown	38.23725727	-122.6488487	65535	2147483647	-93	-87	-59
509	11/17/2020	14:31:27	LTE	???	Unknown	38.23714281	-122.6491983	65535	2147483647	-92	-87	-59
510	11/17/2020	14:31:32	LTE	???	Unknown	38.23705812	-122.6494813	65535	2147483647	-92	-87	-59
511	11/17/2020	14:31:37	LTE	???	Unknown	38.23698747	-122.6496543	65535	2147483647	-93	-87	-59
512	11/17/2020	14:31:42	LTE	???	Unknown	38.23702601	-122.6498	65535	2147483647	-94	-87	-59
513	11/17/2020	14:31:47	LTE	???	Unknown	38.23720677	-122.6500212	65535	2147483647	-96	-87	-59
514	11/17/2020	14:31:52	LTE	???	no activity	38.23742934	-122.6503606	65535	2147483647	-98	-87	-59
515	11/17/2020	14:31:57	LTE	???	no activity	38.23765533	-122.6506851	65535	2147483647	-105	-87	-59
516	11/17/2020	14:32:02	LTE	???	no activity	38.237737	-122.6507907	65535	2147483647	-105	-87	-59
517	11/17/2020	14:32:08	LTE	???	no activity	38.23778088	-122.6505396	65535	2147483647	-106	-87	-59
518	11/17/2020	14:32:13	LTE	???	Unknown	38.23789466	-122.6501929	65535	2147483647	-102	-88	-59
519	11/17/2020	14:32:18	LTE	???	no activity	38.23802397	-122.6498176	65535	2147483647	-96	-88	-59
520	11/17/2020	14:32:23	LTE	???	no activity	38.2381334	-122.6494091	65535	2147483647	-102	-88	-59
521	11/17/2020	14:32:28	LTE	???	no activity	38.23826536	-122.6490332	65535	2147483647	-91	-88	-59
522	11/17/2020	14:32:33	LTE	???	Unknown	38.23835411	-122.6487235	65535	2147483647	-76	-88	-59
523	11/17/2020	14:32:38	LTE	???	Unknown	38.23843904	-122.6483876	65535	2147483647	-81	-88	-59
524	11/17/2020	14:32:43	LTE	???	Unknown	38.23850062	-122.6482608	65535	2147483647	-80	-88	-59
525	11/17/2020	14:32:48	LTE	???	Unknown	38.23857938	-122.647987	65535	2147483647	-82	-88	-59
526	11/17/2020	14:32:53	LTE	???	Unknown	38.23868993	-122.6476455	65535	2147483647	-81	-87	-59
527	11/17/2020	14:32:58	LTE	???	Unknown	38.23874673	-122.6474461	65535	2147483647	-77	-87	-59
528	11/17/2020	14:33:03	LTE	???	Unknown	38.23882266	-122.6472339	65535	2147483647	-81	-87	-59
529	11/17/2020	14:33:08	LTE	???	Unknown	38.23895323	-122.6467692	65535	2147483647	-77	-87	-59
530	11/17/2020	14:33:13	LTE	???	Unknown	38.23901217	-122.646537	65535	2147483647	-73	-87	-59
531	11/17/2020	14:33:18	LTE	???	Unknown	38.23908825	-122.6463358	65535	2147483647	-78	-87	-59
532	11/17/2020	14:33:23	LTE	???	Unknown	38.23923946	-122.6459012	65535	2147483647	-78	-87	-59

Cnt	Date	Time	Network	Freq/Band	Data activity:	Latitude	Longitude	WTF ID - short	WTF ID- long	??? (dBm)	Avg (dBm)	Best (dBm)
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534	11/17/2020	14:33:33	LTE	???	Unknown	38.23936404	-122.6454866	65535	2147483647	-72	-87	-59
535	11/17/2020	14:33:38	LTE	???	Unknown	38.2394518	-122.6451468	65535	2147483647	-60	-87	-59
536	11/17/2020	14:33:43	LTE	???	Unknown	38.23953769	-122.6448045	65535	2147483647	-75	-87	-59
537	11/17/2020	14:33:48	LTE	???	Unknown	38.23960432	-122.6446851	65535	2147483647	-75	-87	-59
538	11/17/2020	14:42:58	LTE	???	upload activity	38.23994297	-122.6436632	65535	2147483647	-75	-75	-75
539	11/17/2020	14:43:03	LTE	???	upload activity	38.23994623	-122.6436524	65535	2147483647	-72	-73	-72
540	11/17/2020	14:43:08	LTE	???	upload + download activity	38.2399868	-122.6435377	65535	2147483647	-74	-73	-72
541	11/17/2020	14:43:13	LTE	???	upload + download activity	38.24000384	-122.6434944	65535	2147483647	-73	-73	-72
542	11/17/2020	14:43:18	LTE	???	upload + download activity	38.24000962	-122.6434874	65535	2147483647	-71	-73	-71
543	11/17/2020	14:43:23	LTE	???	upload + download activity	38.24001087	-122.6434779	65535	2147483647	-75	-73	-71
544	11/17/2020	14:43:28	LTE	???	no activity	38.24000802	-122.6434768	65535	2147483647	-68	-72	-68
545	11/17/2020	14:43:33	LTE	???	no activity	38.24002782	-122.6434138	65535	2147483647	-71	-72	-68
546	11/17/2020	14:43:38	LTE	???	upload + download activity	38.24035406	-122.6434162	65535	2147483647	-85	-73	-68
547	11/17/2020	14:43:43	LTE	???	no activity	38.24062031	-122.6435265	65535	2147483647	-86	-75	-68
548	11/17/2020	14:43:48	LTE	???	upload + download activity	38.24061718	-122.6435282	65535	2147483647	-89	-76	-68
549	11/17/2020	14:43:53	LTE	???	no activity	38.24062015	-122.6435277	65535	2147483647	-87	-77	-68
550	11/17/2020	14:43:58	LTE	???	Unknown	38.24061933	-122.6435271	65535	2147483647	-88	-78	-68
551	11/17/2020	14:44:03	LTE	???	upload activity	38.2406193	-122.643527	65535	2147483647	-89	-78	-68
552	11/17/2020	14:44:08	LTE	???	no activity	38.24061935	-122.643527	65535	2147483647	-89	-79	-68
553	11/17/2020	14:44:13	LTE	???	no activity	38.24061922	-122.6435267	65535	2147483647	-89	-80	-68
554	11/17/2020	14:44:18	LTE	???	upload + download activity	38.24061906	-122.6435269	65535	2147483647	-89	-80	-68
555	11/17/2020	14:44:23	LTE	???	upload activity	38.24061893	-122.643527	65535	2147483647	-88	-81	-68
556	11/17/2020	14:44:29	LTE	???	no activity	38.24064244	-122.6435303	65535	2147483647	-90	-81	-68
557	11/17/2020	14:44:34	LTE	???	no activity	38.24094156	-122.6436179	65535	2147483647	-89	-81	-68
558	11/17/2020	14:44:39	LTE	???	no activity	38.24143951	-122.6437719	65535	2147483647	-83	-81	-68
559	11/17/2020	14:44:44	LTE	???	no activity	38.241868	-122.6439248	65535	2147483647	-96	-82	-68
560	11/17/2020	14:44:49	LTE	???	upload activity	38.24197721	-122.6440976	65535	2147483647	-96	-83	-68
561	11/17/2020	14:44:54	LTE	???	no activity	38.24189587	-122.6443901	65535	2147483647	-95	-83	-68
562	11/17/2020	14:44:59	LTE	???	no activity	38.24174962	-122.6447881	65535	2147483647	-89	-83	-68
563	11/17/2020	14:45:04	LTE	???	no activity	38.24160014	-122.6452305	65535	2147483647	-92	-84	-68
564	11/17/2020	14:45:09	LTE	???	no activity	38.24147657	-122.645626	65535	2147483647	-94	-84	-68
565	11/17/2020	14:45:14	LTE	???	Unknown	38.24134014	-122.6460345	65535	2147483647	-86	-84	-68
566	11/17/2020	14:45:19	LTE	???	Unknown	38.24124687	-122.6463093	65535	2147483647	-89	-84	-68
567	11/17/2020	14:45:24	LTE	???	Unknown	38.24122963	-122.6463596	65535	2147483647	-89	-84	-68
568	11/17/2020	14:45:29	LTE	???	Unknown	38.24114669	-122.6466531	65535	2147483647	-88	-84	-68
569	11/17/2020	14:45:34	LTE	???	Unknown	38.24103852	-122.6470276	65535	2147483647	-93	-85	-68
570	11/17/2020	14:45:39	LTE	???	Unknown	38.24094235	-122.6472587	65535	2147483647	-91	-85	-68
571	11/17/2020	14:45:44	LTE	???	Unknown	38.24070983	-122.6471881	65535	2147483647	-89	-85	-68
572	11/17/2020	14:45:49	LTE	???	no activity	38.2403867	-122.6470255	65535	2147483647	-88	-85	-68
573	11/17/2020	14:45:54	LTE	???	no activity	38.24006146	-122.6468582	65535	2147483647	-78	-85	-68
574	11/17/2020	14:45:59	LTE	???	Unknown	38.23973846	-122.6466909	65535	2147483647	-83	-85	-68
575	11/17/2020	14:46:04	LTE	???	no activity	38.23939732	-122.6465294	65535	2147483647	-83	-85	-68
576	11/17/2020	14:46:09	LTE	???	no activity	38.23905938	-122.6463583	65535	2147483647	-81	-85	-68
577	11/17/2020	14:46:14	LTE	???	no activity	38.23872401	-122.6462005	65535	2147483647	-87	-85	-68
578	11/17/2020	14:46:19	LTE	???	no activity	38.23837198	-122.6460224	65535	2147483647	-81	-85	-68
579	11/17/2020	14:46:25	LTE	???	no activity	38.23821504	-122.6459735	65535	2147483647	-85	-85	-68
580	11/17/2020	14:46:30	LTE	???	Unknown	38.23808197	-122.6459097	65535	2147483647	-84	-85	-68
581	11/17/2020	14:46:35	LTE	???	Unknown	38.23772398	-122.6457167	65535	2147483647	-97	-85	-68
582	11/17/2020	14:46:40	LTE	???	Unknown	38.23731178	-122.6455035	65535	2147483647	-97	-85	-68
583	11/17/2020	14:46:45	LTE	???	no activity	38.23700773	-122.645338	65535	2147483647	-87	-85	-68
584	11/17/2020	14:46:50	LTE	???	no activity	38.23669463	-122.6451523	65535	2147483647	-89	-85	-68
585	11/17/2020	14:46:55	LTE	???	Unknown	38.23663064	-122.645128	65535	2147483647	-79	-85	-68
586	11/17/2020	14:47:00	LTE	???	no activity	38.23650177	-122.6450582	65535	2147483647	-85	-85	-68
587	11/17/2020	14:47:05	LTE	???	no activity	38.23619329	-122.6448361	65535	2147483647	-86	-85	-68
588	11/17/2020	14:47:10	LTE	???	Unknown	38.23590981	-122.644629	65535	2147483647	-97	-85	-68
589	11/17/2020	14:47:15	LTE	???	Unknown	38.23564924	-122.6444688	65535	2147483647	-96	-85	-68
590	11/17/2020	14:47:20	LTE	???	upload + download activity	38.23532995	-122.6442395	65535	2147483647	-94	-86	-68
591	11/17/2020	14:47:25	LTE	???	no activity	38.23506996	-122.6440664	65535	2147483647	-79	-85	-68
592	11/17/2020	14:47:30	LTE	???	Unknown	38.23497039	-122.6440483	65535	2147483647	-75	-85	-68
593	11/17/2020	14:47:35	LTE	???	Unknown	38.2349394	-122.6440687	65535	2147483647	-78	-85	-68
594	11/17/2020	14:47:40	LTE	???	Unknown	38.23481751	-122.6444011	65535	2147483647	-83	-85	-68
595	11/17/2020	14:47:45	LTE	???	Unknown	38.23470037	-122.6447773	65535	2147483647	-88	-85	-68
596	11/17/2020	14:47:50	LTE	???	Unknown	38.23479639	-122.6449513	65535	2147483647	-89	-85	-68
597	11/17/2020	14:47:55	LTE	???	no activity	38.23504534	-122.6451208	65535	2147483647	-95	-85	-68
598	11/17/2020	14:48:00	LTE	???	no activity	38.23532618	-122.6453216	65535	2147483647	-100	-86	-68
599	11/17/2020	14:48:05	LTE	???	Unknown	38.23562011	-122.6455242	65535	2147483647	-99	-86	-68
600	11/17/2020	14:48:10	LTE	???	Unknown	38.2358878	-122.6457046	65535	2147483647	-98	-86	-68
601	11/17/2020	14:48:15	LTE	???	Unknown	38.2361197	-122.6458513	65535	2147483647	-95	-86	-68
602	11/17/2020	14:48:20	LTE	???	Unknown	38.23615969	-122.6458863	65535	2147483647	-91	-86	-68
603	11/17/2020	14:48:25	LTE	???	Unknown	38.23639343	-122.6460472	65535	2147483647	-98	-86	-68
604	11/17/2020	14:48:30	LTE	???	Unknown	38.23670952	-122.6461952	65535	2147483647	-91	-86	-68
605	11/17/2020	14:48:35	LTE	???	Unknown	38.23701774	-122.6463252	65535	2147483647	-95	-87	-68
606	11/17/2020	14:48:40	LTE	???	Unknown	38.23736038	-122.6465044	65535	2147483647	-97	-87	-68
607	11/17/2020	14:48:45	LTE	???	upload + download activity	38.23768348	-122.6466623	65535	2147483647	-96	-87	-68
608	11/17/2020	14:48:50	LTE	???	no activity	38.23778932	-122.646725	65535	2147483647	-93	-87	-68

Cnt	Date	Time	Network	Freq/Band	Data activity:	Latitude	Longitude	WTF ID - short	WTF ID- long	??? (dBm)	Avg (dBm)	Best (dBm)
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610	11/17/2020	14:49:01	LTE	???	no activity	38.23821179	-122.6469007	65535	2147483647	-92	-87	-68
611	11/17/2020	14:49:06	LTE	???	no activity	38.23848993	-122.6470253	65535	2147483647	-88	-87	-68
612	11/17/2020	14:49:11	LTE	???	no activity	38.23872459	-122.6471616	65535	2147483647	-92	-87	-68
613	11/17/2020	14:49:16	LTE	???	no activity	38.23886518	-122.6472385	65535	2147483647	-86	-87	-68
614	11/17/2020	14:49:21	LTE	???	Unknown	38.23915563	-122.6473924	65535	2147483647	-78	-87	-68
615	11/17/2020	14:49:26	LTE	???	Unknown	38.23946786	-122.6475584	65535	2147483647	-84	-87	-68
616	11/17/2020	14:49:31	LTE	???	Unknown	38.23964863	-122.6476643	65535	2147483647	-86	-87	-68
617	11/17/2020	14:49:36	LTE	???	Unknown	38.23975898	-122.6477288	65535	2147483647	-85	-87	-68
618	11/17/2020	14:49:41	LTE	???	Unknown	38.24004015	-122.6478673	65535	2147483647	-84	-87	-68
619	11/17/2020	14:49:46	LTE	???	Unknown	38.24033517	-122.6480187	65535	2147483647	-94	-87	-68
620	11/17/2020	14:49:51	LTE	???	Unknown	38.24056538	-122.6481263	65535	2147483647	-92	-87	-68
621	11/17/2020	14:49:56	LTE	???	Unknown	38.24063523	-122.6482226	65535	2147483647	-91	-87	-68
622	11/17/2020	14:50:01	LTE	???	Unknown	38.24056137	-122.648551	65535	2147483647	-93	-87	-68
623	11/17/2020	14:50:06	LTE	???	Unknown	38.24046155	-122.6488432	65535	2147483647	-92	-87	-68
624	11/17/2020	14:50:11	LTE	???	Unknown	38.24035362	-122.6490589	65535	2147483647	-96	-87	-68
625	11/17/2020	14:50:16	LTE	???	Unknown	38.24017146	-122.6490241	65535	2147483647	-89	-87	-68
626	11/17/2020	14:50:21	LTE	???	Unknown	38.23995548	-122.6489168	65535	2147483647	-90	-87	-68
627	11/17/2020	14:50:26	LTE	???	Unknown	38.23974091	-122.6488001	65535	2147483647	-89	-87	-68
628	11/17/2020	14:50:31	LTE	???	Unknown	38.2395163	-122.6487043	65535	2147483647	-76	-87	-68
629	11/17/2020	14:50:36	LTE	???	Unknown	38.23932489	-122.6485771	65535	2147483647	-83	-87	-68
630	11/17/2020	14:50:41	LTE	???	upload + download activity	38.23910911	-122.6484605	65535	2147483647	-85	-87	-68
631	11/17/2020	14:50:46	LTE	???	no activity	38.23887779	-122.6483432	65535	2147483647	-88	-87	-68
632	11/17/2020	14:50:52	LTE	???	Unknown	38.23862896	-122.6482272	65535	2147483647	-86	-87	-68
633	11/17/2020	14:50:57	LTE	???	Unknown	38.23842578	-122.6481546	65535	2147483647	-84	-87	-68
634	11/17/2020	14:51:02	LTE	???	Unknown	38.23824081	-122.6480737	65535	2147483647	-81	-87	-68
635	11/17/2020	14:51:07	LTE	???	Unknown	38.2380047	-122.6479183	65535	2147483647	-88	-87	-68
636	11/17/2020	14:51:12	LTE	???	Unknown	38.23779333	-122.6478093	65535	2147483647	-93	-87	-68
637	11/17/2020	14:51:17	LTE	???	Unknown	38.2376963	-122.6477675	65535	2147483647	-88	-87	-68
638	11/17/2020	14:51:22	LTE	???	Unknown	38.2376139	-122.6477369	65535	2147483647	-85	-87	-68
639	11/17/2020	14:51:27	LTE	???	Unknown	38.23740773	-122.6476233	65535	2147483647	-88	-87	-68
640	11/17/2020	14:51:32	LTE	???	Unknown	38.23723153	-122.6475361	65535	2147483647	-91	-87	-68
641	11/17/2020	14:51:37	LTE	???	Unknown	38.23705091	-122.6474257	65535	2147483647	-88	-87	-68
642	11/17/2020	14:51:42	LTE	???	upload activity	38.23689178	-122.6473313	65535	2147483647	-95	-87	-68
643	11/17/2020	14:51:47	LTE	???	upload activity	38.23671484	-122.6472299	65535	2147483647	-97	-87	-68
644	11/17/2020	14:51:52	LTE	???	upload activity	38.23652842	-122.6471301	65535	2147483647	-95	-87	-68
645	11/17/2020	14:51:57	LTE	???	no activity	38.236347	-122.6470481	65535	2147483647	-94	-87	-68
646	11/17/2020	14:52:02	LTE	???	no activity	38.23616188	-122.6469788	65535	2147483647	-95	-87	-68
647	11/17/2020	14:52:07	LTE	???	no activity	38.23600142	-122.6468848	65535	2147483647	-96	-87	-68
648	11/17/2020	14:52:12	LTE	???	Unknown	38.2359597	-122.6468564	65535	2147483647	-96	-88	-68
649	11/17/2020	14:52:17	LTE	???	Unknown	38.23585484	-122.6467655	65535	2147483647	-84	-87	-68
650	11/17/2020	14:52:22	LTE	???	Unknown	38.23564487	-122.6466169	65535	2147483647	-97	-88	-68
651	11/17/2020	14:52:27	LTE	???	Unknown	38.23540827	-122.6464472	65535	2147483647	-97	-88	-68
652	11/17/2020	14:52:32	LTE	???	Unknown	38.23521982	-122.6462976	65535	2147483647	-94	-88	-68
653	11/17/2020	14:52:37	LTE	???	Unknown	38.23503108	-122.6461677	65535	2147483647	-101	-88	-68
654	11/17/2020	14:52:43	LTE	???	Unknown	38.23491522	-122.6461248	65535	2147483647	-96	-88	-68
655	11/17/2020	14:52:48	LTE	???	Unknown	38.23483439	-122.6463181	65535	2147483647	-94	-88	-68
656	11/17/2020	14:52:53	LTE	???	Unknown	38.23478439	-122.6465242	65535	2147483647	-93	-88	-68
657	11/17/2020	14:52:58	LTE	???	Unknown	38.23475508	-122.6466924	65535	2147483647	-94	-88	-68
658	11/17/2020	14:53:03	LTE	???	upload + download activity	38.23492107	-122.6469174	65535	2147483647	-100	-88	-68
659	11/17/2020	14:53:08	LTE	???	no activity	38.2351376	-122.6472202	65535	2147483647	-96	-88	-68
660	11/17/2020	14:53:13	LTE	???	Unknown	38.23534823	-122.6475283	65535	2147483647	-94	-88	-68
661	11/17/2020	14:53:18	LTE	???	Unknown	38.23550279	-122.6477335	65535	2147483647	-86	-88	-68
662	11/17/2020	14:53:23	LTE	???	Unknown	38.23557475	-122.6478377	65535	2147483647	-84	-88	-68
663	11/17/2020	14:53:28	LTE	???	Unknown	38.23574144	-122.6480969	65535	2147483647	-91	-88	-68
664	11/17/2020	14:53:33	LTE	???	Unknown	38.2359544	-122.6483526	65535	2147483647	-91	-88	-68
665	11/17/2020	14:53:38	LTE	???	Unknown	38.23611792	-122.6486	65535	2147483647	-86	-88	-68
666	11/17/2020	14:53:43	LTE	???	Unknown	38.23630744	-122.6488352	65535	2147483647	-88	-88	-68
667	11/17/2020	14:53:48	LTE	???	Unknown	38.23647536	-122.6490516	65535	2147483647	-83	-88	-68
668	11/17/2020	14:53:53	LTE	???	Unknown	38.23665321	-122.6492916	65535	2147483647	-86	-88	-68
669	11/17/2020	14:53:58	LTE	???	Unknown	38.23683044	-122.6495383	65535	2147483647	-87	-88	-68
670	11/17/2020	14:54:03	LTE	???	no activity	38.23686564	-122.6495819	65535	2147483647	-86	-88	-68
671	11/17/2020	14:54:08	LTE	???	no activity	38.23700243	-122.6497814	65535	2147483647	-88	-88	-68
672	11/17/2020	14:54:13	LTE	???	Unknown	38.23721662	-122.6500642	65535	2147483647	-90	-88	-68
673	11/17/2020	14:54:18	LTE	???	Unknown	38.23741443	-122.6503715	65535	2147483647	-94	-88	-68
674	11/17/2020	14:54:23	LTE	???	Unknown	38.23765191	-122.6506861	65535	2147483647	-102	-88	-68
675	11/17/2020	14:54:29	LTE	???	Unknown	38.23780344	-122.6509204	65535	2147483647	-104	-88	-68
676	11/17/2020	14:54:34	LTE	???	Unknown	38.23784493	-122.6509874	65535	2147483647	-102	-88	-68
677	11/17/2020	14:54:39	LTE	???	Unknown	38.23802534	-122.6512259	65535	2147483647	-101	-88	-68
678	11/17/2020	14:54:44	LTE	???	Unknown	38.23827571	-122.6515604	65535	2147483647	-91	-89	-68
679	11/17/2020	14:54:49	LTE	???	Unknown	38.23843587	-122.6516728	65535	2147483647	-100	-89	-68
680	11/17/2020	14:54:54	LTE	???	Unknown	38.23862522	-122.6516758	65535	2147483647	-99	-89	-68
681	11/17/2020	14:54:59	LTE	???	Unknown	38.23884531	-122.6516818	65535	2147483647	-105	-89	-68
682	11/17/2020	14:55:04	LTE	???	Unknown	38.23911954	-122.6516618	65535	2147483647	-107	-89	-68
683	11/17/2020	14:55:09	LTE	???	Unknown	38.23936136	-122.6516765	65535	2147483647	-110	-89	-68
684	11/17/2020	14:55:14	LTE	???	Unknown	38.23951557	-122.6516955	65535	2147483647	-107	-89	-68

Cnt	Date	Time	Network	Freq/Band	Data activity:	Latitude	Longitude	WTF ID - short	WTF ID- long	??? (dBm)	Avg (dBm)	Best (dBm)
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686	11/17/2020	14:55:24	LTE	???	Unknown	38.23967538	-122.6512439	65535	2147483647	-104	-89	-68
687	11/17/2020	14:55:29	LTE	???	Unknown	38.23978889	-122.6508964	65535	2147483647	-101	-89	-68
688	11/17/2020	14:55:34	LTE	???	Unknown	38.2398931	-122.6505576	65535	2147483647	-102	-90	-68
689	11/17/2020	14:55:39	LTE	???	Unknown	38.23996312	-122.6503075	65535	2147483647	-100	-90	-68
690	11/17/2020	14:55:44	LTE	???	Unknown	38.2400598	-122.6500352	65535	2147483647	-100	-90	-68
691	11/17/2020	14:55:49	LTE	???	Unknown	38.24016729	-122.6497062	65535	2147483647	-94	-90	-68
692	11/17/2020	14:55:54	LTE	???	Unknown	38.2402585	-122.6493842	65535	2147483647	-94	-90	-68
693	11/17/2020	14:55:59	LTE	???	Unknown	38.24029732	-122.6491453	65535	2147483647	-83	-90	-68
694	11/17/2020	14:56:04	LTE	???	no activity	38.24012943	-122.6490457	65535	2147483647	-93	-90	-68
695	11/17/2020	14:56:09	LTE	???	no activity	38.23988137	-122.6488914	65535	2147483647	-90	-90	-68
696	11/17/2020	14:56:14	LTE	???	no activity	38.23961522	-122.6487439	65535	2147483647	-86	-90	-68
697	11/17/2020	14:56:19	LTE	???	no activity	38.2394605	-122.6487671	65535	2147483647	-89	-90	-68
698	11/17/2020	14:56:25	LTE	???	Unknown	38.23933434	-122.649067	65535	2147483647	-88	-90	-68
699	11/17/2020	14:56:30	LTE	???	Unknown	38.23922532	-122.6494068	65535	2147483647	-89	-90	-68
700	11/17/2020	14:56:35	LTE	???	Unknown	38.23913602	-122.6497232	65535	2147483647	-94	-90	-68
701	11/17/2020	14:56:40	LTE	???	Unknown	38.23907677	-122.6498967	65535	2147483647	-100	-90	-68
702	11/17/2020	14:56:45	LTE	???	Unknown	38.23903432	-122.650065	65535	2147483647	-98	-90	-68
703	11/17/2020	14:56:50	LTE	???	Unknown	38.23895567	-122.6502995	65535	2147483647	-101	-90	-68
704	11/17/2020	14:56:55	LTE	???	Unknown	38.23889051	-122.6505055	65535	2147483647	-104	-90	-68
705	11/17/2020	14:57:00	LTE	???	Unknown	38.2388417	-122.6506296	65535	2147483647	-108	-90	-68
706	11/17/2020	14:57:05	LTE	???	no activity	38.23864147	-122.6507165	65535	2147483647	-104	-90	-68
707	11/17/2020	14:57:10	LTE	???	no activity	38.23848251	-122.6507818	65535	2147483647	-102	-90	-68
708	11/17/2020	14:57:15	LTE	???	Unknown	38.23831536	-122.6508444	65535	2147483647	-98	-90	-68
709	11/17/2020	14:57:20	LTE	???	Unknown	38.23815908	-122.6509255	65535	2147483647	-103	-90	-68
710	11/17/2020	14:57:25	LTE	???	Unknown	38.2380073	-122.6509897	65535	2147483647	-106	-90	-68
711	11/17/2020	14:57:30	LTE	???	Unknown	38.23796687	-122.6509991	65535	2147483647	-108	-90	-68
712	11/17/2020	14:57:35	LTE	???	upload + download activity	38.23796832	-122.6509938	65535	2147483647	-106	-91	-68
713	11/17/2020	14:57:40	LTE	???	no activity	38.23796379	-122.6510029	65535	2147483647	-107	-91	-68
714	11/17/2020	14:57:45	LTE	???	no activity	38.2379507	-122.6511042	65535	2147483647	-103	-91	-68
715	11/17/2020	14:57:50	LTE	???	Unknown	38.23799958	-122.6511489	65535	2147483647	-97	-91	-68
716	11/17/2020	14:57:55	LTE	???	Unknown	38.23799569	-122.6511458	65535	2147483647	-97	-91	-68
717	11/17/2020	14:58:00	LTE	???	no activity	38.23799172	-122.6511403	65535	2147483647	-99	-91	-68
718	11/17/2020	14:58:05	LTE	???	no activity	38.23799222	-122.6511379	65535	2147483647	-97	-91	-68
719	11/18/2020	13:19:08	LTE	???	no activity	38.23786396	-122.6408846	65535	2147483647	-57	-57	-57
720	11/18/2020	13:19:13	LTE	???	no activity	38.23786362	-122.6408809	65535	2147483647	-57	-57	-57
721	11/18/2020	13:19:18	LTE	???	no activity	38.23784862	-122.6408179	65535	2147483647	-60	-58	-57
722	11/18/2020	13:19:23	LTE	???	no activity	38.23774702	-122.6407866	65535	2147483647	-65	-59	-57
723	11/18/2020	13:19:28	LTE	???	Unknown	38.2376105	-122.6408514	65535	2147483647	-60	-59	-57
724	11/18/2020	13:19:33	LTE	???	no activity	38.23742769	-122.640765	65535	2147483647	-64	-60	-57
725	11/18/2020	13:19:38	LTE	???	Unknown	38.23719982	-122.6406964	65535	2147483647	-76	-62	-57
726	11/18/2020	13:19:43	LTE	???	Unknown	38.23685812	-122.6406766	65535	2147483647	-73	-64	-57
727	11/18/2020	13:19:48	LTE	???	Unknown	38.23655487	-122.6406732	65535	2147483647	-70	-64	-57
728	11/18/2020	13:19:53	LTE	???	Unknown	38.23626569	-122.6406489	65535	2147483647	-70	-65	-57
729	11/18/2020	13:19:58	LTE	???	Unknown	38.23607092	-122.6406214	65535	2147483647	-70	-65	-57
730	11/18/2020	13:20:03	LTE	???	Unknown	38.23601798	-122.6406083	65535	2147483647	-70	-66	-57
731	11/18/2020	13:20:08	LTE	???	Unknown	38.23593549	-122.6407697	65535	2147483647	-69	-66	-57
732	11/18/2020	13:20:13	LTE	???	Unknown	38.23588113	-122.6409721	65535	2147483647	-69	-66	-57
733	11/18/2020	13:20:18	LTE	???	Unknown	38.23586525	-122.6410055	65535	2147483647	-66	-66	-57
734	11/18/2020	13:20:24	LTE	???	Unknown	38.23586193	-122.6410039	65535	2147483647	-66	-66	-57
735	11/18/2020	13:20:29	LTE	???	Unknown	38.23585936	-122.6410029	65535	2147483647	-66	-66	-57
736	11/18/2020	13:20:34	LTE	???	Unknown	38.23585948	-122.641006	65535	2147483647	-66	-66	-57
737	11/18/2020	13:20:39	LTE	???	Unknown	38.2358587	-122.641011	65535	2147483647	-66	-66	-57
738	11/18/2020	13:20:44	LTE	???	Unknown	38.23586411	-122.6410111	65535	2147483647	-66	-66	-57
739	11/18/2020	13:20:49	LTE	???	Unknown	38.23586921	-122.6410094	65535	2147483647	-66	-66	-57
740	11/18/2020	13:20:54	LTE	???	Unknown	38.23586991	-122.64101	65535	2147483647	-67	-66	-57
741	11/18/2020	13:20:59	LTE	???	Unknown	38.23586995	-122.6410101	65535	2147483647	-66	-66	-57
742	11/18/2020	13:21:04	LTE	???	Unknown	38.23586997	-122.6410099	65535	2147483647	-68	-66	-57
743	11/18/2020	13:21:09	LTE	???	Unknown	38.2358692	-122.6410066	65535	2147483647	-66	-66	-57
744	11/18/2020	13:21:14	LTE	???	Unknown	38.2358745	-122.6409981	65535	2147483647	-67	-66	-57
745	11/18/2020	13:21:19	LTE	???	Unknown	38.23587338	-122.6409917	65535	2147483647	-66	-66	-57
746	11/18/2020	13:21:24	LTE	???	Unknown	38.23582757	-122.6411755	65535	2147483647	-68	-66	-57
747	11/18/2020	13:21:29	LTE	???	Unknown	38.23570022	-122.6415802	65535	2147483647	-75	-66	-57
748	11/18/2020	13:21:34	LTE	???	Unknown	38.23561342	-122.6418189	65535	2147483647	-76	-67	-57
749	11/18/2020	13:21:39	LTE	???	Unknown	38.2356029	-122.6418527	65535	2147483647	-75	-67	-57
750	11/18/2020	13:21:44	LTE	???	Unknown	38.23558121	-122.6418914	65535	2147483647	-75	-67	-57
751	11/18/2020	13:21:49	LTE	???	Unknown	38.23545656	-122.6422277	65535	2147483647	-77	-67	-57
752	11/18/2020	13:21:54	LTE	???	no activity	38.23529462	-122.642729	65535	2147483647	-83	-68	-57
753	11/18/2020	13:21:59	LTE	???	no activity	38.23512993	-122.643209	65535	2147483647	-86	-68	-57
754	11/18/2020	13:22:04	LTE	???	Unknown	38.23495402	-122.643721	65535	2147483647	-94	-69	-57
755	11/18/2020	13:22:08	LTE	???	Unknown	38.23477779	-122.6442701	65535	2147483647	-80	-69	-57
756	11/18/2020	13:22:13	LTE	???	Unknown	38.23461198	-122.6447985	65535	2147483647	-92	-70	-57
757	11/18/2020	13:22:18	LTE	???	Unknown	38.2344427	-122.6453412	65535	2147483647	-91	-70	-57
758	11/18/2020	13:22:23	LTE	???	Unknown	38.23432493	-122.6459539	65535	2147483647	-91	-71	-57
759	11/18/2020	13:22:28	LTE	???	Unknown	38.23427678	-122.646602	65535	2147483647	-88	-71	-57
760	11/18/2020	13:22:33	LTE	???	no activity	38.2342664	-122.6473086	65535	2147483647	-97	-72	-57

Cnt	Date	Time	Network	Freq/Band	Data activity:	Latitude	Longitude	WTF ID - short	WTF ID- long	??? (dBm)	Avg (dBm)	Best (dBm)
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762	11/18/2020	13:22:43	LTE	???	no activity	38.23431955	-122.6487748	65535	2147483647	-104	-73	-57
763	11/18/2020	13:22:48	LTE	???	no activity	38.23434163	-122.6494469	65535	2147483647	-106	-74	-57
764	11/18/2020	13:22:53	LTE	???	Unknown	38.23435582	-122.6501234	65535	2147483647	-105	-74	-57
765	11/18/2020	13:22:58	LTE	???	Unknown	38.23438254	-122.6507878	65535	2147483647	-109	-75	-57
766	11/18/2020	13:23:03	LTE	???	no activity	38.23439868	-122.6514199	65535	2147483647	-109	-76	-57
767	11/18/2020	13:23:08	LTE	???	no activity	38.23441626	-122.6520411	65535	2147483647	-110	-77	-57
768	11/18/2020	13:23:13	LTE	???	no activity	38.23444009	-122.6526508	65535	2147483647	-107	-77	-57
769	11/18/2020	13:23:18	LTE	???	no activity	38.23446551	-122.6532464	65535	2147483647	-106	-78	-57
770	11/18/2020	13:23:23	LTE	???	upload + download activity	38.23449453	-122.6538891	65535	2147483647	-110	-78	-57
771	11/18/2020	13:23:28	LTE	???	no activity	38.23451702	-122.6545421	65535	2147483647	-113	-79	-57
772	11/18/2020	13:23:33	LTE	???	Unknown	38.2345419	-122.6552165	65535	2147483647	-112	-80	-57
773	11/18/2020	13:23:39	LTE	???	Unknown	38.23456799	-122.6560702	65535	2147483647	-110	-80	-57
774	11/18/2020	13:23:44	LTE	???	no activity	38.23458138	-122.6568009	65535	2147483647	-112	-81	-57
775	11/18/2020	13:23:49	LTE	???	no activity	38.23460704	-122.6575136	65535	2147483647	-111	-81	-57
776	11/18/2020	13:23:54	LTE	???	no activity	38.23462107	-122.6581504	65535	2147483647	-113	-82	-57
777	11/18/2020	13:23:59	LTE	???	no activity	38.2346412	-122.658626	65535	2147483647	-112	-82	-57
778	11/18/2020	13:24:04	LTE	???	Unknown	38.23465252	-122.659188	65535	2147483647	-116	-83	-57
779	11/18/2020	13:24:09	LTE	???	Unknown	38.23466763	-122.6598609	65535	2147483647	-109	-83	-57
780	11/18/2020	13:24:14	LTE	???	Unknown	38.23468421	-122.6605861	65535	2147483647	-114	-84	-57
781	11/18/2020	13:24:19	LTE	???	Unknown	38.23471254	-122.6613747	65535	2147483647	-110	-84	-57
782	11/18/2020	13:24:24	LTE	???	Unknown	38.23473651	-122.6622091	65535	2147483647	-113	-85	-57
783	11/18/2020	13:24:29	LTE	???	Unknown	38.23474565	-122.6631017	65535	2147483647	-115	-85	-57
784	11/18/2020	13:24:34	LTE	???	Unknown	38.23474193	-122.6638974	65535	2147483647	-110	-85	-57
785	11/18/2020	13:24:39	LTE	???	Unknown	38.23468518	-122.6643233	65535	2147483647	-104	-86	-57
786	11/18/2020	13:24:44	LTE	???	Unknown	38.23436049	-122.66435	65535	2147483647	-109	-86	-57
787	11/18/2020	13:24:49	LTE	???	Unknown	38.23392294	-122.6643462	65535	2147483647	-107	-86	-57
788	11/18/2020	13:24:54	LTE	???	Unknown	38.23348933	-122.6643402	65535	2147483647	-108	-87	-57
789	11/18/2020	13:24:59	LTE	???	Unknown	38.23306614	-122.6643316	65535	2147483647	-110	-87	-57
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791	11/18/2020	13:25:09	LTE	???	upload + download activity	38.23218003	-122.6643255	65535	2147483647	-106	-87	-57
792	11/18/2020	13:25:14	LTE	???	no activity	38.23171819	-122.664338	65535	2147483647	-102	-88	-57
793	11/18/2020	13:25:19	LTE	???	upload + download activity	38.23125564	-122.664326	65535	2147483647	-116	-88	-57
794	11/18/2020	13:25:24	LTE	???	upload + download activity	38.23076416	-122.6643198	65535	2147483647	-117	-88	-57
795	11/18/2020	13:25:29	LTE	???	no activity	38.23027456	-122.6643166	65535	2147483647	-117	-89	-57
796	11/18/2020	13:25:34	LTE	???	no activity	38.22980242	-122.6643117	65535	2147483647	-115	-89	-57
797	11/18/2020	13:25:40	LTE	???	Unknown	38.22928858	-122.6642796	65535	2147483647	-111	-89	-57
798	11/18/2020	13:25:45	LTE	???	Unknown	38.22908431	-122.6639787	65535	2147483647	-110	-90	-57
799	11/18/2020	13:25:50	LTE	???	upload + download activity	38.2288854	-122.6635248	65535	2147483647	-106	-90	-57
800	11/18/2020	13:25:55	LTE	???	no activity	38.22864325	-122.6629535	65535	2147483647	-109	-90	-57
801	11/18/2020	13:26:00	LTE	???	Unknown	38.22843113	-122.6624783	65535	2147483647	-108	-90	-57
802	11/18/2020	13:26:05	LTE	???	Unknown	38.2283443	-122.6623846	65535	2147483647	-107	-90	-57
803	11/18/2020	13:26:10	LTE	???	Unknown	38.22813858	-122.6626118	65535	2147483647	-105	-91	-57
804	11/18/2020	13:26:15	LTE	???	no activity	38.22781636	-122.6631022	65535	2147483647	-108	-91	-57
805	11/18/2020	13:26:20	LTE	???	no activity	38.22748703	-122.6635908	65535	2147483647	-117	-91	-57
806	11/18/2020	13:26:25	LTE	???	no activity	38.22726117	-122.663936	65535	2147483647	-113	-91	-57
807	11/18/2020	13:26:30	LTE	???	Unknown	38.22693621	-122.6644053	65535	2147483647	-114	-92	-57
808	11/18/2020	13:26:35	LTE	???	Unknown	38.22668357	-122.6647418	65535	2147483647	-110	-92	-57
809	11/18/2020	13:26:40	LTE	???	Unknown	38.2266618	-122.6647769	65535	2147483647	-108	-92	-57
810	11/18/2020	13:26:45	LTE	???	Unknown	38.22664967	-122.6647893	65535	2147483647	-111	-92	-57
811	11/18/2020	13:26:50	LTE	???	Unknown	38.2264137	-122.6647278	65535	2147483647	-113	-92	-57
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813	11/18/2020	13:27:00	LTE	???	Unknown	38.22563188	-122.6647589	65535	2147483647	-107	-93	-57
814	11/18/2020	13:27:05	LTE	???	no activity	38.22519451	-122.6646872	65535	2147483647	-112	-93	-57
815	11/18/2020	13:27:10	LTE	???	no activity	38.224825	-122.6645432	65535	2147483647	-112	-93	-57
816	11/18/2020	13:27:15	LTE	???	no activity	38.22455045	-122.6644953	65535	2147483647	-115	-93	-57
817	11/18/2020	13:27:20	LTE	???	Unknown	38.22461189	-122.6642417	65535	2147483647	-113	-93	-57
818	11/18/2020	13:27:25	LTE	???	no activity	38.22479595	-122.6639273	65535	2147483647	-118	-94	-57
819	11/18/2020	13:27:30	LTE	???	no activity	38.22477796	-122.6634499	65535	2147483647	-112	-94	-57
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821	11/18/2020	13:27:41	LTE	???	Unknown	38.2247839	-122.6622714	65535	2147483647	-115	-94	-57
822	11/18/2020	13:27:46	LTE	???	Unknown	38.22499787	-122.6618484	65535	2147483647	-118	-94	-57
823	11/18/2020	13:27:51	LTE	???	upload + download activity	38.22531064	-122.6615961	65535	2147483647	-119	-95	-57
824	11/18/2020	13:27:56	LTE	???	Unknown	38.22559962	-122.6614754	65535	2147483647	-111	-95	-57
825	11/18/2020	13:28:01	LTE	???	Unknown	38.22559963	-122.6611709	65535	2147483647	-119	-95	-57
826	11/18/2020	13:28:06	LTE	???	Unknown	38.22554514	-122.6606686	65535	2147483647	-106	-95	-57
827	11/18/2020	13:28:11	LTE	???	Unknown	38.22543991	-122.6602152	65535	2147483647	-106	-95	-57
828	11/18/2020	13:28:16	LTE	???	Unknown	38.22533696	-122.6599587	65535	2147483647	-107	-95	-57
829	11/18/2020	13:28:21	LTE	???	Unknown	38.22527954	-122.6598794	65535	2147483647	-104	-95	-57
830	11/18/2020	13:28:26	LTE	???	Unknown	38.22506528	-122.6599048	65535	2147483647	-102	-95	-57
831	11/18/2020	13:28:31	LTE	???	no activity	38.22476759	-122.6599053	65535	2147483647	-113	-96	-57
832	11/18/2020	13:28:36	LTE	???	no activity	38.22446916	-122.6597604	65535	2147483647	-110	-96	-57
833	11/18/2020	13:28:41	LTE	???	no activity	38.22431143	-122.659586	65535	2147483647	-115	-96	-57
834	11/18/2020	13:28:46	LTE	???	no activity	38.22441297	-122.6596318	65535	2147483647	-104	-96	-57
835	11/18/2020	13:28:51	LTE	???	no activity	38.22465342	-122.6598299	65535	2147483647	-109	-96	-57
836	11/18/2020	13:28:56	LTE	???	no activity	38.22506259	-122.6598602	65535	2147483647	-112	-96	-57

Cnt	Date	Time	Network	Freq/Band	Data activity:	Latitude	Longitude	WTF ID - short	WTF ID- long	??? (dBm)	Avg (dBm)	Best (dBm)
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839	11/18/2020	13:29:11	LTE	???	Unknown	38.22581726	-122.6587375	65535	2147483647	-109	-96	-57
840	11/18/2020	13:29:16	LTE	???	Unknown	38.22588162	-122.6582515	65535	2147483647	-106	-96	-57
841	11/18/2020	13:29:21	LTE	???	Unknown	38.22605568	-122.6579484	65535	2147483647	-110	-97	-57
842	11/18/2020	13:29:26	LTE	???	Unknown	38.22635763	-122.6578333	65535	2147483647	-109	-97	-57
843	11/18/2020	13:29:31	LTE	???	Unknown	38.22646568	-122.6578052	65535	2147483647	-105	-97	-57
844	11/18/2020	13:29:36	LTE	???	Unknown	38.22650692	-122.6575644	65535	2147483647	-116	-97	-57
845	11/18/2020	13:29:42	LTE	???	upload + download activity	38.22640111	-122.6570164	65535	2147483647	-99	-97	-57
846	11/18/2020	13:29:47	LTE	???	upload + download activity	38.22632829	-122.6567348	65535	2147483647	-95	-97	-57
847	11/18/2020	13:29:52	LTE	???	no activity	38.22641955	-122.656592	65535	2147483647	-94	-97	-57
848	11/18/2020	13:29:57	LTE	???	no activity	38.22640794	-122.6569521	65535	2147483647	-98	-97	-57
849	11/18/2020	13:30:02	LTE	???	Unknown	38.22649785	-122.6574516	65535	2147483647	-104	-97	-57
850	11/18/2020	13:30:07	LTE	???	Unknown	38.22652401	-122.6579739	65535	2147483647	-111	-97	-57
851	11/18/2020	13:30:12	LTE	???	Unknown	38.22668191	-122.6584611	65535	2147483647	-115	-97	-57
852	11/18/2020	13:30:17	LTE	???	no activity	38.22678396	-122.6590313	65535	2147483647	-121	-97	-57
853	11/18/2020	13:30:22	LTE	???	no activity	38.22687055	-122.6596228	65535	2147483647	-110	-97	-57
854	11/18/2020	13:30:27	LTE	???	upload + download activity	38.22686701	-122.6601977	65535	2147483647	-111	-98	-57
855	11/18/2020	13:30:32	LTE	???	no activity	38.22670364	-122.6607438	65535	2147483647	-111	-98	-57
856	11/18/2020	13:30:37	LTE	???	no activity	38.22641046	-122.6611592	65535	2147483647	-99	-98	-57
857	11/18/2020	13:30:42	LTE	???	upload + download activity	38.22605107	-122.6614441	65535	2147483647	-113	-98	-57
858	11/18/2020	13:30:47	LTE	???	no activity	38.22564898	-122.6615501	65535	2147483647	-114	-98	-57
859	11/18/2020	13:30:52	LTE	???	Unknown	38.22523345	-122.661691	65535	2147483647	-118	-98	-57
860	11/18/2020	13:30:57	LTE	???	Unknown	38.22487254	-122.6620956	65535	2147483647	-117	-98	-57
861	11/18/2020	13:31:02	LTE	???	Unknown	38.22472017	-122.6627647	65535	2147483647	-114	-98	-57
862	11/18/2020	13:31:07	LTE	???	no activity	38.22481648	-122.663398	65535	2147483647	-114	-98	-57
863	11/18/2020	13:31:12	LTE	???	no activity	38.22482978	-122.6639556	65535	2147483647	-118	-98	-57
864	11/18/2020	13:31:17	LTE	???	upload activity	38.22474532	-122.6643334	65535	2147483647	-116	-99	-57
865	11/18/2020	13:31:22	LTE	???	no activity	38.22458354	-122.6645252	65535	2147483647	-114	-99	-57
866	11/18/2020	13:31:27	LTE	???	no activity	38.22439036	-122.6642303	65535	2147483647	-111	-99	-57
867	11/18/2020	13:31:32	LTE	???	no activity	38.22405634	-122.6638487	65535	2147483647	-111	-99	-57
868	11/18/2020	13:31:38	LTE	???	no activity	38.22367082	-122.6631742	65535	2147483647	-106	-99	-57
869	11/18/2020	13:31:43	LTE	???	no activity	38.22334213	-122.6625408	65535	2147483647	-109	-99	-57
870	11/18/2020	13:31:48	LTE	???	no activity	38.22303455	-122.6619021	65535	2147483647	-108	-99	-57
871	11/18/2020	13:31:53	LTE	???	upload activity	38.22285321	-122.6612374	65535	2147483647	-105	-99	-57
872	11/18/2020	13:31:58	LTE	???	no activity	38.22276586	-122.6605724	65535	2147483647	-109	-99	-57
873	11/18/2020	13:32:03	LTE	???	Unknown	38.22273544	-122.659934	65535	2147483647	-118	-99	-57
874	11/18/2020	13:32:08	LTE	???	no activity	38.22270561	-122.6592926	65535	2147483647	-115	-99	-57
875	11/18/2020	13:32:13	LTE	???	upload + download activity	38.22264728	-122.6585948	65535	2147483647	-123	-99	-57
876	11/18/2020	13:32:18	LTE	???	no activity	38.2224687	-122.6578781	65535	2147483647	-123	-100	-57
877	11/18/2020	13:32:23	LTE	???	no activity	38.2221978	-122.6572398	65535	2147483647	-109	-100	-57
878	11/18/2020	13:32:28	LTE	???	upload activity	38.22189074	-122.6565808	65535	2147483647	-107	-100	-57
879	11/18/2020	13:32:33	LTE	???	no activity	38.22164021	-122.6559002	65535	2147483647	-97	-100	-57
880	11/18/2020	13:32:38	LTE	???	Unknown	38.22154959	-122.6554764	65535	2147483647	-96	-100	-57
881	11/18/2020	13:32:43	LTE	???	no activity	38.2215277	-122.6553533	65535	2147483647	-100	-100	-57
882	11/18/2020	13:32:48	LTE	???	no activity	38.22144536	-122.6549064	65535	2147483647	-100	-100	-57
883	11/18/2020	13:32:53	LTE	???	Unknown	38.22130046	-122.6542822	65535	2147483647	-101	-100	-57
884	11/18/2020	13:32:58	LTE	???	Unknown	38.22113646	-122.6536613	65535	2147483647	-100	-100	-57
885	11/18/2020	13:33:03	LTE	???	no activity	38.2209252	-122.6531886	65535	2147483647	-99	-100	-57
886	11/18/2020	13:33:08	LTE	???	no activity	38.22084958	-122.6530656	65535	2147483647	-95	-100	-57
887	11/18/2020	13:33:13	LTE	???	no activity	38.22067193	-122.6528065	65535	2147483647	-97	-100	-57
888	11/18/2020	13:33:18	LTE	???	no activity	38.22040066	-122.6523528	65535	2147483647	-101	-100	-57
889	11/18/2020	13:33:23	LTE	???	Unknown	38.22017676	-122.651815	65535	2147483647	-97	-100	-57
890	11/18/2020	13:33:28	LTE	???	Unknown	38.22002618	-122.6512577	65535	2147483647	-85	-100	-57
891	11/18/2020	13:33:33	LTE	???	no activity	38.21998197	-122.6510348	65535	2147483647	-90	-99	-57
892	11/18/2020	13:33:39	LTE	???	no activity	38.21991766	-122.6505817	65535	2147483647	-101	-99	-57
893	11/18/2020	13:33:44	LTE	???	no activity	38.21983684	-122.6499012	65535	2147483647	-107	-99	-57
894	11/18/2020	13:33:49	LTE	???	no activity	38.21957998	-122.6492967	65535	2147483647	-110	-100	-57
895	11/18/2020	13:33:54	LTE	???	no activity	38.21921149	-122.6488265	65535	2147483647	-100	-100	-57
896	11/18/2020	13:33:59	LTE	???	no activity	38.21898125	-122.6482148	65535	2147483647	-84	-99	-57
897	11/18/2020	13:34:04	LTE	???	no activity	38.21883686	-122.6474779	65535	2147483647	-79	-99	-57
898	11/18/2020	13:34:09	LTE	???	Unknown	38.21889525	-122.6467465	65535	2147483647	-92	-99	-57
899	11/18/2020	13:34:14	LTE	???	Unknown	38.21902928	-122.646013	65535	2147483647	-87	-99	-57
900	11/18/2020	13:36:42	LTE	???	no activity	38.22091212	-122.6432469	65535	2147483647	-90	-90	-90
901	11/18/2020	13:36:47	LTE	???	no activity	38.22091235	-122.6432467	65535	2147483647	-78	-84	-78
902	11/18/2020	13:36:52	LTE	???	no activity	38.22093904	-122.6432244	65535	2147483647	-77	-81	-77
903	11/18/2020	13:36:57	LTE	???	no activity	38.22117976	-122.6431281	65535	2147483647	-76	-80	-76
904	11/18/2020	13:37:02	LTE	???	Unknown	38.22159133	-122.6430392	65535	2147483647	-78	-79	-76
905	11/18/2020	13:37:07	LTE	???	Unknown	38.22202762	-122.6429159	65535	2147483647	-80	-79	-76
906	11/18/2020	13:37:12	LTE	???	Unknown	38.22246587	-122.6428288	65535	2147483647	-86	-80	-76
907	11/18/2020	13:37:17	LTE	???	Unknown	38.22283789	-122.6427255	65535	2147483647	-88	-81	-76
908	11/18/2020	13:37:22	LTE	???	Unknown	38.22297746	-122.6427034	65535	2147483647	-89	-82	-76
909	11/18/2020	13:37:27	LTE	???	Unknown	38.22304077	-122.6425031	65535	2147483647	-90	-83	-76
910	11/18/2020	13:37:32	LTE	???	Unknown	38.22296372	-122.6421023	65535	2147483647	-95	-84	-76
911	11/18/2020	13:37:37	LTE	???	no activity	38.22279	-122.6415015	65535	2147483647	-98	-85	-76
912	11/18/2020	13:37:43	LTE	???	no activity	38.22264427	-122.6409777	65535	2147483647	-95	-86	-76

Cnt	Date	Time	Network	Freq/Band	Data activity:	Latitude	Longitude	WTF ID - short	WTF ID- long	??? (dBm)	Avg (dBm)	Best (dBm)
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914	11/18/2020	13:37:53	LTE	???	Unknown	38.22250984	-122.6404783	65535	2147483647	-85	-86	-76
915	11/18/2020	13:37:58	LTE	???	Unknown	38.22245361	-122.6400514	65535	2147483647	-87	-86	-76
916	11/18/2020	13:38:03	LTE	???	Unknown	38.22249586	-122.6395273	65535	2147483647	-97	-86	-76
917	11/18/2020	13:38:08	LTE	???	Unknown	38.22254903	-122.638946	65535	2147483647	-93	-87	-76
918	11/18/2020	13:38:13	LTE	???	Unknown	38.22258568	-122.638442	65535	2147483647	-94	-87	-76
919	11/18/2020	13:38:18	LTE	???	no activity	38.22259986	-122.63819	65535	2147483647	-96	-87	-76
920	11/18/2020	13:38:23	LTE	???	no activity	38.22270971	-122.6381244	65535	2147483647	-97	-88	-76
921	11/18/2020	13:38:28	LTE	???	Unknown	38.22300583	-122.6379802	65535	2147483647	-140	-90	-76
922	11/18/2020	13:38:33	LTE	???	Unknown	38.22332902	-122.6377788	65535	2147483647	-91	-90	-76
923	11/18/2020	13:38:38	LTE	???	Unknown	38.2236517	-122.6375694	65535	2147483647	-92	-90	-76
924	11/18/2020	13:38:43	LTE	???	Unknown	38.22398572	-122.6373684	65535	2147483647	-93	-90	-76
925	11/18/2020	13:38:48	LTE	???	Unknown	38.22431104	-122.6371636	65535	2147483647	-93	-90	-76
926	11/18/2020	13:38:53	LTE	???	upload + download activity	38.22461778	-122.6369567	65535	2147483647	-94	-91	-76
927	11/18/2020	13:38:58	LTE	???	no activity	38.22490476	-122.6368007	65535	2147483647	-91	-91	-76
928	11/18/2020	13:39:03	LTE	???	Unknown	38.22517171	-122.6366391	65535	2147483647	-97	-91	-76
929	11/18/2020	13:39:08	LTE	???	Unknown	38.22545841	-122.636476	65535	2147483647	-96	-91	-76
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931	11/18/2020	13:39:18	LTE	???	no activity	38.22589893	-122.6361915	65535	2147483647	-92	-91	-76
932	11/18/2020	13:39:23	LTE	???	no activity	38.22603166	-122.6361097	65535	2147483647	-91	-91	-76
933	11/18/2020	13:39:28	LTE	???	upload + download activity	38.22634802	-122.6359115	65535	2147483647	-92	-91	-76
934	11/18/2020	13:39:33	LTE	???	no activity	38.22673112	-122.6356711	65535	2147483647	-93	-91	-76
935	11/18/2020	13:39:38	LTE	???	no activity	38.2270825	-122.6354432	65535	2147483647	-94	-91	-76
936	11/18/2020	13:39:43	LTE	???	no activity	38.22743485	-122.6352312	65535	2147483647	-95	-91	-76
937	11/18/2020	13:39:49	LTE	???	Unknown	38.22784978	-122.6349733	65535	2147483647	-102	-91	-76
938	11/18/2020	13:39:54	LTE	???	no activity	38.22817144	-122.6347616	65535	2147483647	-97	-92	-76
939	11/18/2020	13:39:59	LTE	???	no activity	38.22839948	-122.6346142	65535	2147483647	-94	-92	-76
940	11/18/2020	13:40:04	LTE	???	Unknown	38.22844652	-122.6345908	65535	2147483647	-95	-92	-76
941	11/18/2020	13:40:09	LTE	???	Unknown	38.22869991	-122.6344455	65535	2147483647	-82	-91	-76
942	11/18/2020	13:40:14	LTE	???	Unknown	38.22905966	-122.6342261	65535	2147483647	-81	-91	-76
943	11/18/2020	13:40:19	LTE	???	Unknown	38.22931735	-122.6340617	65535	2147483647	-80	-91	-76
944	11/18/2020	13:40:24	LTE	???	upload + download activity	38.22943618	-122.6339873	65535	2147483647	-81	-91	-76
945	11/18/2020	13:40:29	LTE	???	upload + download activity	38.22976563	-122.633785	65535	2147483647	-81	-90	-76
946	11/18/2020	13:40:34	LTE	???	no activity	38.23010328	-122.6335742	65535	2147483647	-81	-90	-76
947	11/18/2020	13:40:39	LTE	???	upload activity	38.23023299	-122.6334957	65535	2147483647	-81	-90	-76
948	11/18/2020	13:40:44	LTE	???	no activity	38.2304362	-122.6333787	65535	2147483647	-81	-90	-76
949	11/18/2020	13:40:49	LTE	???	no activity	38.23072491	-122.6332052	65535	2147483647	-83	-90	-76
950	11/18/2020	13:40:54	LTE	???	no activity	38.230906	-122.6330924	65535	2147483647	-95	-90	-76
951	11/18/2020	13:40:59	LTE	???	no activity	38.23094981	-122.6330619	65535	2147483647	-95	-90	-76
952	11/18/2020	13:41:04	LTE	???	Unknown	38.23109963	-122.6332634	65535	2147483647	-91	-90	-76
953	11/18/2020	13:41:09	LTE	???	upload + download activity	38.23127383	-122.6337304	65535	2147483647	-92	-90	-76
954	11/18/2020	13:41:14	LTE	???	no activity	38.23147281	-122.6342356	65535	2147483647	-90	-90	-76
955	11/18/2020	13:41:19	LTE	???	no activity	38.23155086	-122.6344434	65535	2147483647	-93	-90	-76
956	11/18/2020	13:41:24	LTE	???	Unknown	38.23143905	-122.6346017	65535	2147483647	-90	-90	-76
957	11/18/2020	13:41:29	LTE	???	no activity	38.23122166	-122.6347427	65535	2147483647	-91	-90	-76
958	11/18/2020	13:41:34	LTE	???	no activity	38.23101905	-122.6348683	65535	2147483647	-91	-90	-76
959	11/18/2020	13:41:39	LTE	???	Unknown	38.23092565	-122.6349264	65535	2147483647	-90	-90	-76
960	11/18/2020	13:41:45	LTE	???	Unknown	38.23065017	-122.635089	65535	2147483647	-88	-90	-76
961	11/18/2020	13:41:50	LTE	???	Unknown	38.23037843	-122.6352698	65535	2147483647	-92	-90	-76
962	11/18/2020	13:41:55	LTE	???	Unknown	38.2301309	-122.6354287	65535	2147483647	-93	-90	-76
963	11/18/2020	13:42:00	LTE	???	Unknown	38.23005248	-122.6354829	65535	2147483647	-92	-90	-76
964	11/18/2020	13:42:05	LTE	???	Unknown	38.22983232	-122.6356231	65535	2147483647	-90	-90	-76
965	11/18/2020	13:42:10	LTE	???	Unknown	38.2295717	-122.6357894	65535	2147483647	-99	-90	-76
966	11/18/2020	13:42:15	LTE	???	Unknown	38.2293086	-122.6359384	65535	2147483647	-93	-90	-76
967	11/18/2020	13:42:20	LTE	???	Unknown	38.22919184	-122.6360038	65535	2147483647	-93	-90	-76
968	11/18/2020	13:42:25	LTE	???	Unknown	38.22899516	-122.6361143	65535	2147483647	-88	-90	-76
969	11/18/2020	13:42:30	LTE	???	Unknown	38.22871564	-122.6363009	65535	2147483647	-91	-90	-76
970	11/18/2020	13:42:35	LTE	???	Unknown	38.22843838	-122.6364542	65535	2147483647	-96	-90	-76
971	11/18/2020	13:42:40	LTE	???	Unknown	38.22818759	-122.6366171	65535	2147483647	-94	-90	-76
972	11/18/2020	13:42:45	LTE	???	Unknown	38.22792686	-122.6367836	65535	2147483647	-96	-90	-76
973	11/18/2020	13:42:50	LTE	???	Unknown	38.22767162	-122.6369464	65535	2147483647	-93	-90	-76
974	11/18/2020	13:42:55	LTE	???	Unknown	38.22741835	-122.6370942	65535	2147483647	-95	-90	-76
975	11/18/2020	13:43:00	LTE	???	Unknown	38.22718675	-122.6372406	65535	2147483647	-100	-91	-76
976	11/18/2020	13:43:05	LTE	???	Unknown	38.22695359	-122.6373813	65535	2147483647	-97	-91	-76
977	11/18/2020	13:43:10	LTE	???	Unknown	38.22673863	-122.6375118	65535	2147483647	-99	-91	-76
978	11/18/2020	13:43:15	LTE	???	Unknown	38.22662895	-122.6375833	65535	2147483647	-93	-91	-76
979	11/18/2020	13:43:20	LTE	???	Unknown	38.22640301	-122.6377049	65535	2147483647	-96	-91	-76
980	11/18/2020	13:43:25	LTE	???	Unknown	38.22609532	-122.63789	65535	2147483647	-97	-91	-76
981	11/18/2020	13:43:30	LTE	???	Unknown	38.22582824	-122.6380554	65535	2147483647	-97	-91	-76
982	11/18/2020	13:43:35	LTE	???	Unknown	38.22554777	-122.6382251	65535	2147483647	-98	-91	-76
983	11/18/2020	13:43:40	LTE	???	no activity	38.22524142	-122.6383986	65535	2147483647	-95	-91	-76
984	11/18/2020	13:43:45	LTE	???	no activity	38.22495676	-122.6386	65535	2147483647	-93	-91	-76
985	11/18/2020	13:43:51	LTE	???	upload + download activity	38.22457345	-122.6388011	65535	2147483647	-94	-91	-76
986	11/18/2020	13:43:56	LTE	???	Unknown	38.22425314	-122.639024	65535	2147483647	-100	-91	-76
987	11/18/2020	13:44:01	LTE	???	Unknown	38.2239541	-122.6392248	65535	2147483647	-90	-91	-76
988	11/18/2020	13:44:06	LTE	???	Unknown	38.2236498	-122.6394193	65535	2147483647	-92	-91	-76

Cnt	Date	Time	Network	Freq/Band	Data activity:	Latitude	Longitude	WTF ID - short	WTF ID- long	??? (dBm)	Avg (dBm)	Best (dBm)
989	11/18/2020	13:44:11	LTE	???	Unknown	38.22335614	-122.6395896	65535	2147483647	-103	-91	-76
990	11/18/2020	13:44:16	LTE	???	Unknown	38.22312526	-122.63975	65535	2147483647	-101	-91	-76
991	11/18/2020	13:44:21	LTE	???	Unknown	38.22289379	-122.6398737	65535	2147483647	-100	-92	-76
992	11/18/2020	13:44:26	LTE	???	Unknown	38.22266437	-122.6399956	65535	2147483647	-97	-92	-76
993	11/18/2020	13:44:31	LTE	???	no activity	38.22254464	-122.6400514	65535	2147483647	-91	-92	-76
994	11/18/2020	13:44:36	LTE	???	no activity	38.22249002	-122.6402101	65535	2147483647	-100	-92	-76
995	11/18/2020	13:44:41	LTE	???	no activity	38.22252951	-122.6403692	65535	2147483647	-98	-92	-76
996	11/18/2020	13:44:46	LTE	???	Unknown	38.22259826	-122.6406399	65535	2147483647	-95	-92	-76
997	11/18/2020	13:44:51	LTE	???	no activity	38.22274411	-122.6411277	65535	2147483647	-95	-92	-76
998	11/18/2020	13:44:56	LTE	???	no activity	38.22289726	-122.6416693	65535	2147483647	-96	-92	-76
999	11/18/2020	13:45:01	LTE	???	no activity	38.22301649	-122.6421302	65535	2147483647	-96	-92	-76
1000	11/18/2020	13:45:06	LTE	???	Unknown	38.22305113	-122.6422758	65535	2147483647	-95	-92	-76
1001	11/18/2020	13:45:11	LTE	???	Unknown	38.22307578	-122.6423894	65535	2147483647	-92	-92	-76
1002	11/18/2020	13:45:16	LTE	???	Unknown	38.22317864	-122.642568	65535	2147483647	-92	-92	-76
1003	11/18/2020	13:45:21	LTE	???	Unknown	38.22346832	-122.6424102	65535	2147483647	-91	-92	-76
1004	11/18/2020	13:45:26	LTE	???	no activity	38.22389774	-122.6421533	65535	2147483647	-97	-92	-76
1005	11/18/2020	13:45:31	LTE	???	no activity	38.22435114	-122.6418837	65535	2147483647	-101	-92	-76
1006	11/18/2020	13:45:36	LTE	???	no activity	38.22477859	-122.6416195	65535	2147483647	-93	-92	-76
1007	11/18/2020	13:45:41	LTE	???	Unknown	38.22522705	-122.6413465	65535	2147483647	-94	-92	-76
1008	11/18/2020	13:45:47	LTE	???	Unknown	38.22581333	-122.6409897	65535	2147483647	-93	-92	-76
1009	11/18/2020	13:45:52	LTE	???	Unknown	38.2263066	-122.6406944	65535	2147483647	-96	-92	-76
1010	11/18/2020	13:45:57	LTE	???	Unknown	38.22679342	-122.6403814	65535	2147483647	-90	-92	-76
1011	11/18/2020	13:46:02	LTE	???	no activity	38.22723593	-122.6401066	65535	2147483647	-97	-92	-76
1012	11/18/2020	13:46:07	LTE	???	no activity	38.22742296	-122.6399852	65535	2147483647	-98	-92	-76
1013	11/18/2020	13:46:12	LTE	???	Unknown	38.22752114	-122.6399241	65535	2147483647	-89	-92	-76
1014	11/18/2020	13:46:17	LTE	???	Unknown	38.22781736	-122.6397516	65535	2147483647	-89	-92	-76
1015	11/18/2020	13:46:22	LTE	???	no activity	38.22825843	-122.6394773	65535	2147483647	-87	-92	-76
1016	11/18/2020	13:46:27	LTE	???	upload + download activity	38.22868877	-122.6392087	65535	2147483647	-78	-92	-76
1017	11/18/2020	13:46:32	LTE	???	upload activity	38.22908711	-122.6389793	65535	2147483647	-83	-92	-76
1018	11/18/2020	13:46:37	LTE	???	no activity	38.22949697	-122.6387194	65535	2147483647	-85	-92	-76
1019	11/18/2020	13:46:42	LTE	???	no activity	38.22977943	-122.6385391	65535	2147483647	-87	-92	-76
1020	11/18/2020	13:46:47	LTE	???	no activity	38.23006087	-122.6383824	65535	2147483647	-84	-92	-76
1021	11/18/2020	13:46:52	LTE	???	no activity	38.23041011	-122.6381413	65535	2147483647	-84	-92	-76
1022	11/18/2020	13:46:57	LTE	???	no activity	38.2308166	-122.6379005	65535	2147483647	-76	-91	-76
1023	11/18/2020	13:47:02	LTE	???	upload activity	38.23124069	-122.6376541	65535	2147483647	-80	-91	-76
1024	11/18/2020	13:47:07	LTE	???	no activity	38.23163855	-122.6374031	65535	2147483647	-75	-91	-75
1025	11/18/2020	13:47:12	LTE	???	Unknown	38.23199727	-122.6371565	65535	2147483647	-86	-91	-75
1026	11/18/2020	13:47:17	LTE	???	Unknown	38.23213282	-122.637066	65535	2147483647	-91	-91	-75
1027	11/18/2020	13:47:22	LTE	???	Unknown	38.23211656	-122.6370733	65535	2147483647	-87	-91	-75
1028	11/18/2020	13:47:27	LTE	???	Unknown	38.23211698	-122.6370749	65535	2147483647	-86	-91	-75
1029	11/18/2020	13:47:32	LTE	???	Unknown	38.2321163	-122.637075	65535	2147483647	-89	-91	-75
1030	11/18/2020	13:47:37	LTE	???	no activity	38.23211063	-122.6370594	65535	2147483647	-85	-91	-75
1031	11/18/2020	13:47:43	LTE	???	upload + download activity	38.23234513	-122.6369355	65535	2147483647	-92	-91	-75
1032	11/18/2020	13:47:48	LTE	???	Unknown	38.23264417	-122.6367543	65535	2147483647	-90	-91	-75
1033	11/18/2020	13:47:53	LTE	???	upload + download activity	38.23299272	-122.6365634	65535	2147483647	-90	-91	-75
1034	11/18/2020	13:47:58	LTE	???	no activity	38.23333365	-122.6363543	65535	2147483647	-87	-91	-75
1035	11/18/2020	13:48:03	LTE	???	no activity	38.23366501	-122.636136	65535	2147483647	-94	-91	-75
1036	11/18/2020	13:48:08	LTE	???	no activity	38.23369558	-122.6359109	65535	2147483647	-81	-91	-75
1037	11/18/2020	13:48:13	LTE	???	no activity	38.23355563	-122.635569	65535	2147483647	-85	-91	-75
1038	11/18/2020	13:48:18	LTE	???	upload + download activity	38.23340289	-122.6351426	65535	2147483647	-80	-91	-75
1039	11/18/2020	13:48:23	LTE	???	no activity	38.23325409	-122.6347416	65535	2147483647	-91	-91	-75
1040	11/18/2020	13:48:28	LTE	???	upload + download activity	38.23308942	-122.634318	65535	2147483647	-96	-91	-75
1041	11/18/2020	13:48:33	LTE	???	no activity	38.23292847	-122.6338933	65535	2147483647	-93	-91	-75
1042	11/18/2020	13:48:38	LTE	???	no activity	38.23277136	-122.6334836	65535	2147483647	-93	-91	-75
1043	11/18/2020	13:48:43	LTE	???	no activity	38.2326052	-122.6330644	65535	2147483647	-97	-91	-75
1044	11/18/2020	13:48:48	LTE	???	Unknown	38.23244939	-122.6326727	65535	2147483647	-97	-91	-75
1045	11/18/2020	13:48:53	LTE	???	Unknown	38.23234599	-122.6324121	65535	2147483647	-90	-91	-75
1046	11/18/2020	13:48:58	LTE	???	Unknown	38.23229362	-122.6322441	65535	2147483647	-87	-91	-75
1047	11/18/2020	13:49:03	LTE	???	Unknown	38.23215989	-122.6318881	65535	2147483647	-92	-91	-75
1048	11/18/2020	13:49:08	LTE	???	Unknown	38.23202707	-122.6315039	65535	2147483647	-92	-91	-75
1049	11/18/2020	13:49:13	LTE	???	Unknown	38.23190752	-122.6312124	65535	2147483647	-99	-91	-75
1050	11/18/2020	13:49:18	LTE	???	Unknown	38.23176094	-122.6311953	65535	2147483647	-99	-91	-75
1051	11/18/2020	13:49:23	LTE	???	Unknown	38.23148844	-122.631347	65535	2147483647	-104	-91	-75
1052	11/18/2020	13:49:28	LTE	???	Unknown	38.23130019	-122.6314622	65535	2147483647	-101	-91	-75
1053	11/18/2020	13:49:33	LTE	???	Unknown	38.231284	-122.6316181	65535	2147483647	-96	-91	-75
1054	11/18/2020	13:49:39	LTE	???	Unknown	38.23144871	-122.6320421	65535	2147483647	-97	-91	-75
1055	11/18/2020	13:49:44	LTE	???	Unknown	38.23158125	-122.6324211	65535	2147483647	-93	-91	-75
1056	11/18/2020	13:49:49	LTE	???	Unknown	38.23163079	-122.6325594	65535	2147483647	-94	-91	-75
1057	11/18/2020	13:49:54	LTE	???	Unknown	38.23173112	-122.6328254	65535	2147483647	-94	-91	-75
1058	11/18/2020	13:49:59	LTE	???	upload + download activity	38.23189237	-122.633233	65535	2147483647	-95	-91	-75
1059	11/18/2020	13:50:04	LTE	???	no activity	38.23206333	-122.6336405	65535	2147483647	-95	-91	-75
1060	11/18/2020	13:50:09	LTE	???	no activity	38.23219142	-122.6339525	65535	2147483647	-94	-91	-75
1061	11/18/2020	13:50:14	LTE	???	Unknown	38.23224333	-122.6340927	65535	2147483647	-94	-91	-75
1062	11/18/2020	13:50:19	LTE	???	Unknown	38.23237243	-122.6344564	65535	2147483647	-91	-91	-75
1063	11/18/2020	13:50:24	LTE	???	Unknown	38.23252591	-122.6348455	65535	2147483647	-88	-91	-75
1064	11/18/2020	13:50:29	LTE	???	Unknown	38.23265726	-122.63519	65535	2147483647	-88	-91	-75

Cnt	Date	Time	Network	Freq/Band	Data activity:	Latitude	Longitude	WTF ID - short	WTF ID- long	??? (dBm)	Avg (dBm)	Best (dBm)
1065	11/18/2020	13:50:34	LTE	???	Unknown	38.23280939	-122.6355774	65535	2147483647	-92	-91	-75
1066	11/18/2020	13:50:39	LTE	???	Unknown	38.23295264	-122.6359696	65535	2147483647	-89	-91	-75
1067	11/18/2020	13:50:44	LTE	???	Unknown	38.2330778	-122.6362907	65535	2147483647	-89	-91	-75
1068	11/18/2020	13:50:49	LTE	???	Unknown	38.23309775	-122.6363311	65535	2147483647	-92	-91	-75
1069	11/18/2020	13:50:54	LTE	???	Unknown	38.23311591	-122.6363915	65535	2147483647	-93	-91	-75
1070	11/18/2020	13:50:59	LTE	???	Unknown	38.23310923	-122.6363971	65535	2147483647	-91	-91	-75
1071	11/18/2020	13:51:04	LTE	???	Unknown	38.23314892	-122.6365197	65535	2147483647	-92	-91	-75
1072	11/18/2020	13:51:09	LTE	???	Unknown	38.23325487	-122.6368204	65535	2147483647	-92	-91	-75
1073	11/18/2020	13:51:14	LTE	???	Unknown	38.23337496	-122.6371239	65535	2147483647	-92	-91	-75
1074	11/18/2020	13:51:19	LTE	???	Unknown	38.23347925	-122.6374063	65535	2147483647	-88	-91	-75
1075	11/18/2020	13:51:24	LTE	???	Unknown	38.23353255	-122.6375559	65535	2147483647	-94	-91	-75
1076	11/18/2020	13:51:29	LTE	???	Unknown	38.23359697	-122.6377118	65535	2147483647	-93	-91	-75
1077	11/18/2020	13:51:34	LTE	???	Unknown	38.23372152	-122.6380606	65535	2147483647	-93	-91	-75
1078	11/18/2020	13:51:40	LTE	???	Unknown	38.23385756	-122.6384215	65535	2147483647	-86	-91	-75
1079	11/18/2020	13:51:45	LTE	???	Unknown	38.23393609	-122.6385953	65535	2147483647	-83	-91	-75
1080	11/18/2020	13:51:50	LTE	???	Unknown	38.23400037	-122.6386895	65535	2147483647	-70	-91	-70

CITY OF PETALUMA, CALIFORNIA
JOINT MEETING OF THE PLANNING COMMISSION

APPOINTED MEMBERS
Heidi Bauer
Scott Alonso
Blake Hooper
Richard Marzo
Sandi Potter

COMMISSION MEETINGS
2nd and 4th Tuesday of each month
City Hall Council Chambers
11 English Street
Petaluma, CA 94952

CONTACT INFORMATION
Phone (707) 778-4470
Fax (707) 778-4498
petalumaplanning@ci.petaluma.ca.us
www.cityofpetaluma.net

COUNCIL LIAISON
D'Lynda Fischer

STAFF LIAISON
Heather Hines, Planning Manager

AGENDA

Tuesday, January 26, 2021
07:00 P.M.

Joint Planning Commission & Historic & Cultural Preservation Committee Meeting

1. CORONAVIRUS (COVID-19) ADVISORY NOTICE

A. Consistent with Executive Order No. N-29-20 from the Executive Department of the State of California and the Sonoma County Health Official Orders No. C19-03 and C19-05 the City of Petaluma Planning Commission meeting will not be physically open to the public and all City Commissioners will be teleconferencing into the meeting via Zoom.

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6. Tips for Attending a Virtual Meeting: https://cityofpetaluma.org/tips-for-attending-a-virtual-meeting/

1. CALL TO ORDER

A. ROLL CALL – Members of Planning Commission and Members of Historic & Cultural Preservation Committee

2. PUBLIC COMMENT

The Commission will hear public comments only on matters over which it has jurisdiction. There will be no Committee/Commission discussion or action. The Chair will allot no more than three minutes to any individual. If more than three persons wish to speak, their time will be allotted so that the total amount of time allocated to this agenda item will be 15 minutes.

3. COMMISSION/COMMITTEE COMMENT

A. Council Liaison – D'Lynda Fischer

B. Pedestrian and Bicycle Committee – Blake Hooper

C. Tree Advisory Committee – Richard Marzo

D. Other Commission/Committee Comment

4. STAFF COMMENT

A. Planning Manager's Report

5. OLD BUSINESS

A. Verizon Wireless Facility at Petaluma Creamery Building– Conditional Use Permit (CUP) and Historic Site Plan and Architectural Review (Historic SPAR) for the proposed installation of a minor telecommunications facility consisting of sixteen (16) total panel antennas contained within four (4) seven-foot tall radomes and associated supporting equipment mounted on the roof of the existing building at the Petaluma Creamery, a local historic landmark. Staff: Brittany Bendix, Deputy Planning Manager Location: 611 Western Avenue Project Nos: PLMA-20-0003; PLUP-19-0004

6. ADJOURN

HISTORIC & CULTURAL PRESERVATION COMMISSION PORTION OF MEETING

7. APPROVAL OF MINUTES

A. Approval of Planning Commission Minutes for the meetings of Tuesday, November 17, 2020.

Draft November 17 2020 PC minutes

8. NEW BUSINESS

A. Gas Station Land Use Legislation- City initiated General Plan Amendment to modify Policy 4-P-10 as well as Zoning Text Amendments to the Implementing Zoning Ordinance and SmartCode to prohibit new gas station land uses and in relation to the Gas Station Moratorium approved by Ordinance Nos. 2681, 2688 and 2724. Modifications to the Implementing Zoning Ordinance include but may not be limited to amendments to Chapter 4 (Zone Districts and Allowable Uses), Chapter 11 (Parking and Loading Facilities, Off-Street), Chapter 22 (Non-Conforming Uses), and Chapter 28 (Glossary). Modifications to the SmartCode include but may not be limited to amendments to Section 3 (Building Function Standards) and Section 9 (Glossary). Staff: Kevin Colin, Senior Planner Location: Citywide

Staff Report

ATTACHMENT A - PC GMA Resolution

ATTACHMENT B - PC Zoning Text Resolution

ATTACHMENT B Exhibit 1 - IZO Chapter 04

ATTACHMENT B Exhibit 1 - IZO Chapter 11

ATTACHMENT B Exhibit 1 - IZO Chapter 22

ATTACHMENT B Exhibit 1 - IZO Chapter 28

ATTACHMENT C - DRAFT PC SmartCode Text Resolution

ATTACHMENT D - Staff Report for Ordinance 2681 N.C.S. 05_06_2019

ATTACHMENT D - Final Ordinance 2681 N.C.S. 05_06_2019

ATTACHMENT E - Staff Report for Ordinance 2688 N.C.S. 06_03_2019

ATTACHMENT E - Final Ordinance 2688 N.C.S. 06_03_2019.pdf

ATTACHMENT F - Staff Report for Ordinance 2724 N.C.S. 03_16_2020

ATTACHMENT F - Final Ordinance 2724 N.C.S. 03_16_2020

ATTACHMENT G - Resolution No 2019-055 (Declaring Climate Emergency)

ATTACHMENT H - Gas Station Map

ATTACHMENT I - Electric Vehicle Charging Station Permitting Guidebook

ATTACHMENT J - 2020 Annual Evaluation of Fuel Cell Electric Vehicles

ATTACHMENT K - Hydrogen Station Permitting Guidebook

9. ADJOURN

PLANNING COMMISSION MEETING Next Regular Meeting of the Planning Commission is scheduled for Tuesday, February 9, 2021.

10. Tentative Future Planning Commission Agenda Items: * February 9, 2021: * Scott Ranch RDEIR * Adobe Road Winery SPAR Revisions * SB 330 Informational Presentation * February 23, 2021: * Casa Grande Residential SPAR * Woodridge #2 SPAR * March 9, 2021: * Study Session: Objective Design Standards

11. American with Disabilities Act Accommodations Any member of the public who needs accommodations should email the Clerk at eellis@cityofpetaluma.org or by calling 707-778-4319. The Clerk will use their best efforts to provide reasonable accommodations to provide as much

accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

Appeal Statement: Within fourteen (14) days following the date of a decision of the Planning Commission, the decision may be appealed to the City Council by the applicant or by any other interested party. If no appeal is made within that time, the decision shall be final. An appeal shall be addressed to the Council in writing and shall be filed with the City Clerk. Said appeal shall be accompanied by the appeal fee as specified by Resolution 2010-206-N.C.S. as adopted by the City Council. The appeal shall state specifically the grounds for the appeal and the relief sought by the appellant. (Zoning Ordinance §24.070)

Legal Recourse Statement: Persons commenting orally or in writing are advised to raise all pertinent issues at this state of review so that possible solutions may be implemented or adopted at the earliest opportunity. If you challenge the action taken by the City of Petaluma in court, you may be limited to raising only those issues you or someone else raised during the public review process, or in written correspondence delivered to the City at or prior to the conclusion of the public review process. (Cal. Gov't. Code §65009(b))

In accordance with the Americans with Disabilities Act, if you require special assistance to participate in this meeting, please contact the City Clerk's Office at (707) 778-4360 (voice) or (707) 778-4480 (TDD). Translators, American Sign Language interpreters, and/or assistive listening devices for individuals with hearing disabilities will be available upon request. A minimum of 48 hours is needed to ensure the availability of translation services. In consideration of those with multiple chemical sensitivities or other environmental illness, it is requested that you refrain from wearing scented products. The City Clerk hereby certifies that this agenda has been posted in accordance with the requirements of the Government Code.

In accordance with Government Code §54957.5, any materials of public record relating to an agenda item for a regular meeting of the Planning Commission that are provided to a majority of the members less than 72 hours before the meeting will be made available at the City Clerk's Office, 11 English Street, during normal business hours. Materials of public record that are distributed during the meeting shall be made available for public inspection at the meeting if prepared by the City or a member of its legislative/advisory body, or the next business day after the meeting if prepared by some other person

For accessible meeting information, please call (707) 778-4360 or TDD (707) 778-4480.

Agendas and supporting documents can be found at: http://cityofpetaluma.net/cclerk/archives.html.

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COUNCIL LIAISON
D'Lynda Fischer

STAFF LIAISON
Heather Hines, Planning Manager

AGENDA

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A. ROLL CALL – Members of Planning Commission and Members of Historic & Cultural Preservation Committee

2. PUBLIC COMMENT

The Commission will hear public comments only on matters over which it has jurisdiction. There will be no Committee/Commission discussion or action. The Chair will allot no more than three minutes to any individual. If more than three persons wish to speak, their time will be allotted so that the total amount of time allocated to this agenda item will be 15 minutes.

3. COMMISSION/COMMITTEE COMMENT

A. Council Liaison – D'Lynda Fischer

B. Pedestrian and Bicycle Committee – Blake Hooper

C. Tree Advisory Committee – Richard Marzo

D. Other Commission/Committee Comment

4. STAFF COMMENT

A. Planning Manager's Report

5. OLD BUSINESS

A. Verizon Wireless Facility at Petaluma Creamery Building– Conditional Use Permit (CUP) and Historic Site Plan and Architectural Review (Historic SPAR) for the proposed installation of a minor telecommunications facility consisting of sixteen (16) total panel antennas contained within four (4) seven-foot tall radomes and associated supporting equipment mounted on the roof of the existing building at the Petaluma Creamery, a local historic landmark.
Staff: Brittany Bendix, Deputy Planning Manager Location: 611 Western Avenue Project Nos: PLMA-20-0003; PLUP-19-0004

Staff Report

Attachment A - Verizon Draft Historic SPAR Resolution

Attachment B - Verizon Draft CUP Resolution

Attachment C - Photo Simulations

Attachment D - Project Plans

Attachment E - Letter from State Historic Preservation Officer and Historic Resource Evaluation

Attachment F - RF Exposure Study and Supplemental Statement

Attachment G - RF Support Statement and Coverage Maps

Attachment H - Project Support Statement

Attachment I - Alternative Sites Analysis

Attachment J - Environmental Noise Assessment

Attachment K - Nearby Sites

Attachment L - CTC Review of Verizon Coverage

Attachment M - Outstanding CUPA Compliance Issues as of 1.7.21

Attachment N - Memo and Exhibits from Neighbors

Attachment O - Memo to PC & HCPC Public Comments Verizon

6. ADJOURN

HISTORIC & CULTURAL PRESERVATION COMMISSION PORTION OF MEETING

7. APPROVAL OF MINUTES

A. Approval of Planning Commission Minutes for the meetings of Tuesday, November 17, 2020.

Draft November 17 2020 PC minutes

8. NEW BUSINESS

A. Gas Station Land Use Legislation- City initiated General Plan Amendment to modify Policy 4-P-10 as well as Zoning Text Amendments to the Implementing Zoning Ordinance and SmartCode to prohibit new gas station land uses and in relation to the Gas Station Moratorium approved by Ordinance Nos. 2681, 2688 and 2724. Modifications to the Implementing Zoning Ordinance include but may not be limited to amendments to Chapter 4 (Zone Districts and Allowable Uses), Chapter 11 (Parking and Loading Facilities, Off-Street), Chapter 22 (Non-Conforming Uses), and Chapter 28 (Glossary). Modifications to the SmartCode include but may not be limited to amendments to Section 3 (Building Function Standards) and Section 9 (Glossary). Staff: Kevin Colin, Senior Planner Location: Citywide

Staff Report

Attachment A - PC GMA Resolution

Attachment B - PC Zoning Text Resolution

Attachment B Exhibit 1 - IZO Chapter 04

Attachment B Exhibit 1 - IZO Chapter 11

Attachment B Exhibit 1 - IZO Chapter 22

Attachment B Exhibit 1 - IZO Chapter 28

Attachment C - DRAFT PC SmartCode Text Resolution

Attachment D - Staff Report for Ordinance 2681 N.C.S. 05_06_2019

Attachment D - Final Ordinance 2681 N.C.S. 05_06_2019

Attachment E - Staff Report for Ordinance 2688 N.C.S. 06_03_2019

Attachment E - Final Ordinance 2688 N.C.S. 06_03_2019.pdf

Attachment F - Staff Report for Ordinance 2724 N.C.S. 03_16_2020

Attachment F - Final Ordinance 2724 N.C.S. 03_16_2020

Attachment G - Resolution No 2019-055 (Declaring Climate Emergency)

Attachment H - Gas Station Map

Attachment I - Electric Vehicle Charging Station Permitting Guidebook

Attachment J - 2020 Annual Evaluation of Fuel Cell Electric Vehicles

Attachment K - Hydrogen Station Permitting Guidebook

9. ADJOURN

PLANNING COMMISSION MEETING Next Regular Meeting of the Planning Commission is scheduled for Tuesday, February 9, 2021.

10. Tentative Future Planning Commission Agenda Items: * February 9, 2021: * Scott Ranch RDEIR * Adobe Road Winery SPAR Revisions * SB 330 Informational Presentation * February 23, 2021: * Casa Grande Residential SPAR * Woodridge #2 SPAR * March 9, 2021: * Study Session: Objective Design Standards

11. American with Disabilities Act Accommodations Any member of the public who needs accommodations should email the Clerk at eellis@cityofpetaluma.org or by calling 707-778-4319. The Clerk will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

Appeal Statement: Within fourteen (14) days following the date of a decision of the Planning Commission, the decision may be appealed to the City Council by the applicant or by any other interested party. If no appeal is made within that time, the decision shall be final. An appeal shall be addressed to the Council in writing and shall be filed with the City Clerk. Said appeal shall be accompanied by the appeal fee as specified by Resolution 2010-206-N.C.S. as adopted by the City Council. The appeal shall state specifically the grounds for the appeal and the relief sought by the appellant. (Zoning Ordinance §24.070)

Legal Recourse Statement: Persons commenting orally or in writing are advised to raise all pertinent issues at this state of review so that possible solutions may be implemented or adopted at the earliest opportunity. If you challenge the action taken by the City of Petaluma in court, you may be limited to raising only those issues you or someone else raised during the public review process, or in written correspondence delivered to the City at or prior to the conclusion of the public review process. (Cal. Gov't. Code §65009(b))

In accordance with the Americans with Disabilities Act, if you require special assistance to participate in this meeting, please contact the City Clerk's Office at (707) 778-4360 (voice) or (707) 778-4480 (TDD). Translators, American Sign Language interpreters, and/or

assistive listening devices for individuals with hearing disabilities will be available upon request. A minimum of 48 hours is needed to ensure the availability of translation services. In consideration of those with multiple chemical sensitivities or other environmental illness, it is requested that you refrain from wearing scented products. The City Clerk hereby certifies that this agenda has been posted in accordance with the requirements of the Government Code.

In accordance with Government Code §54957.5, any materials of public record relating to an agenda item for a regular meeting of the Planning Commission that are provided to a majority of the members less than 72 hours before the meeting will be made available at the City Clerk's Office, 11 English Street, during normal business hours. Materials of public record that are distributed during the meeting shall be made available for public inspection at the meeting if prepared by the City or a member of its legislative/advisory body, or the next business day after the meeting if prepared by some other person

For accessible meeting information, please call (707) 778-4360 or TDD (707) 778-4480.

Agendas and supporting documents can be found at: http://cityofpetaluma.net/cclerk/archives.html.

City Council Script-Jan4- W.Denny
CTC Consultants have completed the drive test to measure telecommunication service in a 3 mile radius around the Creamery.
Now it's very important that the Drive Test results are placed into the public record and MUST include the Raw Data -which reveals the actual levels measured.
These findings are necessary to ensure full transparency in the test completed, and need to be made available for both City and Public review.
Regardless of CTC's final report, it's the Raw Data that drives the truth.
Verizon claims 'there is a need for greater capacity', but this term is not legally viable or expressed in the 1996 TCA. Contradictory, on their website map it shows -NO Significant Gap in Coverage- in areas stated, and the Raw Data will disclose the same conclusion.
We ask for the Raw Data to immediately be placed into the public record.
Thank you for your time.

City Council Script-Dec 21- W.Denny

Hired by the city, CTC consultants have now gathered the Raw Data and completed the drive test.

This Data will show the actual measurements taken and that there is No significant gap in Verizon phone service within a 3 mile radius of the Creamery.

Likewise on Verizon's own map it shows No Gap in coverage in this same area.

Last week we asked the city to attain the Raw Data from CTC - with no response. We want to know when will the city receive this data and final summary report?

It's crucial that the City immediately get possession of the Raw Data and place it into the public record. These findings are necessary for transparency and will show the true story, instead of just a summary report. The public needs access to this Data without delay.

In addition it would not be prudent for the Creamery to take responsibility for a cell tower. The city needs to discern the Creamery is a high risk operation, not answerable for it's safety upkeep and unsuitable for the liability involved.

Our neighborhood does not want this cell tower on the Creamery

There is NO basis of need for this tower. -We HAVE adequate Verizon cell coverage. -It is NOT the least intrusive location and WOULD place our neighborhood in jeopardy.

Deny this Application.

Thank you for your time

Heather Hines

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Wednesday, September 23, 2020 12:25 PM
To: Sonal Aggarwal; Heather Hines
Cc: Justin Shiu; Brittany Bendix; Brian Cochran; Peggy Flynn; Teresa Barrett; cityclerk@cityofpetaluma.org; sspringhorn@gmail.com
Subject: 9/23/2020 Phone calls received on M-Group Line for Justin Shiu, Bittany Bendix and Heather Hines

September 23, 2020

Heather Hines
m-group Contract Planning Manager
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

cc:
Brittany Bendix, m-group
Justin Shiu, m-group
Teresa Barrett, Mayor of Petaluma
Peggy Flynn, City Manager
Brian Cochran, Assistant City Manager
Petaluma City Clerk <cityclerk@cityofpetaluma.org>
Scott Springhorn

Re: 9/23/2020 Phone calls received on M-Group Line for Justin Shiu, Bittany Bendix and Heather Hines
(this email is archived at https://unsafeatanyg.com/petaluma/creamery)

Dear Ms. Hines and Ms. Aggarawl,

[Petaluma City Clerk, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through today be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners. Thank you for doing so.]

Thank you, Sonia, for sending out the following email:

> >>> Sonal Aggarwal wrote on 9/23/2020 11:16 AM:
>
> Hi Justin, Brittany, and Heather,
>
> While I was trying to make a call through our Comcast system, I accidentally received a call from Paul from Petaluma. He has been trying to reach you and would appreciate it if you could give him a call today. Here are his contact details:
>
> E-mail: paul@mystreetmychoice.com
> Phone number: 707-981-5522

Please give him a call at your earliest convenience today, as he had been trying to reach you for a while and have left several voicemails on your M-Group phone number.

Thanks!

Regards,
Sonal Aggarwal

I have left multiple voice mails for Heather Hines, Brittany Bendix and Justin Shiu over many weeks from roughly July 23 through September 23 (8 weeks!). with very few, if any, return phone calls. In Heather Hines' case I have received **exactly one returned phone call** since June 12, 2020, despite leaving her nearly 20 voicemails and emails requesting a return call.

- negligence (noun) a **:** failure to exercise the care that a reasonably prudent person would exercise in like circumstances

I am reasonably requesting a return call today on Sept 23, 2020 from the m-group with a **substantive update** on the Petaluma Creamery project, including copies emailed to me of **all evidence of all communications** between the m-group/Petaluma city staff to following parties:

- The applicants of the Petaluma Creamery project (Complete Wireless, Verizon or others)
- Any wireless consultants the m-group or the city staff has communicated with in the last eight weeks in any wireless matter (any project or any wireless ordinance changes being considered)
- Any parties involved in getting substantial written evidence of Verizon wireless signal strength coverage or call records that **can establish if a significant gap in telecommunications coverage** exists in Petaluma in the three-mile radius surrounding the Petaluma Creamery.

Thank you.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Thursday, October 22, 2020 7:51 PM
To: Danly, Eric
Cc: Flynn, Peggy; Barrett,Teresa; Cochran, Brian; Green, Jordan; Hines, Heather; Bendix, Brittany; Rose, Kendall; -- City Clerk; Terry, Suzanne; Healy, Mike; Fischer, D'Lynda; Kearney, Gabe; King, Dave; McDonnell, Kevin; Miller, Kathy; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Heidi Bauer; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart; Scott Springhorn; Taryn Obaid
Subject: Re: Next Steps re: Verizon PLMA-20-0003/PLUP-19-000 Project

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Mr. Danly.

I refer you again to my prior emails regarding how and when we will enforce our rights, and why we are taking that approach.

Thank you for the citations.

Danly, Eric wrote on 10/22/2020 6:31 PM:

> Mr. McGavin,
>
> I refer you again to my prior emails regarding how and when we will make available to you the records you have requested, and why we are taking that approach.
>
> Attorney client communications are privileged pursuant to Evidence Code Section 954 and attorney work product is privileged pursuant to Code of Civil Procedure Section 2018.030. As a result both types of records are exempt from disclosure under Government Code Section 6254(k).
>
> Thank you.
>
> **Eric W. Danly**
> City Attorney, City of Petaluma

Hines, Heather

From: Flynn, Peggy
Sent: Thursday, October 22, 2020 6:56 PM
To: Paul McGavin
Cc: Hines, Heather; Patrick Streeter; Heidi Bauer; Christopher Caputo; Kit Schlich; Scott Springhorn; Taryn Obaid; -- City Council; Bendix, Brittany; Danly, Eric; Green, Jordan
Subject: Re: Follow Up on Missing Public Comment from October 13, 2020 -- We Need a Agreed-To Plan by Mon October 26

Paul—you received our responses to your requests. Every Council and commission/committee meeting has someone taking minutes during the meeting, thus we have a record in case there is a technical glitch. As for your records request, we are making the entire record available to you electronically so there is no need for an in-person meeting. There is nothing further to discuss.

Have a good night.

On Oct 22, 2020, at 5:06 PM, Paul McGavin <paul@mystreetmychoice.com> wrote:

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
October 22, 2020

To:
Heather Hines, m-Group
Peggy Flynn, City Manager

cc:
Patrick Streeter, Chair Planning Commission
Heidi Bauer, Vice Chair Planning Commission
Christopher Caputo, HCPC Chair
Kit Schlich, HCPC Vice Chair
Petaluma VHP Members

Dear Ms. Hines and Ms. Flynn,

Re: Follow Up on Missing Public Comment from October 13, 2020 -- We Need a Agreed-To Plan by Mon October 26

Ms. Hines hen you wrote, below, that you "wanted to let let you know that we are in the process of creating a written record of the first portion of the HCPC meeting", I don't know how you plan on doing that since you do not have at least an audio (if not a video) recording of the public comments. **Why should the public trust anyone's memory of what was said by then public commenters?** The proposed meeting minutes solution will be insufficient. You understand why, right?

If you do have an audio recording of the comments, then that could have been edited into the video. So that leaves us **without** a good record of what was said. Therefore, the fair, equitable and right solution would be to **give the people the time to repeat their comments at a future HCPC or Planning Commission meeting** (so the ones whose comments were deleted can use that time as they wish, which would allow them to exercise their **first amendment right to redress their grievances to their**

government) --following all City of Petaluma guidelines (no racist or hate speech and the like), of course.

So the $64,000 question is **how** are you planning to create a written record of the first portion of the HCPC meeting? I am informing you that anything less than **a chance to restore every single word of the deleted public comment**s is an **insufficient** remedy to the problem.

I would, instead make the following work (from the 3:50 pm email that I sent today) that will be posted shortly to https://www.unsafeatanyg.com/petaluma/creamery/#latest

> We Need an Acceptable Solution for the Missing Opening 28:42 of the Oct 13, HCPC Meeting Video, Including wiping out 100% of General Public Comments Restored; **we don't have a solution, yet. -->** Here is a suggestion . . . we would like the City of Petaluma to give **our six public commenters 18 additional minutes of General public comment, not to count against their other 18-minutes due to them at the Oct 27, 2020 Planning Commission meeting.** This move would **replace** the time that was stolen from them **and these commenters could use this time for a presentation to the Planning Commissioners with full Zoom A/V support, just like any other invited speakers to Planning Commission meetings**. Obviously, as it now says on the 10/13/2020 video "The written minutes will be the account for the missing video footage" would **not be an acceptable correction** of this error because there is **no recording of the public comments** from which to create a transcript or any representative minutes of these fumbled public comments. An "oops" is acceptable, as long as the City bends over backward to restore the time what was lost. **May we please have you agreement to this proposed solution today Ms, Flynn?**

You understand that we do not have accept with some half-effort solution, here. **The City made an error** and we expect the City to **fully restore** the public comment time. That would be reasonable.

>>> Hines, Heather wrote on 10/22/2020 4:23 PM:

> Mr. McGavin,
>
> I am in receipt of your voicemail from earlier today and wanted to let you know that we are in the process of creating a written record of the first portion of the HCPC meeting which was omitted from the PCA and Zoom recording. The minutes will be posted in draft form ahead of formal approval by the HCPC at their next meeting. I anticipate that the draft minutes will be completed and posted by the end of the day tomorrow.
>
> Brittany is working on getting an electronic version of the project file to you as requested.

You seem to not be either listening carefully to my voicemails or reading carefully what we write.

I wish you would stop repeating unacceptable solutions to problems like "electronic version of the project file to you as requested" because we have requested the following:

As I have communicated to City Manager Flynn:

> **Please set a time for our immediate inspection of records on either Oct 22 or Oct 23**. As we previously wrote on Oct 21, 2020: "We do not trust that the possible filtering of (and the needless extra work to digitize) the records will result in a complete record of everything that will be used as the basis for the HCPC members' and Planning Commissioners' deliberations on the Verizon PLMA-20-0003/PLUP-19-000 Project. It would be far more efficient for us to compare our previous database of photos of the records in the file to the actual paper files and then scan for new information, revision dates and anything else that we can see that has been added to the file, since

> we saw it last on August 4, 2020. Then we can take photos of only the most recent files. **We are open to receiving digital files on a USB stick (as we did before) or via a cloud drive, in addition to the inspection of the paper files**."

It seems a little Trump-like to keep repeating things as you wish them to be. We are grounded in reality.

We have **rejected** an electronic file only solution -- more than once in the last 48 hours. **Please make adjustments to m-group's labor allocations, accordingly**. We will expect someone from the City Staff or the m-group to open up the conference room for our use to inspect the file at some point between 9:00 am and 3:30 pm on Fri Oct 23, just like it happened on June 12, 2020 and August 4, 2020.

Unless we hear a specific time from you, we will be seeking our access to these records for our rightful inspection at City Hall from 9:00 am and 3:30 pm tomorrow.

We would appreciate you respecting the public and finally **answering the many unaddressed questions** that we have, starting with these:

It is a month after our request for immediate inspection of records and we have **no answers** to the following reasonable questions -- **of which City Staff has been well-aware , yet we still have no answers.** You, Ms Flynn, wrote "A drive test is being required" on 9/24/2020 **. . . a month later we still lack these specifics.**

1. Who is the Drive Test vendor — does the public have the ability to research the vendor's background? **We need that answer now.**
2. When will the Drive Test work start? **We need that answer now.**
3. What is the methodology of the drive test? **We need that answer now.**
4. What equipment will the vendor use to collect and log the data? **We need that answer now.**
5. Is the vendor doing coverage analysis in dBm? . . . or is the vendor doing some other analysis, which may not be necessary? **We need to know that now.**
6. Will the vendor place the raw data of the Drive test into the public record? **There is no way the m-group should hide this data from anyone.**
7. **Is the City asking for a written report?** None is needed.
8. We need to understand the format of the data **before** the test is ordered/conducted.

Thank you.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Hines, Heather

From: Danly, Eric
Sent: Thursday, October 22, 2020 6:32 PM
To: Paul McGavin; Flynn, Peggy
Cc: Barrett,Teresa; Cochran, Brian; Green, Jordan; Hines, Heather; Bendix, Brittany; Rose, Kendall; -- City Clerk; Terry, Suzanne; Healy, Mike; Fischer, D'Lynda; Kearney, Gabe; King, Dave; McDonnell, Kevin; Miller, Kathy; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Heidi Bauer; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart; Scott Springhorn; Taryn Obaid
Subject: Re: Next Steps re: Verizon PLMA-20-0003/PLUP-19-000 Project

Mr. McGavin,

I refer you again to my prior emails regarding how and when we will make available to you the records you have requested, and why we are taking that approach.

Attorney client communications are privileged pursuant to Evidence Code Section 954 and attorney work product is privileged pursuant to Code of Civil Procedure Section 2018.030. As a result both types of records are exempt from disclosure under Government Code Section 6254(k).

Thank you.

Eric W. Danly
City Attorney, City of Petaluma
11 English Street, Petaluma, CA 94952
Phone: (707) 778-4362 Facsimile: (707) 206-6040
City Business Hours: M-Th 8am-5pm, closed Fridays

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From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Thursday, October 22, 2020 5:43 PM
To: Danly, Eric <EDanly@cityofpetaluma.org>; Flynn, Peggy <PFlynn@cityofpetaluma.org>
Cc: Barrett,Teresa <tbarrett@cityofpetaluma.org>; Cochran, Brian <BCochran@cityofpetaluma.org>; Green, Jordan <JGreen@cityofpetaluma.org>; Hines, Heather <hhines@cityofpetaluma.org>; Bendix, Brittany <bbendix@cityofpetaluma.org>; Rose, Kendall <krose@cityofpetaluma.org>; -- City Clerk <CityClerk@cityofpetaluma.org>; Terry, Suzanne <STerry@cityofpetaluma.org>; Healy, Mike <mhealy@cityofpetaluma.org>; Fischer, D'Lynda <dfischer@cityofpetaluma.org>; Kearney, Gabe <gkearney@cityofpetaluma.org>; King, Dave <dking@cityofpetaluma.org>; McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; Miller, Kathy <kmiller@cityofpetaluma.org>; Sandi Potter <sandi.lee.potter@gmail.com>; Richard Marzo <richard@lacehouselinen.com>; Blake Hooper <bmhooper1@gmail.com>; Scott Alonso <alonsoplanningpet@gmail.com>; Heidi Bauer <heidibauer2000@gmail.com>;

Christopher Caputo <tukuto@yahoo.com>; Kit Schlich <kitschlich@gmail.com>; Terry Kosewic <terry@kozyhomes.net>; John Perlis <brknmad@yahoo.com>; Bill Rinehart <bill@johnsonrinehart.com>; Scott Springhorn <sspringhorn@gmail.com>; Taryn Obaid <taryn_obaid@hotmail.com>
Subject: Re: Next Steps re: Verizon PLMA-20-0003/PLUP-19-000 Project

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Mr. Danly,

We are proceeding on the plan that we accepted from Jordan Green from October 14, 2020 as I have repeatedly communicated to you.

I refer you to the recent email I sent to Ms. Hines, quoted below.

> "We have **rejected** an electronic file only solution -- more than once in the last 48 hours. **Please make adjustments to m-group's labor allocations, accordingly**. We will expect someone from the City Staff or the m-group to open up the conference room for our use to inspect the file at some point between 9:00 am and 3:30 pm on Fri Oct 23, just like it happened on June 12, 2020 and August 4, 2020."

Please see my other responses, below.

>> Danly, Eric wrote on 10/22/2020 4:45 PM:

> Mr. McGavin,
>
> **Danly:** We are planning to provide you the entire Verizon project file, electronically, without charge, along with a written certification from the custodian of records that the file is complete, and excludes only privileged communications between staff and legal counsel, which are exempt from disclosure in their entirety in accordance with Section 6254(k) of the Public Records Act.

We read the law (https://scientists4wiredtech.com/legislation/ca-public-records-act/). It is **our right** to inspect records (all but personnel/employment records and pending litigation documents, **of which there are none**) because "Public records are **open to inspection at all times** during the office hours of the state or local agency and **every person has a right to inspect any public record**"

Please comply, it has been **over 28 days** since our request. As we have already written, the jig is up. **Further delay is unwarranted.**

Section 6254(k) of the Public Records Act says " Records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege."

Mr. Danly which **federal or state laws are you citing to justify exempting records "**including, but not limited to, provisions of the Evidence Code relating to privilege"

There is no pending litigation , so how does this apply to exemptions for everything you write? I am not certain you are correct in your interpretation. We are expecting a **complete** delivery tomorrow, including communications from you that are not part of pending litigation.

I refer you to the following parts of Section 6254 **as equally relevant**:

> **§ 6254.**
> Except as provided in Sections 6254.7 and 6254.13, this chapter **does not require the disclosure of any of the following records**:

(a) Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, if the public interest in withholding those records clearly outweighs the public interest in disclosure.
(b) Records pertaining to pending litigation to which the public agency is a party, or to claims made pursuant to Division 3.6 (commencing with Section 810), until the pending litigation or claim has been finally adjudicated or otherwise settled.
(c) Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.

We estimate that we will be transmitting the new project file information that has been added since you last inspected the file to you by close of business this Friday, October 23.

We have **rejected** that plan. Mr. Danly. We think your plane will saddle us with an incomplete transmission with no chance for recourse . We prefer to inspect the paper file **while** work continues on the production of any digital files, as is our right to do so:

TITLE 1. GENERAL [100 – 7914] | DIVISION 7. MISCELLANEOUS [6000 – 7599.2] |
CHAPTER 3.5. Inspection of Public Records [6250 – 6276.48]
https://scientists4wiredtech.com/legislation/ca-public-records-act/

§ 6252.
As used in this chapter:
(a) "**Local agency**" includes a county; city, whether general law or chartered; city and county; school district; municipal corporation; district; political subdivision; or any board, commission or agency thereof; other local public agency; or entities that are legislative bodies of a local agency pursuant to subdivisions (c) and (d) of Section 54952.
(b) "**Member of the public**" means any person, except a member, agent, officer, or employee of a federal, state, or local agency acting within the scope of his or her membership, agency, office, or employment.
(c) "**Person**" includes any natural person, corporation, partnership, limited liability company, firm, or association.
(d) "**Public agency**" means any state or local agency.
(e) "**Public records**" includes any writing containing information relating to the conduct of the public's business prepared, owned, **used, or retained** by any state or local agency **regardless of physical form or characteristics**.
"Public records" in the custody of, or maintained by, the Governor's office means any writing prepared on or after January 6, 1975.

. . .
(g) "**Writing**" means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting **by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation**, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, **regardless of the manner in which the record has been stored**.

§ 6253.
(a) Public records are **open to inspection at all times** during the office hours of the state or local agency and **every person has a right to inspect any public record**, except as hereafter provided. Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law.

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We estimate we will be transmitting to you emails of Mr. Brosky, a prior Planning staff member, scans of superseded application materials, and the certification confirming the completed project file has been transmitted, by Friday, October 30.

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We will be the judge of that by **comparing** the two sources: the paper file and the digital file , **which is our right to do so.** Please follow the law, Mr Danly, and please respect the rights of the public, even if doing so is inconvenient.

> Thank you.

>>> Paul McGavin wrote to Heather Hines and Peggy Flynn on 10/22/2020 5:06 PM:

> October 22, 2020
>
> **To:**
> Heather Hines, m-Group
> Peggy Flynn, City Manager

cc:
Patrick Streeter, Chair Planning Commission
Heidi Bauer, Vice Chair Planning Commission
Christopher Caputo, HCPC Chair
Kit Schlich, HCPC Vice Chair
Petaluma VHP Members

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Re: Follow Up on Missing Public Comment from October 13, 2020 -- We Need a Agreed-To Plan by Mon October 26

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As I have communicated to City Manager Flynn:

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Thank you.

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Thursday, October 22, 2020 5:43 PM
To: Danly, Eric; Flynn, Peggy
Cc: Barrett,Teresa; Cochran, Brian; Green, Jordan; Hines, Heather; Bendix, Brittany; Rose, Kendall; -- City Clerk; Terry, Suzanne; Healy, Mike; Fischer, D'Lynda; Kearney, Gabe; King, Dave; McDonnell, Kevin; Miller, Kathy; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Heidi Bauer; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart; Scott Springhorn; Taryn Obaid
Subject: Re: Next Steps re: Verizon PLMA-20-0003/PLUP-19-000 Project

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Mr. Danly,

We are proceeding on the plan that we accepted from Jordan Green from October 14, 2020 as I have repeatedly communicated to you.

I refer you to the recent email I sent to Ms. Hines, quoted below.

> "We have **rejected** an electronic file only solution -- more than once in the last 48 hours. **Please make adjustments to m-group's labor allocations, accordingly**. We will expect someone from the City Staff or the m-group to open up the conference room for our use to inspect the file at some point between 9:00 am and 3:30 pm on Fri Oct 23, just like it happened on June 12, 2020 and August 4, 2020."

Please see my other responses, below.

>> Danly, Eric wrote on 10/22/2020 4:45 PM:

> Mr. McGavin,
>
> **Danly:** We are planning to provide you the entire Verizon project file, electronically, without charge, along with a written certification from the custodian of records that the file is complete, and excludes only privileged communications between staff and legal counsel, which are exempt from disclosure in their entirety in accordance with Section 6254(k) of the Public Records Act.

We read the law (https://scientists4wiredtech.com/legislation/ca-public-records-act/). It is **our right** to inspect records (all but personnel/employment records and pending litigation documents, **of which there are none**) because "Public records are **open to inspection at all times** during the office hours of the state or local agency and **every person has a right to inspect any public record**"

Please comply, it has been **over 28 days** since our request. As we have already written, the jig is up. **Further delay is unwarranted.**

Section 6254(k) of the Public Records Act says " Records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege."

Mr. Danly which **federal or state laws are you citing to justify exempting records "**including, but not limited to, provisions of the Evidence Code relating to privilege"

There is no pending litigation , so how does this apply to exemptions for everything you write? I am not certain you are correct in your interpretation. We are expecting a **complete** delivery tomorrow, including communications from you that are not part of pending litigation.

I refer you to the following parts of Section 6254 **as equally relevant**:

> **§ 6254.**
> Except as provided in Sections 6254.7 and 6254.13, this chapter **does not require the disclosure of any of the following records**:
>
> (a) Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, if the public interest in withholding those records clearly outweighs the public interest in disclosure.
>
> (b) Records pertaining to pending litigation to which the public agency is a party, or to claims made pursuant to Division 3.6 (commencing with Section 810), until the pending litigation or claim has been finally adjudicated or otherwise settled.
>
> (c) Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.

> We estimate that we will be transmitting the new project file information that has been added since you last inspected the file to you by close of business this Friday, October 23.

We have **rejected** that plan. Mr. Danly. We think your plane will saddle us with an incomplete transmission with no chance for recourse . We prefer to inspect the paper file **while** work continues on the production of any digital files, as is our right to do so:

TITLE 1. GENERAL [100 – 7914] | DIVISION 7. MISCELLANEOUS [6000 – 7599.2] |
CHAPTER 3.5. Inspection of Public Records [6250 – 6276.48]
https://scientists4wiredtech.com/legislation/ca-public-records-act/

§ 6252.
As used in this chapter:

> (a) "**Local agency**" includes a county; city, whether general law or chartered; city and county; school district; municipal corporation; district; political subdivision; or any board, commission or agency thereof; other local public agency; or entities that are legislative bodies of a local agency pursuant to subdivisions (c) and (d) of Section 54952.
>
> (b) "**Member of the public**" means any person, except a member, agent, officer, or employee of a federal, state, or local agency acting within the scope of his or her membership, agency, office, or employment.
>
> (c) "**Person**" includes any natural person, corporation, partnership, limited liability company, firm, or association.
>
> (d) "**Public agency**" means any state or local agency.
>
> (e) "**Public records**" includes any writing containing information relating to the conduct of the public's business prepared, owned, **used, or retained** by any state or local agency **regardless of physical form or characteristics**. "Public records" in the custody of, or maintained by, the Governor's office means any writing prepared on or after

January 6, 1975.

. . .

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October 22, 2020

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cc:
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Sent: Thursday, October 22, 2020 5:07 PM
To: Hines, Heather; Flynn, Peggy
Cc: Patrick Streeter; Heidi Bauer; Christopher Caputo; Kit Schlich; Scott Springhorn; Taryn Obaid
Subject: Re: Follow Up on Missing Public Comment from October 13, 2020 -- We Need a Agreed-To Plan by Mon October 26

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October 22, 2020

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>
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>
> Brittany is working on getting an electronic version of the project file to you as requested.

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7. **Is the City asking for a written report?** None is needed.
8. We need to understand the format of the data **before** the test is ordered/conducted.

Thank you.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Hines, Heather

From: Danly, Eric
Sent: Thursday, October 22, 2020 4:46 PM
To: Paul McGavin
Cc: Barrett,Teresa; Flynn, Peggy; Cochran, Brian; Green, Jordan; Hines, Heather; Bendix, Brittany; Rose, Kendall; -- City Clerk; Terry, Suzanne; Healy, Mike; Fischer, D'Lynda; Kearney, Gabe; King, Dave; McDonnell, Kevin; Miller, Kathy; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Heidi Bauer; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart; Scott Springhorn; Taryn Obaid
Subject: Re: Next Steps re: Verizon PLMA-20-0003/PLUP-19-000 Project

Mr. McGavin,

We are planning to provide you the entire Verizon project file, electronically, without charge, along with a written certification from the custodian of records that the file is complete, and excludes only privileged communications between staff and legal counsel, which are exempt from disclosure in their entirety in accordance with Section 6254(k) of the Public Records Act. We estimate that we will be transmitting the new project file information that has been added since you last inspected the file to you by close of business this Friday, October 23. We estimate we will be transmitting to you emails of Mr. Brosky, a prior Planning staff member, scans of superseded application materials, and the certification confirming the completed project file has been transmitted, by Friday, October 30.

The last time our Planning staff arranged to permit you to inspect records on site, your behavior was unacceptable and you threatened to not leave until your questions were answered. We understand you would like to question staff regarding the Verizon application that is under review. However, the Public Records Act does not require City staff to submit to questioning, just to provide reasonably-identifiable, non-exempt public records.

There are no additional records regarding the Verizon project that you would obtain from an on-site inspection that you will not receive with the entire electronic project file, and we do not intend to schedule a meeting with you.

Thank you.

Eric W. Danly
City Attorney, City of Petaluma
11 English Street, Petaluma, CA 94952
Phone: (707) 778-4362 Facsimile: (707) 206-6040
City Business Hours: M-Th 8am-5pm, closed Fridays

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From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Wednesday, October 21, 2020 9:37 PM
To: Danly, Eric <EDanly@cityofpetaluma.org>
Cc: Barrett,Teresa <tbarrett@cityofpetaluma.org>; Flynn, Peggy <PFlynn@cityofpetaluma.org>; Cochran, Brian <BCochran@cityofpetaluma.org>; Green, Jordan <JGreen@cityofpetaluma.org>; Hines, Heather <hhines@cityofpetaluma.org>; Bendix, Brittany <bbendix@cityofpetaluma.org>; Rose, Kendall <krose@cityofpetaluma.org>; Kendall Rose <krose@ci.petaluma.ca.us>; -- City Clerk <CityClerk@cityofpetaluma.org>; Terry, Suzanne <STerry@cityofpetaluma.org>; Healy, Mike <mhealy@cityofpetaluma.org>; Fischer, D'Lynda <dfischer@cityofpetaluma.org>; Kearney, Gabe <gkearney@cityofpetaluma.org>; King, Dave <dking@cityofpetaluma.org>; McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; Miller, Kathy <kmiller@cityofpetaluma.org>; Sandi Potter <sandi.lee.potter@gmail.com>; Richard Marzo <richard@lacehouselinen.com>; Blake Hooper <bmhooper1@gmail.com>; Scott Alonso <alonsoplanningpet@gmail.com>; Heidi Bauer <heidibauer2000@gmail.com>; Christopher Caputo <tukuto@yahoo.com>; Kit Schlich <kitschlich@gmail.com>; Terry Kosewic <terry@kozyhomes.net>; John Perlis <brknmad@yahoo.com>; Bill Rinehart <bill@johnsonrinehart.com>; Scott Springhorn <sspringhorn@gmail.com>; Taryn Obaid <taryn_obaid@hotmail.com>
Subject: Re: Next Steps re: Verizon PLMA-20-0003/PLUP-19-000 Project

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
October 21, 2020

Dear Mr. Danly,

>>> Danly, Eric wrote on 10/21/2020 7:37 PM: (emphases added)

> Mr. McGavin,
>
> I have nothing to add to my previous email to you. Please refer to that email and the email Ms. Green recently sent to you in response to the issues you have raised. Thank you.
>
> Eric W. Danly
>
> City Attorney, City of Petaluma

As you can read in **Appendix A**, Ms. Green promised on 10/14 that "you to come to City Hall to inspect the file," Therefore, we choose to **hold** the City of Petaluma to its **earlier commitment**, and **reject** your proposal for **only** the "the project file being assembled electronically [being] the entire project file,[that] we intend to transmit to you . . . electronically."

As I wrote to you earlier, we have solid reasons for choosing Ms. Green's earlier commitment for us to to **inspect the files in person at Petaluma City Hall**, just as we did on June 12 and August 4 (about 2.5 months ago):

1. **We do not trust** that the possible filtering of (and the needless extra work to digitize) the records will result in a **complete record of everything** that will be used as the basis for the HCPC members' and Planning Commissioners' deliberations on the Verizon PLMA-20-0003/PLUP-19-000 Project. It would be far more efficient for us to compare our previous database of photos of the records in the file **to the actual paper files** and then scan for new information, revision dates and anything else that we can see that has been added to the file, since we saw it last on August 4, 2020. Then we can take photos of only the most recent files. We are happy to receive digital files on a USB stick (as we did before) or via a cloud drive, **in addition to** the inspection of the paper files.

2. Tomorrow is Oct 22, 2020, which is only **9 business days from** Nov 3, 2020 -- the likely deadline to submit our analysis for inclusion in the packet that will go to the HCPC members Planning Commissioners for their

deliberations on Nov 10, 2020. In short, we are running out of time and need this weekend to review the new file additions.

3. **We recognize that many of the physical paper files are oversized pages**; these pages reflect the applicant's construction plans for this project. We need to verify if the plans have been updated in any way in response to City of Petaluma requests, dating back to July, 2020.

4. We need to see if any **substantial written evidence of NEPA review** for the project has been added to the file, as such evidence was missing on both June 12 and on August 4.

5. We need to gather information about all vendors that the City of Petaluma had considered or is currently considering to hire for this project -- **regardless of contract status** -- including, but not limited to the following: drive test vendors, outside technical consultants, outside legal consultants and any other experts whose opinions the City of Petaluma is considering adding to the final record upon which the HCPC members' and Planning Commissioners' will rely for their deliberations on the Verizon PLMA-20-0003/PLUP-19-000 Project. The selection of these experts is very important and germane to our preparation and our ability to defend our homes and lives from this dangerous and unnecessary Verizon PLMA-20-0003/PLUP-19-000 Project.

6. We need to read in any Drive test vendor proposals the various methodologies considered and equipment to be used for the Drive tests that will establish **dBm Signal Strength readings** for Verizon's telecommunications frequencies/bands that Verizon has licensed for the three-mile radius of the Petaluma Creamery, as listed in Exhibit B. **We cannot stand by and trust that the City of Petaluma staff or the m-group will get these details right.** Too much depends on the methodology of this drive test.

Please note that we will also need a listing of all records that the City of Petaluma chooses to redact and the reason for the redaction. That means for every redacted record, we need to receive

Date of record | From | To | Title | Reason for redaction

As I wrote earlier today, Mr. Danly . . . "Will you please return my call at 707-981-5522 today so **we can schedule our requested and needed inspection of records** for a 90-minute slot to start at a **specified time between 9:00 am and 3:30 pm on Fri Oct 23,** if not sooner?" This is our plan and we are asking for **some cooperation from the City of Petaluma**, because, the significant stonewalling and hiding of information from the public by the Petaluma City staff and the m-group from Aug 4, 2020 through Oct 21, 2020 has eroded any trust that may have existed at one point. As in all matters, trust is either earned or squandered.

I was disappointed today, Mr. Danly, that I did not receive a return call from you. Will you please call me tomorrow, so we can resolve this problem to the public's satisfaction?

There are **many open issues** in my 10/21/2020 email that you, the City of Petaluma staff and the m-group have not addressed . . . just as there are many unaddressed issues right here ---> https://www.unsafeatanyg.com/petaluma/creamery/#latest (about 26,000 words of relevant information, analysis and questions denoted by **"Q:"** , which makes it easy to search for the still-unaddressed questions).

Does your two-sentence reply, above, communicate . . .

a. that you **have no** information that can address these open issues or , more likely,
b. that you **have** the information and are **refusing** to share it?

Perhaps, there is another scenario or two I am not listing , but it is very hard to believe that [a], above is true, so we are going to have to assume that [b] is much more likely.

That makes in-person inspection of the records all the more important.

Thank you.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Appendix A: Key Emails re: Records Reqests in Sept/Oct 2020

>>> Paul McGavin wrote to Heather Hines on 9/23/2020 12:24 PM:

> I am reasonably requesting a return call today on Sept 23, 2020 from the m-group with a **substantive update** on the Petaluma Creamery project, including copies emailed to me of **all evidence of all communications** between the m-group/Petaluma city staff to following parties:
>
> - The applicants of the Petaluma Creamery project (Complete Wireless, Verizon or others)
> - Any wireless consultants the m-group or the city staff has communicated with in the last eight weeks in any wireless matter (any project or any wireless ordinance changes being considered)
> - Any parties involved in getting substantial written evidence of Verizon wireless signal strength coverage or call records that **can establish if a significant gap in telecommunications coverage** exists in Petaluma in the three-mile radius surrounding the Petaluma Creamery.

>>> Paul McGavin wrote to Brittany Bendix on 9/23/2020 4:04 PM:

> I will be laser focused on making the m-group and the applicants **fully accountable to a proper planning process** from this day forward. I am very detail-oriented. Let's hope that the information that we are seeking is given to us in a timely manner so we can commence this work as soon as possible.
>
> We are demanding our **US Constitutional 14th amendment rights** (see Appendix A) be respected here: **equal** protection under the law, which implies **equal** time and **equal** consideration as that given to the other stakeholders in this project. We will tolerate no "preferential treatment" given to the personal wireless service industry, as confirmed in Federal law. The 1996-TCA Conference Report, recognized by the US Supreme Court in a 2005 Ruling (Abrams v Palos Verdes) is the "law of the land" and it applies to the entire US. The Conference Report is accepted as the definitive source for the legislative intent of the 1996-TCA:
>
> > "It is **not the intent of this provision to give preferential treatment to the personal wireless service industry** in the processing of requests, or to subject their requests to any but the generally applicable time frames for zoning decision."
>
> You should also take careful note of the following in the 1996-TCA (see https://scientists4wiredtech.com/readinglaw/)

47 U.S. Code § 324 – Use of minimum power

"In all circumstances, except in case of radio communications or signals relating to vessels in distress, **all radio** stations, including those owned and operated by the United States, **shall use the minimum amount of power necessary** to carry out the communication desired."

Finally, please let me know when can we schedule the following?

1. A 60-Minute Zoom call between members of Petaluma VHP and the m-group personnel (Heather Hines, Brittany Bendix and Justin Shiu -- to ensure that all m-group personnel who are touching this project are avavilable to answer our questions (obviating the need to check with "a, b or c", who could not attend the meeting. We wish all three of you to be present **for accountability reasons**.

2. A 90-minute immediate records inspection of the contents of the public record for the Petaluma Creamery project; we need to know what has made it into the public record through 9/23/2020 or whatever date we can schedule the inspection.

>>> Green, Jordan wrote on 10/14/2020 2:55 PM: (relevant quote with emphases added)

Dear Mr. McGavin,
. . .
The City's Planning Department is working to make a hard copy of the file current. Once that file is complete, we will provide you with a few dates and times for you to come to City Hall to inspect the file. If you have any further PRA requests, please submit them through the City Clerk's Office at the following web address: https://cityofpetaluma.org/request-for-public-records/

. . .

Sincerely,

Jordan Green
Assistant City Attorney, City of Petaluma

Appendix B Verizon Licensed Frequencies/Bands for Petaluma, CA as of October 2020

Source: https://specmap.sequence-omega.net/

Label	Num	Blk	Area	Freq	BandWdth	Ctr	TxRx
700 MHz	9	C	REA	746-757	11	751.5	tbd
700 MHz	9	C	REA	776-787	11	781.5	tbd
Cellular	489	B	CMA	835-845	10	840	tbd
Cellular	489	B	CMA	846.5-849	2.5	847.75	tbd
Cellular	489	B	CMA	880-894	14	887	tbd
Cellular	489	B	CMA	891.5-894	2.5	892.75	tbd
PCS	25	A	MTA	1850-1865	15	1857.5	tbd
PCS	25	A	MTA	1930-1945	15	1937.5	tbd
PCS	29	B	MTA	1870-1885	15	1877.5	tbd

Label	Num	Blk	Area	Freq	BandWdth	Ctr	TxRx
PCS	29	B	MTA	1950-1965	15	1957.5	tbd
PCS	165	C	BTA	1895-1910	15	1902.5	tbd
PCS	165	C	BTA	1975-1990	15	1982.5	tbd
AWS	141	B	BEA	1720-1730	10	1725	tbd
AWS	141	B	BEA	2120-2130	10	2125	tbd
AWS	57	C	BEA	1730-1735	5	1732.5	tbd
AWS	57	C	BEA	2130-2135	5	2132.5	tbd
AWS	7	D	REA	1735-1740	5	1737.5	tbd
AWS	7	D	REA	2135-2140	5	2137.5	tbd
AWS	6	E	REA	1740-1745	5	1742.5	tbd
AWS	6	E	REA	2140-2145	5	2142.5	tbd
AWS	7	F	REA	1745-1755	10	1750	tbd
AWS	7	F	REA	2145-2155	10	2150	tbd
AWS-3	45	J	BEA	1755-1760	5	1757.5	tbd
AWS-3	45	J	BEA	2155-2160	5	2157.5	tbd
mmWave	101	L1	BTA	27500-27925	425	27712.5	tbd
mmWave	103	L2	BTA	27925-28350	425	28137.5	tbd
mmWave	411	M1	PEA	37600-37700	100	37650	tbd
mmWave	411	M2	PEA	37700-37800	100	37750	tbd
mmWave	411	M3	PEA	37800-37900	100	37850	tbd
mmWave	411	M4	PEA	37900-38000	100	37950	tbd
mmWave	411	M5	PEA	38000-38100	100	38050	tbd
mmWave	411	M6	PEA	38100-38200	100	38150	tbd
mmWave	411	M7	PEA	38200-38300	100	38250	tbd
mmWave	409	M8	PEA	38300-38400	100	38350	tbd
mmWave	375	M9	PEA	38400-38500	100	38450	tbd
mmWave	371	M10	PEA	38500-38600	100	38550	tbd
mmWave	371	M10	PEA	38500-38600	100	38550	tbd

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Thursday, October 22, 2020 3:51 PM
To: Flynn, Peggy; Cochran, Brian; Barrett,Teresa
Cc: Danly, Eric; Green, Jordan; Hines, Heather; Bendix, Brittany; Rose, Kendall; Patrick Streeter; Heidi Bauer; Christopher Caputo; Kit Schlich; Scott Springhorn; Taryn Obaid; Shad Cloney
Subject: Re: Required IN-PERSON review of Verizon PLMA-20-0003/PLUP-19-000 Project Files On Oct 22 or Oct 23

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
October 22, 2020

To:
Mr. Peggy Flynn
City Manager
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4345

Teresa Barrett, Mayor
Brian Cochran, Assistant City Manager

cc:
Kendall Rose, City Clerk
Eric Danly, City Attorney
Jordan Green, Assistant City Attorney
Heather Hines, m-Group
Brittany Bendix, m-Group
Patrick Streeter, Chair Planning Commission
Heidi Bauer, Vice Chair Planning Commission
Christopher Caputo, HCPC Chair
Kit Schlich, HCPC Vice Chair
Petaluma VHP-members

Re: Required IN-PERSON review of Verizon PLMA-20-0003/PLUP-19-000 Project Files On Oct 22 or Oct 23

[City Clerk Kendall Rose, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

Dear Ms. Flynn,

A few things seem to to be going wrong on your watch right now. The public is asking you to please right the ship in the City of Petaluma.

First, a few lingering items need your immediate attention . . .

1. **As you can see in Appendix C:** We Need an Acceptable Solution for the Missing Opening 28:42 of the Oct 13, HCPC Meeting Video, Including wiping out 100% of General Public Comments Restored; **we don't have a solution, yet. -->** Here is a suggestion . . . we would like the City of Petaluma to give **our six public commenters 18 additional minutes of General public comment, not to count against their other 18-minutes due to them at the Oct 27, 2020 Planning Commission meeting.** This move would **replace** the time that was stolen from them **and these commenters could use this time for a presentation to the Planning Commissioners with full Zoom A/V support, just like any other invited speakers to Planning Commission meetings**. Obviously, as it now says on the 10/13/2020 video "The written minutes will be the account for the missing video footage" would **not be an acceptable correction** of this error because there is **no recording of the public comments** from which to create a transcript or any representative minutes of these fumbled public comments. An "oops" is acceptable, as long as the City bends over backward to restore the time that was lost. **May we please have you agreement to this proposed solution today Ms, Flynn?** (see details and screen grabs in Appendix C)

2. **We have not had timely responses to our requests to the m-group for months** for many items regarding the Verizon PLMA-20-0003/PLUP-19-000 Project and see there is **insufficient quality assurance in place** to even make the application complete before fumbling forward this **still incomplete application** on Nov 10, 2020; **Will you please fix this chronic problem, Ms. Flynn?**

3. **We have not had any substantive response from you**, Ms.Flynn, other than one short email on 9/24/2020, referenced below. We need to meet with you. **Will you please agree to meet with us, Ms. Flynn?**

Selected General Public Comments Seeking Solutions to these Chronic Problems

- **6/15** *City Council General Public Comment:* PLMA-20-0003/PLUP-19-000 Project is Incomplete and Wireless Antenna Needs Test --> https://youtu.be/fmEPbqbPrW0?t=1m38s

- **7/20** *City Council General Public Comment:* **Comment directed to City Manager Flynn, asking for return call** --> https://youtu.be/uU07WcdDIq0?t=1m19s

- **8/03** *City Council City Council General Public Comment:* questioning if City of Petaluma is open to doing Business with the Public --> https://youtu.be/M6jJSbbMhF8?t=54s ; **City Manager, City Attorney and the City Clerk have not returned a single phone call from June 10 to Aug 3, 2020**; we need to show our faces and visual materials during our public comments --> https://youtu.be/M6jJSbbMhF8?t=1m50s

- **9/14** *City Council City Council General Public Comment:*The need for drive test data to prevent Petaluma from being sued. --> https://youtu.be/dFQbo5kxZ5c?t=3m14s

- **09/21** *City Council City Council General Public Comment:* A pitch to provide 9/22 education/study session to Planning Commission and City Council --> https://youtu.be/bAXtFWVil6k?t=2m47s

- **9/22** *City Council/Planning Commission General Public Comment:* Extreme discrimination continues against the public by Petaluma City Staff and m-group (see https://www.unsafeatanyg.com/petaluma/meetings/)

- **10/05** *City Council City Council General Public Comment*: **Comment directed to City Manager Flynn, asking for meeting because Public Safety is not being provided -->** https://youtu.be/GgSiXIakb1E?t=12m28s

- **10/19** *City Council City Council General Public Comment*: Yes, **Mayor Barrett, please give direction to City Manager Flynn to please finally and sincerely engage with the public**
(see https://www.unsafeatanyg.com/petaluma/meetings/)

So, what have we learned in the last 24 hours? We see, once again, that communication from the public about our place as **equal stakeholders in this Verizon/Petaluma Creamery Cell Tower project** and the need to be fully-informed in a timely manner apparently **goes in one ear and right out the other of Petaluma City Staff.**

1. **Danly on 10/21 :** "I have nothing to add to my previous email to you. Please refer to that email and the email Ms. Green recently sent to you in response to the issues you have raised."

2. **Hines on 10/21 :** "I am confirming that staff does not anticipate that there will be any redactions and would provide a 'complete' project file electronically."

3. **Flynn on 9/24: "**We have responded repeatedly with the information we currently have. A drive test is **being required** (a sincere thank you Mr. Springhorn for your continued recommendations!). We will continue to provide updates as we have them--to you, and most importantly, to the community.**"**

Yes, Ms. Flynn, it is good that Mr. Springhorn pushed the City of Petaluma for the **critically important set of data needed** -- a need completely overlooked by Danly/Hines/Bendix from June 2019 until we became aware of the Verizon PLMA-20-0003/PLUP-19-000 Project in early June, 2020. **We immediately and strongly recommended** the benefits of a Wireless Antenna Need Test (WANT)/industry-standard drive test of signal strength.

Please understand that the City of Petaluma placed information about the Verizon PLMA-20-0003/PLUP-19-000 Project on a public web page **for the first time on June 10, 2020**, (https://cityofpetaluma.org/611-western-avenue-verizon-telecommunications-facility/) **recommending approval of this disastrous project at** a Planning Commission meeting set for June 23, 2020 . . . you get that 13-days of broad public notice -- for a project that was being **quietly and inexpertly processed by the City of Petaluma for over a year** is not very good.

If we had not shown up, this project would have most likely been rubber-stamped **much to the detriment of Petaluma** on June 23, 2020. We immediately found huge holes in the **still-incomplete application** and reported them to the City of Petaluma on June 15, 2020 --> https://www.unsafeatanyg.com/petaluma/creamery/#latest. The basis for and benefits of the the Wireless Antenna Need Test (WANT)/industry-standard drive test of signal strength is explained well by the top Telecom attorney in the US, **Andrew Campanelli**, right here in this July 23, 2020 video: https://youtu.be/UtT6gVH584s?t=30m29s

The Wireless Antenna Need Test (WANT)/industry-standard drive test of signal strength **can provide** the data that will prove **whether or not there is a significant gap in Verizon telecommunications service** in the area that is within a three-mile radius of the Petaluma Creamery (a 28-square mile area), **if City staff and the m-group pay careful attention to the details** and listen to the true experts (including us).

As you recall, I worked full-time for six months back in 2017 to secure a **veto of** CA Senate Bill 649 the ALEC-written **Streamline so-called "small" Wireless Telecommunications Facilities (sWTF) Deployment Bill.** I spoke to Gov Brown, personally, on October 14, 2017 in Santa Rosa, CA for ten minutes about why it would be best for the counties and municipalities in CA to retain local control over the placement, construction, modification **and operations** of Wireless Telecommunications Facilities (WTFs) of any size and any "G". Gov. Brown listened intently. He vetoed the bill 24 hours later on Oct 15, 2017 -- **which preserved local control for CA cities and counties**.

Are you listening., Ms Flynn? **Where are the substantive updates we have been requesting since Aug 11?** It is one thing to write what you wrote to me on 9/24/2020, and another to **conduct sufficient quality assurance** to discover, if any substantive public records have been given to the public. We requested an **immediate inspection of existing records back on Sept 23, 2020 . . .** we have done our part . . . what about you?

1. Repeated comments at City Council meetings in Aug Sept/Oct 2020 directed to you have **not increased your attention on this matter** (see links above).

2. Multiple direct emails to you have been ignored

3. Many voicemails left to you have been ignored, as well.

What is going on? A month later, we are still empty-handed and have no confidence in Danly's last minute proposed changes to the plan outlined on Oct 14 by Jordan Green, which is why we **have rejected** Danly's proposed plans as insufficient. If the City of Petaluma is **actually open** to doing business with the public, **then we are asking you to prove it.**

- **Please call me today at 707-981-5522** so we can discuss a workable plan, as Mr. Danly has chosen not to adequately respond to this important matter. He has ignored this request twice: "Will you please return my call at 707-981-5522 today so we can schedule our requested and needed inspection of records for a 90-minute slot to start at a specified time between 9:00 am and 3:30 pm on Fri Oct 23, if not sooner?"

- **Please review** the City's obligations under CHAPTER 3.5. Inspection of Public Records [6250 – 6276.48] (See **Appendix A**)

- **Please set a time for our immediate inspection of records on either Oct 22 or Oct 23**. As we previously wrote on Oct 21, 2020: "We do not trust that the possible filtering of (and the needless extra work to digitize) the records will result in a complete record of everything that will be used as the basis for the HCPC members' and Planning Commissioners' deliberations on the Verizon PLMA-20-0003/PLUP-19-000 Project. It would be far more efficient for us to compare our previous database of photos of the records in the file to the actual paper files and then scan for new information, revision dates and anything else that we can see that has been added to the file, since we saw it last on August 4, 2020. Then we can take photos of only the most recent files. **We are open to receiving digital files on a USB stick (as we did before) or via a cloud drive, in addition to the inspection of the paper files**."

- **See the rest of our communications** -- all of which have been placed in the public record -- at this web link: https://www.unsafeatanyg.com/petaluma/creamery/#latest

I would welcome your immediate attention to this matter, Ms. Flynn, and a return phone call from you. Thank you.

Additional Details (from https://www.unsafeatanyg.com/petaluma/creamery/#latest)

Ms. Jordan Green promised on 10/14 that "you [can] to come to City Hall to inspect the file."

Therefore, we choose to **hold** the City of Petaluma to its **earlier commitment**, and **reject** Danly's late changes for **only** the "the project file being assembled electronically [being] the entire project file,[that] we intend to transmit to you . . . electronically."We have heard many, many times from the Danly/Hines/Bendix chorus the "anticipations", intentions hopes and promises that have resulted in nothing solid.

The Verizon PLMA-20-0003/PLUP-19-000 Project is a very serious matter and should not be treated as anything but that. Forgive us, if we do not trust Ms. Hines' assessment of "complete". It is based on copious evidence we have gathered over the past four months. We have specific needs and **must have time sufficient time on Thu or Fri this week to address an expected additional retrieval of anyn missing information by the m-group,** which we reasonably anticipate will occur in the "planned electronic delivery". We may need your support on this, Ms. Flynn, to ensure a **complete delivery**, which must include answers to the following questions **by no later than Oct 23, 2020**: Folks, you have no basis to hide any of this information. We shouldn't have to fight so hard for answers to our reasonable questions. **Will you please help, Ms. Flynn?**

It is a month after our request for immediate inspection of records and we have **no answers** to the following reasonable questions -- **of which City Staff has been well-aware , yet we still have no answers.** You, Ms Flynn, wrote "A drive test is being required" on 9/24/2020 **. . . a month later we still lack these specifics.**

1. Who is the Drive Test vendor — does the public have the ability to research the vendor's background? **We need that answer now.**
2. When will the Drive Test work start? **We need that answer now.**
3. What is the methodology of the drive test? **We need that answer now.**

4. What equipment will the vendor use to collect and log the data? **We need that answer now.**
5. Is the vendor doing coverage analysis in dBm? . . . or is the vendor doing some other analysis, which may not be necessary? **We need to know that now.**
6. Will the vendor place the raw data of the Drive test into the public record? **There is no way the m-group should hide this data from anyone.**
7. **Is the City asking for a written report?** None is needed.
8. We need to understand the format of the data **before** the test is ordered/conducted.

Please note, we **accepted** the plan proposed by Jordan Green on Oct 14, 2020: which was in response to our 9/23/2020 **request for immediate inspection of existing records, not a PRA . . . Ms. Green responded 21 days later:**

> "The City's Planning Department is working to make a hard copy of the file current. Once that file is complete, we will provide you with a few dates and times for you to come to City Hall to inspect the file. If you have any further PRA requests, please submit them through the City Clerk's Office at the following web address: https://cityofpetaluma.org/request-for-public-records/

We **rejected** the last-minute change to these plans proposed by Eric Danly on Oct 21, 2020 . . . **Mr. Danly responded 28 days after our request for immediate inspection of existing records, not a PRA**

"we intend to transmit to you that entire project file electronically to satisfy the City's obligations under the Public Records Act"

Danly's attempted changes are neither reasonable, nor acceptable. We have the evidence of **precedence** of our two earlier on-site **immediate inspection of records** at Petaluma City Hall on **both June 12, 2020** and on **Aug 4. 2020.** It is reasonable for Petaluma City Staff to comply a third time, in line with the m-group's contractual obligations, which do **NOT** melt away during COVID-19 National emergency**.**

m-group's Base Level: Services:

> "**Full time coverage of the Planning Counter** (Monday through Thursday, 8: 00 a.m. to 5: 00 p. m.) to provide general zoning information in response to public inquiry. Counter coverage also extends to timely response to emails and voicemails on similar issues as counter inquiries; "

Our needs are different from what we are hearing from the Danly/Hines chorus -- two people who held a **sham** of a 30-minute meeting on July 30, 2020 with Petaluma residents -- the **only meeting they have been willing to hold with the public in four months . . . .** half of the 7/30/2020 meeting was spent with Danly/Hines reciting the facts we **already knew and documented** and the second half of the meeting was spent on Danly/Hines **not answering** the public's relevant questions . . . it was a waste of everyone's time and was very disrespectful of the public.

All other requests for additional meetings and substantive discussion with Danly/Hines **about this project have been denied.** The record shows there has been a consistent lack of transparency by Danly/Hines. They **have continued to avoid answering direct relevant questions** over the last 2.5 months. That is simply unacceptable. It has been impossible to conduct business with these two due to their unwillingness to listen or appropriately respond -- not unlike the last two emails received from them on 10/21/2020. Such behavior does not build trust and leads to exasperation.

Instead of returning calls on a timely basis Danly/Hines repeatedly ignore calls and type emails congratulating themselves for being busy and responsive to the public. I am sure the first is true (yes, we are all busy), but the second is refuted by solid evidence that is already in the public record. You see, the public is being played . . . we are being walked towards a Nov 3, 2020 deadline by unreasonable stonewalling by Petaluma City staff and the m-group. Our information requests are months old. This is in the record, folks. There are no excuses.

We read the law (see **Appendix A**). It is **our right** to inspect records (all but personnel/employment records and pending litigation documents, **of which there are none**) because "Public records are **open to inspection at all times** during the office hours of the state or local agency and **every person has a right to inspect any public record**"

Please comply, it has been **over 28 days** since our request. As we have already written, the jig is up. **Further delay is unwarranted.**

We need the City of Petaluma to be responsive and honor Jordan Green's proposed plan described on 10/14/2020.

I will look forward to your return call, Ms. Flynn.

Thank you.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Appendix A: Relevant Quotes from the California Government Code – GOV | TITLE 1. GENERAL [100 – 7914] | DIVISION 7. MISCELLANEOUS [6000 – 7599.2] | CHAPTER 3.5. Inspection of Public Records [6250 – 6276.48]

https://scientists4wiredtech.com/legislation/ca-public-records-act/

§ 6252.
As used in this chapter:

(a) "**Local agency**" includes a county; city, whether general law or chartered; city and county; school district; municipal corporation; district; political subdivision; or any board, commission or agency thereof; other local public agency; or entities that are legislative bodies of a local agency pursuant to subdivisions (c) and (d) of Section 54952.

(b) "**Member of the public**" means any person, except a member, agent, officer, or employee of a federal, state, or local agency acting within the scope of his or her membership, agency, office, or employment.

(c) "**Person**" includes any natural person, corporation, partnership, limited liability company, firm, or association.

(d) "**Public agency**" means any state or local agency.

(e) "**Public records**" includes any writing containing information relating to the conduct of the public's business prepared, owned, **used, or retained** by any state or local agency **regardless of physical form or characteristics**. "Public records" in the custody of, or maintained by, the Governor's office means any writing prepared on or after January 6, 1975.

. . .

(g) "**Writing**" means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting **by electronic mail or facsimile, and every other means of recording upon any tangible thing any form**

of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, **regardless of the manner in which the record has been stored**.

§ 6253.
(a) Public records are **open to inspection at all times** during the office hours of the state or local agency and **every person has a right to inspect any public record**, except as hereafter provided. Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law.

(b) . . . each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, **shall make the records promptly available** to any person

§ 6253.1.
(a) When a member of the public requests to inspect a public record or obtain a copy of a public record, **the public agency, in order to assist the member of the public** make a focused and effective request that reasonably describes an identifiable record or records, **shall do all of the following**, to the extent reasonable under the circumstances:

(1) Assist the member of the public to identify records and information that are responsive to the request or to the purpose of the request, if stated.

(2) Describe the information technology and **physical location in which the records exist**.

(3) Provide suggestions for **overcoming any practical basis for denying access** to the records or information sought.

§ 6254.
Except as provided in Sections 6254.7 and 6254.13, this chapter **does not require the disclosure of any of the following records**:

(a) Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, if the public interest in withholding those records clearly outweighs the public interest in disclosure.

(b) Records pertaining to pending litigation to which the public agency is a party, or to claims made pursuant to Division 3.6 (commencing with Section 810), until the pending litigation or claim has been finally adjudicated or otherwise settled.

(c) Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.

Appendix B: Email Communications from Oct 21-22 to/from Member of Petaluma-VHP

>>> Taryn Obaid wrote on 10/22/2020 8:07 AM:

From: Hines, Heather <hhines@cityofpetaluma.org>
Sent: Wednesday, October 21, 2020 11:38 PM
To: Danly, Eric <EDanly@cityofpetaluma.org>; Taryn Obaid <taryn_obaid@hotmail.com>; Flynn, Peggy <PFlynn@cityofpetaluma.org>; Bendix, Brittany <bbendix@cityofpetaluma.org>
Cc: Rose, Kendall <krose@cityofpetaluma.org>
Subject: Re: Friday in-person review of Creamery Verizon project file

Taryn,

I am confirming that staff does not anticipate that there will be any redactions and would provide a complete project file electronically.

Heather

Heather Hines
Planning Manager
City of Petaluma

From: Danly, Eric <EDanly@cityofpetaluma.org>
Sent: Wednesday, October 21, 2020 8:13 PM
To: Taryn Obaid <taryn_obaid@hotmail.com>; Flynn, Peggy <PFlynn@cityofpetaluma.org>; Hines, Heather <hhines@cityofpetaluma.org>; Bendix, Brittany <bbendix@cityofpetaluma.org>
Cc: Rose, Kendall <krose@cityofpetaluma.org>
Subject: Re: Friday in-person review of Creamery Verizon project file

Ms. Obaid,

I will confirm with City staff but I believe there will be no redactions. The internal staff communications with my office are privileged in their entirety, and exempt from disclosure in accordance with Section 6254(k) of the California Public Records Act. Those communications will not be provided, and are not subject to redaction. But the entire project file will be provided, which is the same material that would be made available for inspection in normal times not governed by County health orders which, as you know, have been promulgated to protect the public health and prevent spread of the COVID virus.

I will confirm this with staff tomorrow and in turn confirm with you.

Thank you.

Eric W. Danly
City Attorney, City of Petaluma
11 English Street, Petaluma, CA 94952
Phone: (707) 778-4362 Facsimile: (707) 206-6040
City Business Hours: M-Th 8am-5pm, closed Fridays

>>> Danly, Eric wrote on 10/21/2020 7:37 PM:

Mr. McGavin,

I have nothing to add to my previous email to you. Please refer to that email and the email Ms. Green recently sent to you in response to the issues you have raised. Thank you.

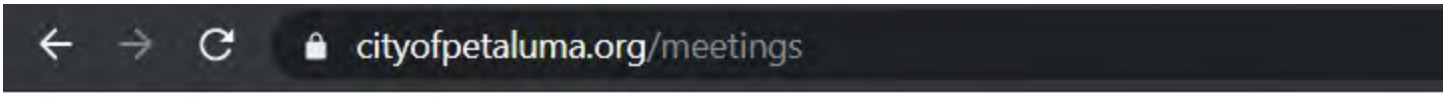
Eric W. Danly
City Attorney, City of Petaluma

Appendix C: We Need an Acceptable Solution for the Missing Opening 28:42 of the Oct 13, HCPC Meeting Video, Including 100% of General Public Comment Restored

Despite the following 10/15/2020 email communication, which stated "I will look forward to a progress update later today, Ms. Hines. Please read my other comments below," there was **no follow up from anyone** in the City staff or the m-Group.

>>>> Paul McGavin wrote to Heather Hines and many others on 10/15/2020 4:18 PM:

> Thank you. Ms. Hines, for your response re: **the missing first 28 minutes** of the video of the Oct 13, 2020 Historic and Cultural Preservation Committee meeting, including about **ten missing public comments**, as one can see here:
>
> - https://cityofpetaluma.org/meetings
> - https://petaluma.granicus.com/MediaPlayer.php?view_id=31&clip_id=3091
>
> Upon checking the links at around **4:00 pm on Oct 15** (about 48 hours later), we note the message below, but **do not see** a corrected video.
>
> Will the Petaluma City staff please **post transcripts of these missing public comments** at https://petaluma.granicus.com/MediaPlayer.php?view_id=31&clip_id=3091 . . . **while** the City staff works with Granicus to get the full video from the service's back ups and re-edits the video to make it complete?
>
> Staff is aware of a technical error that resulted in a delayed start to the video recording and are working diligently to remedy the situation. Draft minutes will be posted as soon as possible to account for the missing video footage. Thank you for your pa
>
> **It would be great for the City Staff to demonstrate responsiveness** on this request, as City staff responsiveness has been a serious problem during the COVID-19 national emergency, as described in the Oct 14, 2020 email (https://www.unsafeatanyg.com/petaluma/creamery/#latest) sent to the following people:
>
> - Flynn, Peggy PFlynn@cityofpetaluma.org
> - Cochran, Brian BCochran@cityofpetaluma.org
> - Bendix, Brittany bbendix@cityofpetaluma.org
> - Hines, Heather hhines@cityofpetaluma.org
> - Danly, Eric EDanly@cityofpetaluma.org
> - Green, Jordan JGreen@cityofpetaluma.org
> - Kendall Rose krose@cityofpetaluma.org
> - Kendall Rose krose@ci.petaluma.ca.us
>
> I will look forward to a **progress update later today**, Ms. Hines. Please read my other comments below.



ABOUT SERVICES

2020 2019 2018 2017 2016 2015 2014 2013 2012 2011 2010

⊞ City Council/Petaluma Community Development Successor Age

⊞ Airport Commission

⊞ Animal Services Advisory Committee

⊞ Climate Action Commission

⊟ Historic and Cultural Preservation Committee

Name
Historic and Cultural Preservation Committee
Historic and Cultural Preservation Committee -CANCELLED
Historic and Cultural Preservation Committee - Revision No. 1
Historic and Cultural Preservation Committee
Historic & Cultural Preservation Committee - CANCELLED
Historic & Cultural Preservation Committee - CANCELLED
Historic & Cultural Preservation Committee - CANCELLED
Historic & Cultural Preservation Committee - CANCELLED
Historic & Cultural Preservation Committee

CITY OF PETALUMA, CALIFORNIA
REGULAR MEETING OF THE HISTORIC AND C
PRESERVATION COMMITTEE

APPOINTED MEMBERS
Christopher Caputo, Chair
Kit Schlich, Vice Chair
Terry Kosewic
John Perlis
Bill Rinehart

2nd
City

CC

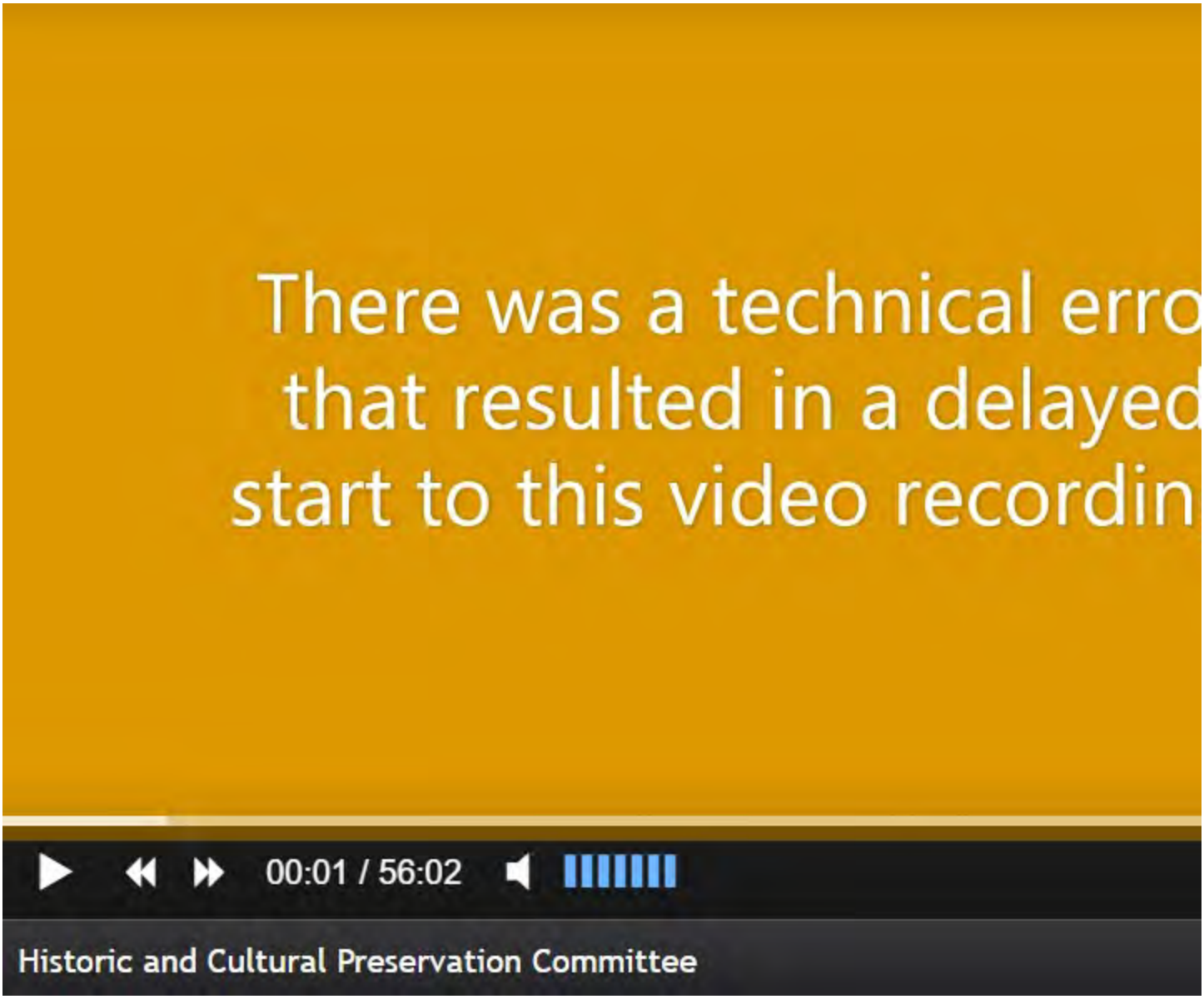
PetalumaPlanr

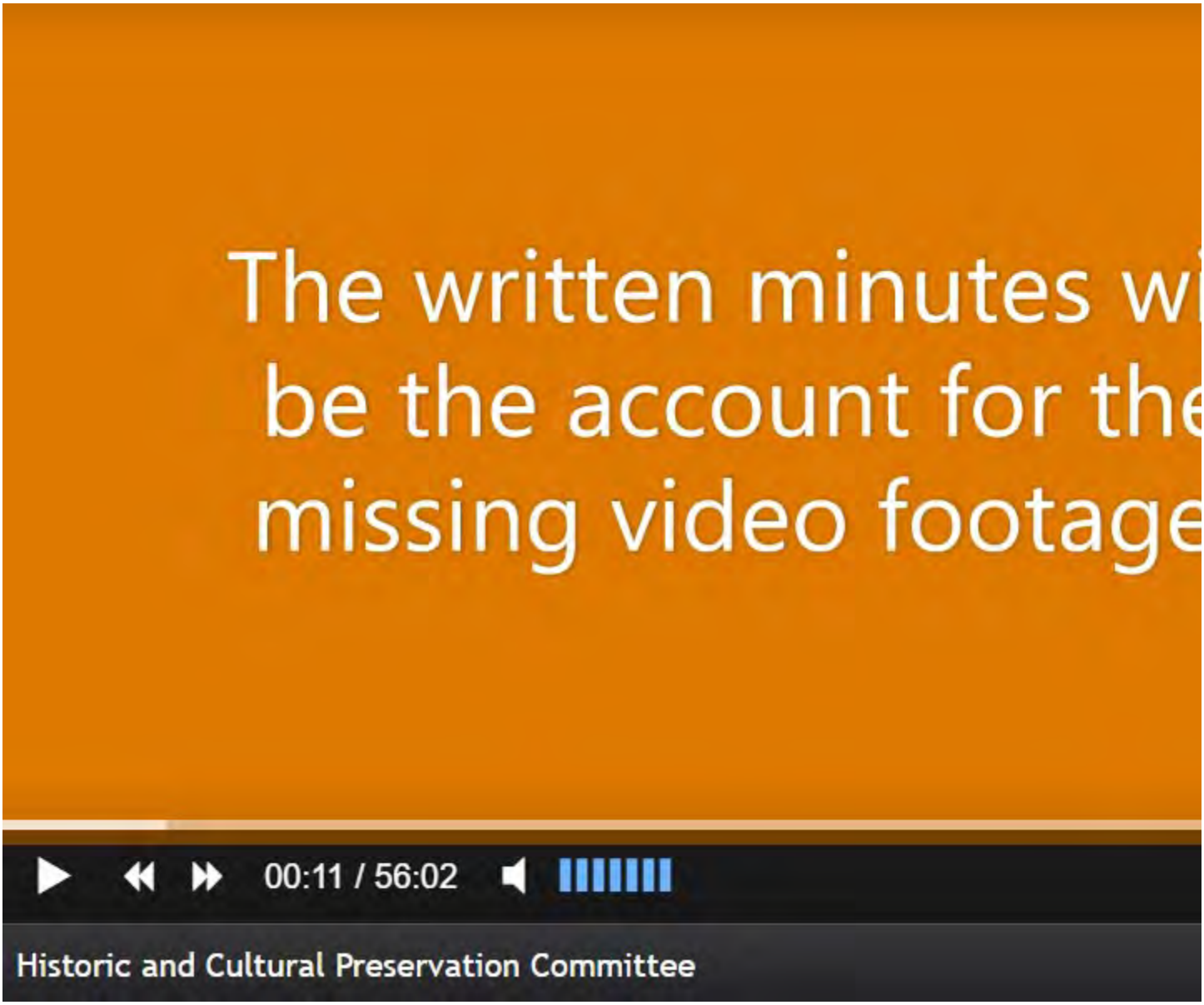
STAFF LIAISON
Heather Hines, Planning Manager

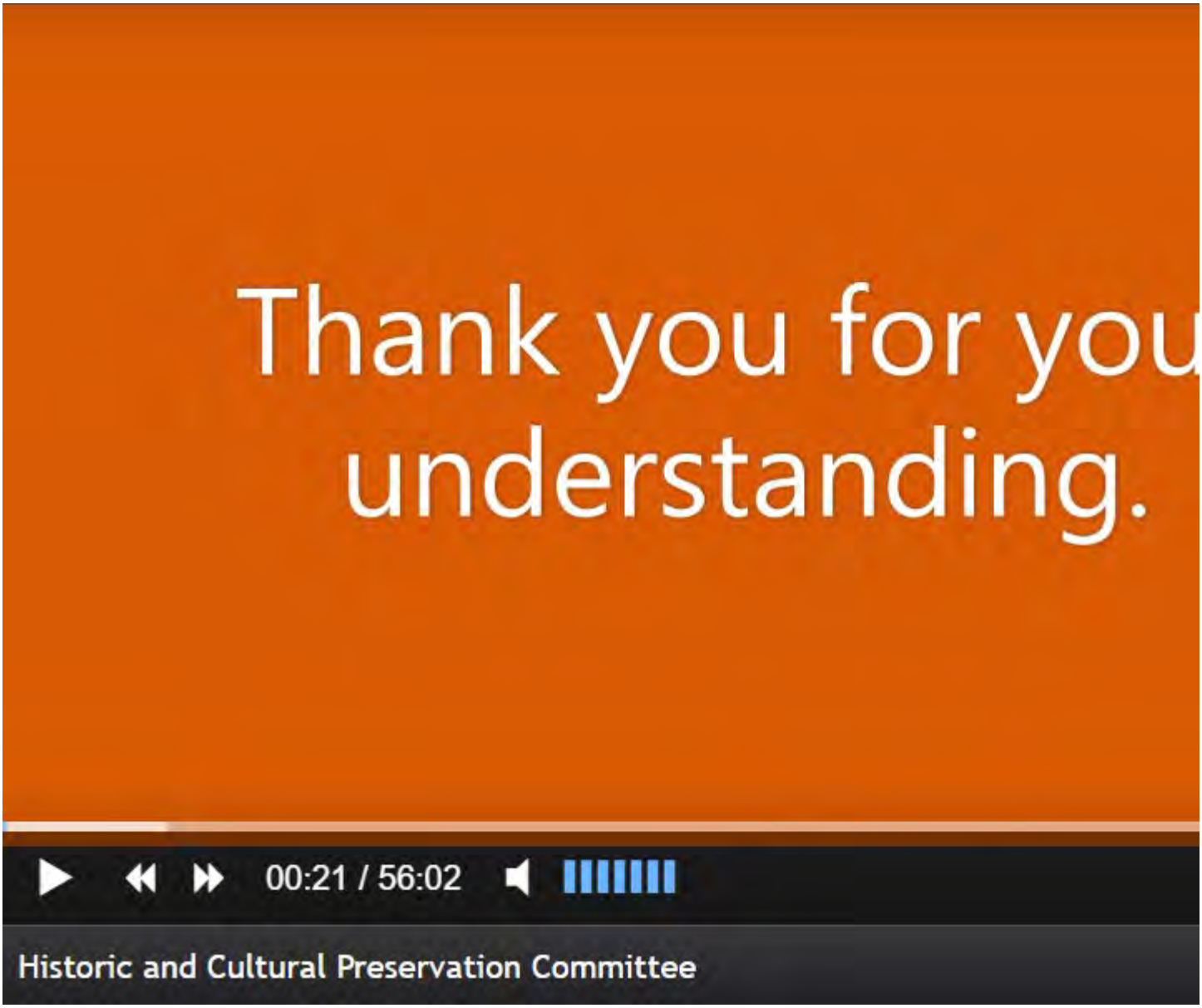
AGENDA

Tuesday, October 13, 2020
04:00 P.M.

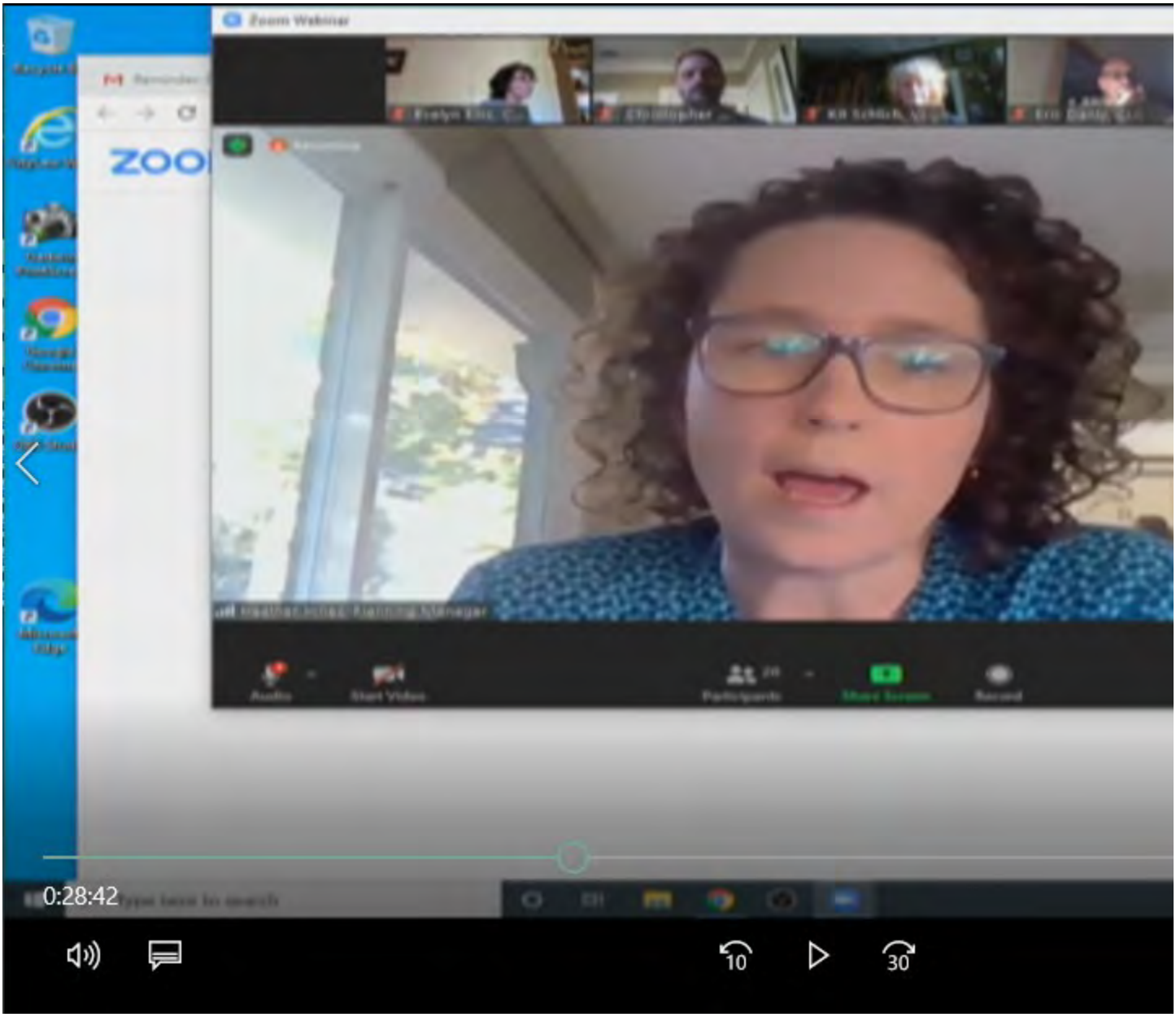
**Staff is aware of a technical error that resulted in a delayed start to the v
working diligently to remedy the situation. Draft minutes will be posted
account for the missing video footage. Thank you for your patience and**


There was a technical erro
that resulted in a delayed
start to this video recordin
00:01 / 56:02
Historic and Cultural Preservation Committee


The written minutes wi
be the account for the
missing video footage
00:11 / 56:02
Historic and Cultural Preservation Committee


Thank you for you
understanding.
00:21 / 56:02
Historic and Cultural Preservation Committee

00:31 / 56:02
Historic and Cultural Preservation Committee


Zoom Webinar
0:28:42
10
30

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Wednesday, October 21, 2020 9:37 PM
To: Danly, Eric
Cc: Barrett,Teresa; Flynn, Peggy; Cochran, Brian; Green, Jordan; Hines, Heather; Bendix, Brittany; Rose, Kendall; Kendall Rose; -- City Clerk; Terry, Suzanne; Healy, Mike; Fischer, D'Lynda; Kearney, Gabe; King, Dave; McDonnell, Kevin; Miller, Kathy; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Heidi Bauer; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart; Scott Springhorn; Taryn Obaid
Subject: Re: Next Steps re: Verizon PLMA-20-0003/PLUP-19-000 Project

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
October 21, 2020

Dear Mr. Danly,

>>> Danly, Eric wrote on 10/21/2020 7:37 PM: (emphases added)

> Mr. McGavin,
>
> I have nothing to add to my previous email to you. Please refer to that email and the email Ms. Green recently sent to you in response to the issues you have raised. Thank you.
>
> Eric W. Danly
>
> City Attorney, City of Petaluma

As you can read in **Appendix A**, Ms. Green promised on 10/14 that "you to come to City Hall to inspect the file," Therefore, we choose to **hold** the City of Petaluma to its **earlier commitment,** and **reject** your proposal for **only** the "the project file being assembled electronically [being] the entire project file,[that] we intend to transmit to you . . . electronically."

As I wrote to you earlier, we have solid reasons for choosing Ms. Green's earlier commitment for us to to **inspect the files in person at Petaluma City Hall,** just as we did on June 12 and August 4 (about 2.5 months ago):

1. **We do not trust** that the possible filtering of (and the needless extra work to digitize) the records will result in a **complete record of everything** that will be used as the basis for the HCPC members' and Planning Commissioners' deliberations on the Verizon PLMA-20-0003/PLUP-19-000 Project. It would be far more efficient for us to compare our previous database of photos of the records in the file **to the actual paper files** and then scan for new information, revision dates and anything else that we can see that has been added to the file, since we saw it last on August 4, 2020. Then we can take photos of only the most recent files. We are happy to receive digital files on a USB stick (as we did before) or via a cloud drive, **in addition to** the inspection of the paper files.

2. Tomorrow is Oct 22, 2020, which is only **9 business days from** Nov 3, 2020 -- the likely deadline to submit our analysis for inclusion in the packet that will go to the HCPC members Planning Commissioners for their deliberations on Nov 10, 2020. In short, we are running out of time and need this weekend to review the new file additions.

3. **We recognize that many of the physical paper files are oversized pages**; these pages reflect the applicant's construction plans for this project. We need to verify if the plans have been updated in any way in response to City of Petaluma requests, dating back to July, 2020.

4. We need to see if any **substantial written evidence of NEPA review** for the project has been added to the file, as such evidence was missing on both June 12 and on August 4.

5. We need to gather information about all vendors that the City of Petaluma had considered or is currently considering to hire for this project -- **regardless of contract status** -- including, but not limited to the following: drive test vendors, outside technical consultants, outside legal consultants and any other experts whose opinions the City of Petaluma is considering adding to the final record upon which the HCPC members' and Planning Commissioners' will rely for their deliberations on the Verizon PLMA-20-0003/PLUP-19-000 Project. The selection of these experts is very important and germane to our preparation and our ability to defend our homes and lives from this dangerous and unnecessary Verizon PLMA-20-0003/PLUP-19-000 Project.

6. We need to read in any Drive test vendor proposals the various methodologies considered and equipment to be used for the Drive tests that will establish **dBm Signal Strength readings** for Verizon's telecommunications frequencies/bands that Verizon has licensed for the three-mile radius of the Petaluma Creamery, as listed in Exhibit B. **We cannot stand by and trust that the City of Petaluma staff or the m-group will get these details right.** Too much depends on the methodology of this drive test.

Please note that we will also need a listing of all records that the City of Petaluma chooses to redact and the reason for the redaction. That means for every redacted record, we need to receive

Date of record | From | To | Title | Reason for redaction

As I wrote earlier today, Mr. Danly . . . "Will you please return my call at 707-981-5522 today so **we can schedule our requested and needed inspection of records** for a 90-minute slot to start at a **specified time between 9:00 am and 3:30 pm on Fri Oct 23**, if not sooner?" This is our plan and we are asking for **some cooperation from the City of Petaluma**, because, the significant stonewalling and hiding of information from the public by the Petaluma City staff and the m-group from Aug 4, 2020 through Oct 21, 2020 has eroded any trust that may have existed at one point. As in all matters, trust is either earned or squandered.

I was disappointed today, Mr. Danly, that I did not receive a return call from you. Will you please call me tomorrow, so we can resolve this problem to the public's satisfaction?

There are **many open issues** in my 10/21/2020 email that you, the City of Petaluma staff and the m-group have not addressed . . . just as there are many unaddressed issues right here ---> https://www.unsafeatanyg.com/petaluma/creamery/#latest (about 26,000 words of relevant information, analysis and questions denoted by "**Q:**" , which makes it easy to search for the still-unaddressed questions).

Does your two-sentence reply, above, communicate . . .

a. that you **have no** information that can address these open issues or , more likely,
b. that you **have** the information and are **refusing** to share it?

Perhaps, there is another scenario or two I am not listing , but it is very hard to believe that [a], above is true, so we are going to have to assume that [b] is much more likely.

That makes in-person inspection of the records all the more important.

Thank you.

--
Regards,

Paul McGavin
My Street, My Choice

email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Appendix A: Key Emails re: Records Reqests in Sept/Oct 2020

>>> Paul McGavin wrote to Heather Hines on 9/23/2020 12:24 PM:

I am reasonably requesting a return call today on Sept 23, 2020 from the m-group with a **substantive update** on the Petaluma Creamery project, including copies emailed to me of **all evidence of all communications** between the m-group/Petaluma city staff to following parties:

- The applicants of the Petaluma Creamery project (Complete Wireless, Verizon or others)
- Any wireless consultants the m-group or the city staff has communicated with in the last eight weeks in any wireless matter (any project or any wireless ordinance changes being considered)
- Any parties involved in getting substantial written evidence of Verizon wireless signal strength coverage or call records that **can establish if a significant gap in telecommunications coverage** exists in Petaluma in the three-mile radius surrounding the Petaluma Creamery.

>>> Paul McGavin wrote to Brittany Bendix on 9/23/2020 4:04 PM:

I will be laser focused on making the m-group and the applicants **fully accountable to a proper planning process** from this day forward. I am very detail-oriented. Let's hope that the information that we are seeking is given to us in a timely manner so we can commence this work as soon as possible.

We are demanding our **US Constitutional 14th amendment rights** (see Appendix A) be respected here: **equal** protection under the law, which implies **equal** time and **equal** consideration as that given to the other stakeholders in this project. We will tolerate no "preferential treatment" given to the personal wireless service industry, as confirmed in Federal law. The 1996-TCA Conference Report, recognized by the US Supreme Court in a 2005 Ruling (Abrams v Palos Verdes) is the "law of the land" and it applies to the entire US. The Conference Report is accepted as the definitive source for the legislative intent of the 1996-TCA:

> "It is **not the intent of this provision to give preferential treatment to the personal wireless service industry** in the processing of requests, or to subject their requests to any but the generally applicable time frames for zoning decision."

You should also take careful note of the following in the 1996-TCA (see https://scientists4wiredtech.com/readinglaw/)

47 U.S. Code § 324 – Use of minimum power

"In all circumstances, except in case of radio communications or signals relating to vessels in distress, **all radio** stations, including those owned and operated by the United States, **shall use the minimum amount of power necessary** to carry out the communication desired."

Finally, please let me know when can we schedule the following?

1. A 60-Minute Zoom call between members of Petaluma VHP and the m-group personnel (Heather Hines, Brittany Bendix and Justin Shiu -- to ensure that all m-group personnel who are touching this project are avavilable to answer our questions (obviating the need to check with "a, b or c", who could not attend the meeting. We wish all three of you to be present **for accountability reasons**.

2. A 90-minute immediate records inspection of the contents of the public record for the Petaluma Creamery project; we need to know what has made it into the public record through 9/23/2020 or whatever date we can schedule the inspection.

>>> Green, Jordan wrote on 10/14/2020 2:55 PM: (relevant quote with emphases added)

Dear Mr. McGavin,

. . .

The City's Planning Department is working to make a hard copy of the file current. Once that file is complete, we will provide you with a few dates and times for you to come to City Hall to inspect the file. If you have any further PRA requests, please submit them through the City Clerk's Office at the following web address: https://cityofpetaluma.org/request-for-public-records/

. . .

Sincerely,

Jordan Green

Assistant City Attorney, City of Petaluma

Appendix B Verizon Licensed Frequencies/Bands for Petaluma, CA as of October 2020

Source: https://specmap.sequence-omega.net/

Label	Num	Blk	Area	Freq	BandWdth	Ctr	TxRx
700 MHz	9	C	REA	746-757	11	751.5	tbd
700 MHz	9	C	REA	776-787	11	781.5	tbd
Cellular	489	B	CMA	835-845	10	840	tbd
Cellular	489	B	CMA	846.5-849	2.5	847.75	tbd
Cellular	489	B	CMA	880-894	14	887	tbd
Cellular	489	B	CMA	891.5-894	2.5	892.75	tbd
PCS	25	A	MTA	1850-1865	15	1857.5	tbd

Label	Num	Blk	Area	Freq	BandWdth	Ctr	TxRx
PCS	25	A	MTA	1930-1945	15	1937.5	tbd
PCS	29	B	MTA	1870-1885	15	1877.5	tbd
PCS	29	B	MTA	1950-1965	15	1957.5	tbd
PCS	165	C	BTA	1895-1910	15	1902.5	tbd
PCS	165	C	BTA	1975-1990	15	1982.5	tbd
AWS	141	B	BEA	1720-1730	10	1725	tbd
AWS	141	B	BEA	2120-2130	10	2125	tbd
AWS	57	C	BEA	1730-1735	5	1732.5	tbd
AWS	57	C	BEA	2130-2135	5	2132.5	tbd
AWS	7	D	REA	1735-1740	5	1737.5	tbd
AWS	7	D	REA	2135-2140	5	2137.5	tbd
AWS	6	E	REA	1740-1745	5	1742.5	tbd
AWS	6	E	REA	2140-2145	5	2142.5	tbd
AWS	7	F	REA	1745-1755	10	1750	tbd
AWS	7	F	REA	2145-2155	10	2150	tbd
AWS-3	45	J	BEA	1755-1760	5	1757.5	tbd
AWS-3	45	J	BEA	2155-2160	5	2157.5	tbd
mmWave	101	L1	BTA	27500-27925	425	27712.5	tbd
mmWave	103	L2	BTA	27925-28350	425	28137.5	tbd
mmWave	411	M1	PEA	37600-37700	100	37650	tbd
mmWave	411	M2	PEA	37700-37800	100	37750	tbd
mmWave	411	M3	PEA	37800-37900	100	37850	tbd
mmWave	411	M4	PEA	37900-38000	100	37950	tbd
mmWave	411	M5	PEA	38000-38100	100	38050	tbd
mmWave	411	M6	PEA	38100-38200	100	38150	tbd
mmWave	411	M7	PEA	38200-38300	100	38250	tbd
mmWave	409	M8	PEA	38300-38400	100	38350	tbd
mmWave	375	M9	PEA	38400-38500	100	38450	tbd
mmWave	371	M10	PEA	38500-38600	100	38550	tbd
mmWave	371	M10	PEA	38500-38600	100	38550	tbd

Hines, Heather

From: Danly, Eric
Sent: Wednesday, October 21, 2020 7:38 PM
To: Paul McGavin; Barrett,Teresa; Flynn, Peggy; Cochran, Brian
Cc: Green, Jordan; Hines, Heather; Bendix, Brittany; Rose, Kendall; Kendall Rose; -- City Clerk; Terry, Suzanne; Healy, Mike; Fischer, D'Lynda; Kearney, Gabe; King, Dave; McDonnell, Kevin; Miller, Kathy; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Heidi Bauer; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart; Scott Springhorn
Subject: Re: Next Steps re: Verizon PLMA-20-0003/PLUP-19-000 Project

Mr. McGavin,

I have nothing to add to my previous email to you. Please refer to that email and the email Ms. Green recently sent to you in response to the issues you have raised. Thank you.

Eric W. Danly
City Attorney, City of Petaluma
11 English Street, Petaluma, CA 94952
Phone: (707) 778-4362 Facsimile: (707) 206-6040
City Business Hours: M-Th 8am-5pm, closed Fridays

The information contained in this e-mail message is intended only for the CONFIDENTIAL use of the designated addressee named above. The information transmitted is subject to the attorney-client privilege and/or represents confidential attorney work product. Recipients should not file copies of this email with publicly accessible records. If you are not the designated addressee named above or the authorized agent responsible for delivering it to the designated addressee, you received this document through inadvertent error and any further review, dissemination, distribution or copying of this communication by you or anyone else is strictly prohibited. IF YOU RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONING THE SENDER NAMED ABOVE AT 707-778-4362. Thank you.

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Wednesday, October 21, 2020 1:39 PM
To: Danly, Eric <EDanly@cityofpetaluma.org>; Barrett,Teresa <tbarrett@cityofpetaluma.org>; Flynn, Peggy <PFlynn@cityofpetaluma.org>; Cochran, Brian <BCochran@cityofpetaluma.org>
Cc: Green, Jordan <JGreen@cityofpetaluma.org>; Hines, Heather <hhines@cityofpetaluma.org>; Bendix, Brittany <bbendix@cityofpetaluma.org>; Rose, Kendall <krose@cityofpetaluma.org>; Kendall Rose <krose@ci.petaluma.ca.us>; -- City Clerk <CityClerk@cityofpetaluma.org>; Terry, Suzanne <STerry@cityofpetaluma.org>; Healy, Mike <mhealy@cityofpetaluma.org>; Fischer, D'Lynda <dfischer@cityofpetaluma.org>; Kearney, Gabe <gkearney@cityofpetaluma.org>; King, Dave <dking@cityofpetaluma.org>; McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; Miller, Kathy <kmiller@cityofpetaluma.org>; Sandi Potter <sandi.lee.potter@gmail.com>; Richard Marzo <richard@lacehouselinen.com>; Blake Hooper <bmhooper1@gmail.com>; Scott Alonso <alonsoplanningpet@gmail.com>; Heidi Bauer <heidibauer2000@gmail.com>; Christopher Caputo <tukuto@yahoo.com>; Kit Schlich <kitschlich@gmail.com>; Terry Kosewic <terry@kozyhomes.net>; John Perlis <brknmad@yahoo.com>; Bill Rinehart <bill@johnsonrinehart.com>; Scott Springhorn <sspringhorn@gmail.com>
Subject: Re: Next Steps re: Verizon PLMA-20-0003/PLUP-19-000 Project

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

October 21, 2020

To:
Mr. Eric Danly
City Attorney
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4362

Teresa Barrett, Mayor
Peggy Flynn, City Manger
Brian Cochran, Assistant City Manger

cc:
Kendall Rose , City Clerk
Suzanne Terry, Executive Assistant to the City Manager
Mike Healy, Council Member
D'Lynda Fischer, Vice Mayor
Gabe Kearney, Council Member
Dave King, , Council Member
Kevin McDonnell, Council Member
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Christopher Caputo, HCPC Chair
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Terry Kosewic, HCPC Member
John Perlis, HCPC Member
Bill Rinehart, HCPC Member
Petaluma-VHP Members

Dear Mr. Danly,

[City Clerk Kendall Rose, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

Mr. Danly, your response arrived **Seven (7) days** after I wrote the email on 10/14/2020 . . . **28 days** after my 9/23/2020 email . . . and **nearly 70 days** after my 8/11/2020 email . . . and you are attempting to "sell" your 10/21/2020 email as responsive? Uh . . . no. **How about you, Ms. Flynn, Mr. Cochran, Ms Hines or Ms. Bendix calling me today so we can discuss this and all other open matters detailed here** --> https://www.unsafeatanyg.com/petaluma/creamery/#latest? That might work.

Will you please return my call at 707-981-5522 today so we can schedule our requested and needed inspection of records for a 90-minute slot to start at a specified time between 9:00 am and 3:30 pm on Fri Oct 23, if not sooner? Please see my other responses below, prefaced with **"pmg:".**

My first question is how long have you and Peggy Flynn been "reviewing" the contract for the Written Evidence — Wireless Antenna Need Test— In Telecommunications (WE-WANT-IT) -- the drive test of signal strength.

We, the public, need the following critically important information immediately. As I communicated on Oct 15, 2020 . .

. regarding the Signal Strength Drive test, we **have been in a months-long holding pattern,** waiting for **real information** from the City of Petaluma (not just projections of intentions about what might happen):

1. Who is the Drive Test vendor — does the public have the ability to research the vendor's background? **We need that answer now.**
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7. **Is the City asking for a written report?** None is needed.
8. We need to understand the format of the data **before** the test is ordered/conducted.

>>> Danly, Eric wrote on 10/21/2020 10:01 AM:

Dear Mr. McGavin,

This email is in response to your email, below, to Jordan Green in my office. Your email was received on October 14, 2020, and was in response to Jordan's email to you of that same date. The information Ms. Green provided you on October 14 remains accurate concerning how members of the public can seek information regarding the Verizon cell tower project; coordination regarding inspecting public records regarding the Verizon application and any future related records requests; the steps that the City will and will not take to provide information to members of the public regarding the application while it is undergoing review; and staff's efforts to maintain continuity of City programs and services while complying with the County health orders that have been promulgated to protect the public during the COVID pandemic. The purpose of this email is to provide some brief additional clarification in response to your October 14 email.

- There is no right to immediate inspection of public records of California local government agencies under the Public Records Act.

pmg: That is a right we have as California residents. **Rights we have executed already on June 12, 2020 and August 4, 2020** at the City of Petaluma, so there is **precedence established . . .** why is the City of Petaluma **stonewalling now?**

The City of Petaluma is not a private business and cannot choose to hide records from the public, or stonewall for many weeks, as the City of Petaluma has done. In short, we are not satisfied with the level of responsiveness we have received from the **Petaluma City staff which is currently running out the clock** on the Verizon PLMA-20-0003/PLUP-19-000 Project for an application which is **knowingly incomplete**. We communicated the specific areas of incompleteness to the m-group repeatedly, starting on June 15, 2020, as you can see here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest

Mr. Danly, what will the City of Petaluma do to do immediately correct the on-going discrimination against the members of the public? **This is not a rhetorical question.** We expect a timely answer back from you or Ms. Flynn, hopefully today.

Brittany Bendix is listed as the main staff conduct at the relevant City web page . . . https://cityofpetaluma.org/611-western-avenue-verizon-telecommunications-facility/

Staff Contact

Brittany Bendix
Deputy Planning Manager
707-778-4314
bbendix@cityofpetaluma.org

. . . but Ms. Bendix has **not returned phone calls to me for months**.

This is showing very clearly that the City of Petaluma has effectively **remained closed to doing business with the residents of Petaluma during COVID-19 National Emergency**. The City of Petaluma can't discriminate against members of the public like this, can it?

If the City staff and the m-group uses COVID-19 as an excuse for not being able to fulfill their contractual duties as laid out in the m-group's 2018 employment contract, then the City of Petaluma will be forced to admit that the City should extend the **same level of non-responsiveness** to applicants engaged in **NON-ESSENTIAL** activities.

Only the **OPERATIONS and MAINTENANCE** of telecommunications facilities is defined as an **ESSENTIAL** activity in the "County health orders that have been promulgated to protect the public during the COVID pandemic" - **NOT the building of new** telecommunications facilities -- as we have repeatedly shared with you, the City Manager and the Mayor of Petaluma.

What has been the response to date on this important matter? . . . silence . . . nothing . . . which is additional proof that the City of Petaluma effectively remains closed to doing business with the residents of Petaluma. We keep excellent communication records, Mr. Danly. We have the evidence to prove what we are communicating.

- The same general procedural requirements apply to the public's right to inspect public records as apply to requests to receive copies of public records. See Section 6253 of the Government Code.

pmg: Precedence is also important, Mr. Danly. See above.

- There is nothing in the law, either in the 14th Amendment to the U.S. Constitution or any other law, that obligates City staff to make themselves available for meetings with members of the public regarding applications that are undergoing review.

pmg: To the contrary, Mr. Danly, how about basic fairness and equal protection under the laws? These don't count in Petaluma? Is rampant discrimination allowed in Petaluma? I think not. That is what we are experiencing.

- During this time when City staff are expending significant effort in responding to the COVID pandemic, and wildfire events, staff is still serving our community.

pmg: We have the evidence to prove otherwise, Mr. Danly. I refer you to the many emails, voicemail messages, requests for meetings, requests for returned calls, and requests for information that **do not get addressed by City Staff**. See here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest

We have the evidence to back up our grievances to our local government, which remains effectively non-responsive. This, for example is, I believe the second or third substantive email, I have received from you in four months (the first email from you labeled my substantive emails as "diatribes", do you remember?). The **30-minute sham Zoom meeting with you and Heather Hines** on July 30, 2020 **ended with no resolution to our open issues and information requests** (we were limited to only ten minutes of time to ask questions which you and Ms. Hines chose not to answer). The very next day, we requested additional meeting time to address the open issues. From you and Ms. Hines . . . no response for months and **still no response today** on these critically important matters. The evidence shows that the public is getting railroaded by some kind of alliance between city staff and the applicants for this project. Otherwise, we would have experienced more professional standards of returned calls, timely updates and substantive emails.

We have complete and sufficient evidence to prove that the City of Petaluma has remained effectively closed to doing business with the residents of Petaluma from June 12, 2020 to the present. Using COVID-19 as some kind of excuse for not fulfilling contractual obligations may be convenient, but it is not sufficient.

- We met with you previously and simply do not have the luxury of allowing your demands for information, including information we have already provided to you, to prevent us from fulfilling our other public service responsibilities to our community. As Ms. Green noted, you may submit inquiries regarding the Verizon application to Ms. Bendix, who is coordinating the staff review of the Verizon application.

pmg: Mr. Danly, **one meeting was clearly not sufficient**, as described above. The City of Petaluma has engaged with the applicants (Complete Wireless/whatever entity is dba Verizon, and the owners of the Petaluma Creamery) many times from June, 2019 through October 2020 and you are attempting to "sell" us on the idea that **one meeting** of "10-15 minutes" of question/answer time is sufficient, fair and non-discriminatory? The Petaluma City staff has to do better than that, in fact, the m-group's duties and obligations are set out in their 2018 employment contract. As I shared on 10/14/2020:

m-group's Base Level: Services:

"Full time coverage of the Planning Counter (Monday through Thursday, 8: 00 a.m. to 5: 00 p. m.) to provide general zoning information in response to public inquiry. Counter coverage also extends to timely response to emails and voicemails on similar issues as counter inquiries; "

Covid-19 cannot be an excuse. **These base levels services are not being delivered by the m-group. Full stop.**

- In response to your records request, City staff are gathering all non-exempt emails to and from City Planning staff concerning the Verizon application, and are adding those records to the project file. We believe we will have that set of records ready for transmission by close of business Friday, October 22. Given the risks from in-person meetings during the pandemic, the current health orders, and the fact that the project file being assembled electronically is the entire project file, we intend to transmit to you that entire project file electronically to satisfy the City's obligations under the Public Records Act.

pmg: Nice try, Mr. Danly, but we politely reject you proposal **as insufficient.** In short, we do not trust the possible filtering of (and the needless extra work to digitize) records and **insist on inspecting the entire file in person** at the Petaluma City Hall for 90-minutes. This is a level of service that we achieved twice before on this project (on June 12, 2020 and Aug 4, 2020). On those dates, we properly socially-distanced and wore masks -- **procedures that are in line with county health orders and procedures that were deemed acceptable by the City of Petaluma in 2020 -- twice.**

Regardless of whatever records the City of Petaluma chooses to share with us digitally, **we have a right to inspect physical records for completeness**, which is our request. We feel we will need 90-minutes or less to complete our inspection at the same conference room in City Hall that was made available to us on June 12, 2020 and Aug 4, 2020.

- Notwithstanding your assertions to the contrary, City staff continue to to provide services to community members and maintain City operations on site in City facilities and remotely consistent with the current health orders have have been issued to protect the public during the COVID pandemic.

Not responsive enough. Covid-19 cannot be used as a vehicle to condone discrimination. Our records of communications to the City of Petaluma that have gone **substantially-unaddressed for months is strong evidence**, not, as you allege -- mere assertions -- of non-responsiveness and non-performance by the City of Petaluma staff.

- Our City Planning colleagues have been very busy reviewing and preparing numerous pending projects, many of them particularly complex projects, to ready them for consideration by City decision makers and members of the public. The agenda materials on the CIty's website provide ample evidence of the City Planning staff's ongoing and extensive efforts regarding pending projects, as well as regarding City legislation related to planning and land use.

pmg: Are you kidding Mr. Danly? Your statement that "the agenda materials on the CIty's website provide ample evidence of the City Planning staff's ongoing and extensive efforts" for the Verizon PLMA-20-0003/PLUP-19-000 Project is laughable. The information on that website is **nowhere near complete or ample**. Your second sentence with regard to the Verizon PLMA-20-0003/PLUP-19-000 Project is **not supported by the facts and cannot be accepted as sufficient.** You are referring to this web page, right? --> https://cityofpetaluma.org/611-western-avenue-verizon-telecommunications-facility/

For example, there is not even one of our submissions in the public record explaining how the **application remains incomplete** and **no information** about the critically important Written Evidence — Wireless Antenna Need Test — In Telecommunications (WE-WANT-IT) Drive test of signal strength. **We see NOTHING on that page that address the elephants in the room.** Once again, as I communicated on Oct 15, 2020 . . . regarding the Signal Strength Drive test, we **have been in a months-long holding pattern,** waiting for **real information** from the City of Petaluma (not just projections of intentions about what might happen):

1. Who is the Drive Test vendor — does the public have the ability to research the vendor's background? **We need that answer now.**
2. When will the Drive Test work start? **We need that answer now.**
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7. **Is the City asking for a written report?** None is needed.
8. We need to understand the format of the data **before** the test is ordered/conducted.

- Notwithstanding the COVID pandemic, City staff are not free to refrain from reviewing and processing pending applications. Particularly regarding such applications as the Verizon cell tower application, doing so could be a basis of liability for the City and result in deemed approval status and vesting of applicant rights without a full consideration of the application by City decision makers and the public.

You must be confused, Mr. Danly by what is an **ESSENTIAL** activity and what is a **NON-ESSENTIAL** activity as clearly laid out in the Sonoma County Health Orders. Allow me to clear that up for you:

The Sonoma County Health Official Order No. C19-03
Order No. C19-05 (Extended) and
Order No. C19-15 (Extended Again) . . . all say the same thing . . .

"All individuals living in the County are directed to shelter at their place of residence, except that they may leave to provide or receive certain essential services or engage in certain **essential activities and work for essential businesses**. . ."

What are those essential activities?

Definitions and Exemptions.

"§ 10(c) For purposes of this Order, individuals may leave their residence to provide any services or perform any **work necessary to the operations and maintenance** of "**Essential Infrastructure**," including, a number of activities relating to water, sewer, gas, transportation and a single mention of **internet, and telecommunications systems"**

So let's recap. We have a federal national emergency — Novel Coronavirus Disease (COVID-19) Outbreak — and a local county order that specifies that only the **work necessary to the operations and maintenance** of telecommunications services is essential.

As you can plainly see, the County Health Orders do not define the building of new Wireless Telecommunications Facilities (WTFs) as Essential Activities. Why is the City of Petaluma pretending otherwise?
Petaluma can and should join Simi Valley, CA, Easton, CT and Keene NH and take full advantage of this novel set of circumstances to legally declare a moratorium — a legal temporary delay on the processing of applications, placement, construction or operations of Wireless Telecommunications Facilities (WTFs) of any size and any G — **until the federal national emergency has been declared over**. This is even expressly stated in FCC Order 18-133 which supersedes FCC Order 18-111, both mentioned below.

- The timeline for processing the Verizon cell tower application will be governed by the Telecommunications Act, and the City's regulations governing such applications.

pmg: The COVID-19 National Emergency, was recognized even by FCC Order 18-111 from August 2018 that was Ruled on Aug 12, 2020 in the Ninth Circuit Court of Appeals:

FCC Order 18-111: ¶ 157. "in the case of a natural disaster or other comparable emergency* an express or de facto moratoria that violates section 253(a) may nonetheless be "necessary" to "protect the public safety and welfare". . . emergency moratoria are legally permissible under 47 USC § 253."

*COVID-19 pandemic is such an emergency!

Will you please return my call at 707-981-5522 today so we can schedule our requested and needed inspection of records for a 90-minute slot to start at a specified time between 9:00 am and 3:30 pm on Fri Oct 23, if not sooner?

Thank you.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Appendix A: m-group SCOPE OF SERVICES

m-Group' s scope of services falls under one of four general categories, Base Level Services, Building Division Support, Cost Recovery Services, and Special Projects.

I. Base Level: Services

Tasks under Base Level Services are those that cannot be assigned to a specific project, and which provide general planning services for the City, residents, businesses, and developers. This includes:

- **Full time coverage of the Planning Counter (Monday through Thursday, 8: 00 a.m. to 5: 00 p. m.)** to provide general zoning information in response to public inquiry. Counter coverage also extends to **timely response to emails and voicemails on similar issues as counter inquiries**;
- Processing flat fee permits such as fence permits, home occupation permits, short term vacation rental permits, cannabis permits, outside dining permits and zoning permits; Zoning clearance review for all business licenses processed through the Finance Department;
- Project review for all referrals from outside agencies including but not limited to the State Department of Alcoholic Beverage Control and the Sonoma County Permit and Resource Management District;
- Inter Departmental coordination, including:
    - facilitating weekly Development Review Committee meetings
    - attending agenda setting and senior staff meetings, and
    - regular check in meetings with other city departments;
    - Maintaining the Planning Division website;
    - Compiling monthly activity and major development reports for the City; and
    - Media relations.

Hines, Heather

From: Taryn Obaid <taryn_obaid@hotmail.com>
Sent: Wednesday, October 21, 2020 7:22 PM
To: Flynn, Peggy; Danly, Eric; Hines, Heather; Bendix, Brittany
Subject: Friday in-person review of Creamery Verizon project file

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Dear City Manager Flynn, City Attorney Danly and Ms Hines and Ms Bendix,

I am among group of neighbors concerned with the Creamery Verizon cell tower facility project currently with the City's planning process.

Please tell me when this Friday, Oct 23, between 9:30-3:30PM our group of neighbors may again review the complete record/file for this project, as we have previously been allowed.

While we understand City has offered to send us select documents contained in the file, we prefer to continue as previous, reviewing the complete record/file in person, in complete.

Thank you for letting us know what time we may arrive. This is very important to us, so your urgent response and making available this public record is appreciated.

Thank you,
Taryn

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Wednesday, October 21, 2020 1:39 PM
To: Danly, Eric; Barrett,Teresa; Flynn, Peggy; Cochran, Brian
Cc: Green, Jordan; Hines, Heather; Bendix, Brittany; Rose, Kendall; Kendall Rose; -- City Clerk; Terry, Suzanne; Healy, Mike; Fischer, D'Lynda; Kearney, Gabe; King, Dave; McDonnell, Kevin; Miller, Kathy; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Heidi Bauer; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart; Scott Springhorn
Subject: Re: Next Steps re: Verizon PLMA-20-0003/PLUP-19-000 Project

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October 21, 2020

To:
Mr. Eric Danly
City Attorney
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4362

Teresa Barrett, Mayor
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Dear Mr. Danly,

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the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

Mr. Danly, your response arrived **Seven (7) days** after I wrote the email on 10/14/2020 . . . **28 days** after my 9/23/2020 email . . . and **nearly 70 days** after my 8/11/2020 email . . . and you are attempting to "sell" your 10/21/2020 email as responsive? Uh . . . no. **How about you, Ms. Flynn, Mr. Cochran, Ms Hines or Ms. Bendix calling me today so we can discuss this and all other open matters detailed here** --> https://www.unsafeatanyg.com/petaluma/creamery/#latest? That might work.

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>>> Danly, Eric wrote on 10/21/2020 10:01 AM:

> Dear Mr. McGavin,
>
> This email is in response to your email, below, to Jordan Green in my office. Your email was received on October 14, 2020, and was in response to Jordan's email to you of that same date. The information Ms. Green provided you on October 14 remains accurate concerning how members of the public can seek information regarding the Verizon cell tower project; coordination regarding inspecting public records regarding the Verizon application and any future related records requests; the steps that the City will and will not take to provide information to members of the public regarding the application while it is undergoing review; and staff's efforts to maintain continuity of City programs and services while complying with the County health orders that have been promulgated to protect the public during the COVID pandemic. The purpose of this email is to provide some brief additional clarification in response to your October 14 email.
>
> - There is no right to immediate inspection of public records of California local government agencies under the Public Records Act.

pmg: That is a right we have as California residents. **Rights we have executed already on June 12, 2020 and August 4, 2020** at the City of Petaluma, so there is **precedence established . . .** why is the City of Petaluma **stonewalling now?**

The City of Petaluma is not a private business and cannot choose to hide records from the public, or stonewall for many

weeks, as the City of Petaluma has done. In short, we are not satisfied with the level of responsiveness we have received from the **Petaluma City staff which is currently running out the clock** on the Verizon PLMA-20-0003/PLUP-19-000 Project for an application which is **knowingly incomplete**. We communicated the specific areas of incompleteness to the m-group repeatedly, starting on June 15, 2020, as you can see here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest

Mr. Danly, what will the City of Petaluma do to do immediately correct the on-going discrimination against the members of the public? **This is not a rhetorical question.** We expect a timely answer back from you or Ms. Flynn, hopefully today.

Brittany Bendix is listed as the main staff conduct at the relevant City web page . . . https://cityofpetaluma.org/611-western-avenue-verizon-telecommunications-facility/

Staff Contact

Brittany Bendix
Deputy Planning Manager
707-778-4314
bbendix@cityofpetaluma.org

. . . but Ms. Bendix has **not returned phone calls to me for months**.

This is showing very clearly that the City of Petaluma has effectively **remained closed to doing business with the residents of Petaluma during COVID-19 National Emergency**. The City of Petaluma can't discriminate against members of the public like this, can it?

If the City staff and the m-group uses COVID-19 as an excuse for not being able to fulfill their contractual duties as laid out in the m-group's 2018 employment contract, then the City of Petaluma will be forced to admit that the City should extend the **same level of non-responsiveness** to applicants engaged in **NON-ESSENTIAL** activities.

Only the **OPERATIONS and MAINTENANCE** of telecommunications facilities is defined as an **ESSENTIAL** activity in the "County health orders that have been promulgated to protect the public during the COVID pandemic" - **NOT the building of new** telecommunications facilities -- as we have repeatedly shared with you, the City Manager and the Mayor of Petaluma.

What has been the response to date on this important matter? . . . silence . . . nothing . . . which is additional proof that the City of Petaluma effectively remains closed to doing business with the residents of Petaluma. We keep excellent communication records, Mr. Danly. We have the evidence to prove what we are communicating.

- The same general procedural requirements apply to the public's right to inspect public records as apply to requests to receive copies of public records. See Section 6253 of the Government Code.

pmg: Precedence is also important, Mr. Danly. See above.

- There is nothing in the law, either in the 14th Amendment to the U.S. Constitution or any other law, that obligates City staff to make themselves available for meetings with members of the public regarding applications that are undergoing review.

pmg: To the contrary, Mr. Danly, how about basic fairness and equal protection under the laws? These don't count in Petaluma? Is rampant discrimination allowed in Petaluma? I think not. That is what we are experiencing.

- During this time when City staff are expending significant effort in responding to the COVID pandemic, and wildfire events, staff is still serving our community.

pmg: We have the evidence to prove otherwise, Mr. Danly. I refer you to the many emails, voicemail messages, requests for meetings, requests for returned calls, and requests for information that **do not get addressed by City Staff**. See here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest

We have the evidence to back up our grievances to our local government, which remains effectively non-responsive. This, for example is, I believe the second or third substantive email, I have received from you in four months (the first email from you labeled my substantive emails as "diatribes", do you remember?). The **30-minute sham Zoom meeting with you and Heather Hines** on July 30, 2020 **ended with no resolution to our open issues and information requests** (we were limited to only ten minutes of time to ask questions which you and Ms. Hines chose not to answer). The very next day, we requested additional meeting time to address the open issues. From you and Ms. Hines . . . no response for months and **still no response today** on these critically important matters. The evidence shows that the public is getting railroaded by some kind of alliance between city staff and the applicants for this project. Otherwise, we would have experienced more professional standards of returned calls, timely updates and substantive emails.

We have complete and sufficient evidence to prove that the City of Petaluma has remained effectively closed to doing business with the residents of Petaluma from June 12, 2020 to the present. Using COVID-19 as some kind of excuse for not fulfilling contractual obligations may be convenient, but it is not sufficient.

- We met with you previously and simply do not have the luxury of allowing your demands for information, including information we have already provided to you, to prevent us from fulfilling our other public service responsibilities to our community. As Ms. Green noted, you may submit inquiries regarding the Verizon application to Ms. Bendix, who is coordinating the staff review of the Verizon application.

pmg: Mr. Danly, **one meeting was clearly not sufficient**, as described above. The City of Petaluma has engaged with the applicants (Complete Wireless/whatever entity is dba Verizon, and the owners of the Petaluma Creamery) many times from June, 2019 through October 2020 and you are attempting to "sell" us on the idea that **one meeting** of "10-15 minutes" of question/answer time is sufficient, fair and non-discriminatory? The Petaluma City staff has to do better than that, in fact, the m-group's duties and obligations are set out in their 2018 employment contract. As I shared on 10/14/2020:

m-group's Base Level: Services:

"Full time coverage of the Planning Counter (Monday through Thursday, 8: 00 a.m. to 5: 00 p. m.) to provide general zoning information in response to public inquiry. Counter coverage also extends to timely response to emails and voicemails on similar issues as counter inquiries; "

Covid-19 cannot be an excuse. **These base levels services are not being delivered by the m-group. Full stop.**

- In response to your records request, City staff are gathering all non-exempt emails to and from City Planning staff concerning the Verizon application, and are adding those records to the project file. We believe we will have that set of records ready for transmission by close of business Friday, October 22. Given the risks from in-person meetings during the pandemic, the current health orders, and the fact that the project file being assembled electronically is the entire project file, we intend to transmit to you that entire project file electronically to satisfy the City's obligations under the Public Records Act.

pmg: Nice try, Mr. Danly, but we politely reject you proposal **as insufficient.** In short, we do not trust the possible filtering of (and the needless extra work to digitize) records and **insist on inspecting the entire file in person** at the Petaluma City Hall for 90-minutes. This is a level of service that we achieved twice before on this project (on June 12, 2020 and Aug 4,

2020). On those dates, we properly socially-distanced and wore masks -- **procedures that are in line with county health orders and procedures that were deemed acceptable by the City of Petaluma in 2020 -- twice.**

Regardless of whatever records the City of Petaluma chooses to share with us digitally, **we have a right to inspect physical records for completeness,** which is our request. We feel we will need 90-minutes or less to complete our inspection at the same conference room in City Hall that was made available to us on June 12, 2020 and Aug 4, 2020.

- Notwithstanding your assertions to the contrary, City staff continue to to provide services to community members and maintain City operations on site in City facilities and remotely consistent with the current health orders have have been issued to protect the public during the COVID pandemic.

Not responsive enough. Covid-19 cannot be used as a vehicle to condone discrimination. Our records of communications to the City of Petaluma that have gone **substantially-unaddressed for months is strong evidence,** not, as you allege -- mere assertions -- of non-responsiveness and non-performance by the City of Petaluma staff.

- Our City Planning colleagues have been very busy reviewing and preparing numerous pending projects, many of them particularly complex projects, to ready them for consideration by City decision makers and members of the public. The agenda materials on the CIty's website provide ample evidence of the City Planning staff's ongoing and extensive efforts regarding pending projects, as well as regarding City legislation related to planning and land use.

pmg: Are you kidding Mr. Danly? Your statement that "the agenda materials on the CIty's website provide ample evidence of the City Planning staff's ongoing and extensive efforts" for the Verizon PLMA-20-0003/PLUP-19-000 Project is laughable. The information on that website is **nowhere near complete or ample.** Your second sentence with regard to the Verizon PLMA-20-0003/PLUP-19-000 Project is **not supported by the facts and cannot be accepted as sufficient.** You are referring to this web page, right? --> https://cityofpetaluma.org/611-western-avenue-verizon-telecommunications-facility/

For example, there is not even one of our submissions in the public record explaining how the **application remains incomplete** and **no information** about the critically important Written Evidence — Wireless Antenna Need Test — In Telecommunications (WE-WANT-IT) Drive test of signal strength. **We see NOTHING on that page that address the elephants in the room.** Once again, as I communicated on Oct 15, 2020 . . . regarding the Signal Strength Drive test, we **have been in a months-long holding pattern,** waiting for **real information** from the City of Petaluma (not just projections of intentions about what might happen):

1. Who is the Drive Test vendor — does the public have the ability to research the vendor's background? **We need that answer now.**
2. When will the Drive Test work start? **We need that answer now.**
3. What is the methodology of the drive test? **We need that answer now.**
4. What equipment will the vendor use to collect and log the data? **We need that answer now.**
5. Is the vendor doing coverage analysis in dBm? . . . or is the vendor doing some other analysis, which may not be necessary? **We need to know that now.**
6. Will the vendor place the raw data of the Drive test into the public record? **There is no way the m-group should hide this data from anyone.**
7. **Is the City asking for a written report?** None is needed.
8. We need to understand the format of the data **before** the test is ordered/conducted.

- Notwithstanding the COVID pandemic, City staff are not free to refrain from reviewing and processing pending applications. Particularly regarding such applications as the Verizon cell tower application, doing so could be a basis of liability for the City and result

in deemed approval status and vesting of applicant rights without a full consideration of the application by City decision makers and the public.

You must be confused, Mr. Danly by what is an **ESSENTIAL** activity and what is a **NON-ESSENTIAL** activity as clearly laid out in the Sonoma County Health Orders. Allow me to clear that up for you:

The Sonoma County Health Official Order No. C19-03
Order No. C19-05 (Extended) and
Order No. C19-15 (Extended Again) . . . all say the same thing . . .

"All individuals living in the County are directed to shelter at their place of residence, except that they may leave to provide or receive certain essential services or engage in certain **essential activities and work for essential businesses**. . ."

What are those essential activities?

Definitions and Exemptions.

"§ 10(c) For purposes of this Order, individuals may leave their residence to provide any services or perform any **work necessary to the operations and maintenance** of **"Essential Infrastructure,"** including, a number of activities relating to water, sewer, gas, transportation and a single mention of **internet, and telecommunications systems"**

So let's recap. We have a federal national emergency — Novel Coronavirus Disease (COVID-19) Outbreak — and a local county order that specifies that only the **work necessary to the operations and maintenance** of telecommunications services is essential.

As you can plainly see, the County Health Orders do not define the building of new Wireless Telecommunications Facilities (WTFs) as Essential Activities. Why is the City of Petaluma pretending otherwise?

Petaluma can and should join Simi Valley, CA, Easton, CT and Keene NH and take full advantage of this novel set of circumstances to legally declare a moratorium — a legal temporary delay on the processing of applications, placement, construction or operations of Wireless Telecommunications Facilities (WTFs) of any size and any G — **until the federal national emergency has been declared over**. This is even expressly stated in FCC Order 18-133 which supersedes FCC Order 18-111, both mentioned below.

- The timeline for processing the Verizon cell tower application will be governed by the Telecommunications Act, and the City's regulations governing such applications.

pmg: The COVID-19 National Emergency, was recognized even by FCC Order 18-111 from August 2018 that was Ruled on Aug 12, 2020 in the Ninth Circuit Court of Appeals:

FCC Order 18-111: ¶ 157. "in the case of a natural disaster or other comparable emergency* an express or de facto moratoria that violates section 253(a) may nonetheless be "necessary" to "protect the public safety and welfare". . . emergency moratoria are legally permissible under 47 USC § 253."

*COVID-19 pandemic is such an emergency!

Will you please return my call at 707-981-5522 today so we can schedule our requested and needed inspection of records for a 90-minute slot to start at a specified time between 9:00 am and 3:30 pm on Fri Oct 23, if not sooner?

Thank you.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Appendix A: m-group SCOPE OF SERVICES

m-Group' s scope of services falls under one of four general categories, Base Level Services, Building Division Support, Cost Recovery Services, and Special Projects.

I. Base Level: Services
Tasks under Base Level Services are those that cannot be assigned to a specific project, and which provide general planning services for the City, residents, businesses, and developers. This includes:

- **Full time coverage of the Planning Counter (Monday through Thursday, 8: 00 a.m. to 5: 00 p. m.)** to provide general zoning information in response to public inquiry. Counter coverage also extends to **timely response to emails and voicemails on similar issues as counter inquiries**;
- Processing flat fee permits such as fence permits, home occupation permits, short term vacation rental permits, cannabis permits, outside dining permits and zoning permits; Zoning clearance review for all business licenses processed through the Finance Department;
- Project review for all referrals from outside agencies including but not limited to the State Department of Alcoholic Beverage Control and the Sonoma County Permit and Resource Management District;
- Inter Departmental coordination, including:
    - facilitating weekly Development Review Committee meetings
    - attending agenda setting and senior staff meetings, and
    - regular check in meetings with other city departments;
    - Maintaining the Planning Division website;
    - Compiling monthly activity and major development reports for the City; and
    - Media relations.

Hines, Heather

From: Flynn, Peggy
Sent: Monday, October 19, 2020 8:01 AM
To: Hines, Heather; Bendix, Brittany
Subject: Fwd: AT&T appeal denied - MARIN BOARD OF SUPERVISORS DENIES AT&T-PRESBYTERY APPEAL

fyi

Begin forwarded message:

> **From:** "Barrett,Teresa" <tbarrett@cityofpetaluma.org>
> **Date:** October 19, 2020 at 7:33:43 AM PDT
> **To:** lendri purcell <lendrip@gmail.com>, D'Lynda <dlyndaf@gmail.com>
> **Cc:** "Flynn, Peggy" <PFlynn@cityofpetaluma.org>, "Danly, Eric" <EDanly@cityofpetaluma.org>
> **Subject: Re: AT&T appeal denied - MARIN BOARD OF SUPERVISORS DENIES AT&T-PRESBYTERY APPEAL**
>
> Thank you, Lendri, I am forwarding this to our City Manager and City attorney.
>
> Teresa Barrett
> Mayor of Petaluma
> 707.953.0846
>
> ---
>
> **From:** lendri purcell <lendrip@gmail.com>
> **Sent:** Monday, October 19, 2020 6:27 AM
> **To:** D'Lynda; Barrett,Teresa
> **Subject:** AT&T appeal denied - MARIN BOARD OF SUPERVISORS DENIES AT&T-PRESBYTERY APPEAL
>
> ---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
>
> **MARIN BOARD OF SUPERVISORS DENIES AT&T-PRESBYTERY APPEAL**
>
> **At their October 13 meeting, the Board voted 4-0 to uphold the Planning Commission's September 28 decision to deny the St-Luke Church nine-antenna bell tower project, and passed their own denial Resolution.**
>
> **Again, THANK YOU for your support. In his opening presentation, Senior Planner Manny Bereket mentioned the *considerable amount of public***

comment this project has received. You loyally contributed to that hefty accumulation!

Courteous, informative communication from the public is surely the way to keep our elected officials supported, educated and accountable. In fact, Supervisor Damon Connolly remarked that the correspondence was "helpful in evaluating the proposal."

Neighborhood leaders mounted superior opposition beginning in May, and four of those residents spoke at this meeting. Their comprehensive written documents preceded them, along with your submissions and those from additional neighbors and members of the public. All correspondence can be found in records connected with the May 28 DZA hearing, the September 28 Planning Commission hearing, and the documents accompanying the October 13 meeting agenda linked in my October 11 emailing. Two members of the public (on this list) also voiced comments at the meeting. An AT&T rep and AT&T attorney reviewed and defended their proposal, and County Planner Jeremy Terejian presented significant analysis. County Counsel Brian Case made clarifying modifications to the Resolution.

The discussion is well worth watching, and can be found beginning at
2.14.12. https://marin.granicus.com/player/clip/10308?view_id=33&redirect=true

****Particularly gratifying—and important with respect to future applications—were Supervisor Connolly's remarks.** St. Luke is in Damon's district, and he took a firm lead in the discussion. In his opening remarks about AT&T's approach, he said, "I think we're on solid footing characterizing this behavior as bad faith by AT&T." In closing remarks that prefaced his motion to deny, he reiterated the DZA and Planning Commissions points about views impacts, and said that the project cannot be seen as the "least intrusive means." He also noted that County Telecommunications Policy ranks residential areas as *least preferred "* of six zones, that AT&T failed to demonstrate that other more suitable sites are unavailable or technically infeasible

("their analysis is thin at best"); and that the carrier had failed to demonstrate a coverage gap.

What will AT&T choose to do next? They've exhausted the County-provided appeal process, but legal action or a new application is open to them. At the last minute they submitted the notion of a monopine (stealth faux tree tower) on the church property. The Deputy Zoning Administrator, the Planning Commission and the Supervisors all refused to consider anything but the original design proposal. The monopine concept is troublesome in that such an installation would be subject to a federal ruling that allows a carrier to substantially increase the height of a facility without being required to seek further approval for the change.

Thorough coverage in this morning's IJ: (Attached as well)

https://www.marinij.com/2020/10/17/marin-supervisors-reject-cell-tower-on-san-rafael-church-grounds/

I hope you will thank the Supervisors for their responsible, careful decision made in the public interest*. If you live in or near Unincorporated Marin, please say so*.

dconnolly@marincounty.org

krice@marincounty.org

ksears@marincounty.org

drodoni@marincounty.org

jarnold@marincounty.org (absent)

📣HIGHLY-EFFECTIVE MASSACHUSETTS EDUCATOR-ACTIVIST CECE DOUCETTE IS HOSTED BY ELK GROVE, CA ACTIVIST MARK GRAHAM FOR AN EXCEPTIONAL ONLINE PRESENTATION

CeCe's October 5 presentation,"How To Protect Yourself in a Wireless World" is so rich, accessible and packed with useful links, that I won't distract you with any other items today to compete with it.

Her one-hour presentation:
https://www.youtube.com/watch?v=PTUgFMrSpxQ

Her 26 slides: https://static1.squarespace.com/static/5ed0007ce169954eea17b10b/t/5f7ba748183dc561daa0f217/1601939277047/Doucette+Elk+Grove+Presentation+100520.pdf

I encourage you to scroll through the slides for a quick overview. You can open links of particular interest or go to the YouTube presentation to specific spots. While many of the items are Massachusetts-based, they are blueprints for action anywhere.

<COUNTY REJECTS CELL TOWER ON CHURCH GROUNDS.pdf>

--
Lendri Purcell (pronouns: she/her)
Vice President, Jonas Philanthropies
Co-Founder, FACTS (Families Advocating for Chemical and Toxics Safety)
www.FACTStoAction.org
lendrip@gmail.com

Democracy isn't a spectator sport. USE IT OR LOSE IT.

"And the people stayed home. And read books, and listened, and rested, and exercised, and made art, and played games, and learned new ways of being, and were still. And listened more deeply. Some meditated, some prayed, some danced. Some met their shadows. And the people began to think differently. And the people healed. And, in the absence of people living in ignorant, dangerous, mindless, and heartless ways, the earth began to heal. And when the danger passed, and the people joined together again, they grieved their losses, and

made new choices, and dreamed new images, and created new ways to live and heal the earth fully, as they had been healed." by Kitty O'Meara

--

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Thursday, October 15, 2020 4:18 PM
To: Hines, Heather; Flynn, Peggy; Teresa Barrett
Cc: -- City Clerk; Rose, Kendall; Kendall Rose; Cochran, Brian; Terry, Suzanne; Fischer, D'Lynda; Kearney, Gabe; King, Dave; McDonnell, Kevin; Miller, Kathy; Healy, Mike; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Heidi Bauer; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart; Bendix, Brittany
Subject: PLMA-20-0003/PLUP-19-000: Still Missing Public Comment Record from Oct 13, 2020 HCPCP meeting
Attachments: 2018-0801-m group- contact.pdf

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
October 15, 2020

Ms. Heather Hines
Contract Planning Manager, m-group
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

Ms. Teresa Barrett, Mayor
Ms. Peggy Flynn, City Manger

cc:
Kendall Rose , City Clerk
Brian Cochran, Assistant City Manger
Suzanne Terry, Executive Assistant to the City Manager
Mike Healy, Council Member
D'Lynda Fischer, Vice Mayor
Gabe Kearney, Council Member
Dave King, , Council Member
Kevin McDonnell, Council Member
Kathy Miller, Council Member

Sandi Potter, Planning Commissioner
Richard Marzo, Planning Commissioner
Blake Hooper, Planning Commissioner
Scott Alonso, Planning Commissioner
Heidi Bauer, Planning Commissioner

Christopher Caputo, HCPC Chair
Kit Schlich, HCPC Vice Chair
Terry Kosewic, HCPC Member
John Perlis, HCPC Member
Bill Rinehart, HCPC Member

Petaluma-VHP Members

Dear Ms. Hines et al.,

[City Kendall Rose, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee and to the Planning Commission. Thank you for doing so.]

Thank you. Ms. Hines, for your response re: **the missing first 28 minutes** of the video of the Oct 13, 2020 Historic and Cultural Preservation Committee meeting, including about **ten missing public comments**, as one can see here:

- https://cityofpetaluma.org/meetings
- https://petaluma.granicus.com/MediaPlayer.php?view_id=31&clip_id=3091

Upon checking the links at around **4:00 pm on Oct 15** (about 48 hours later), we note the message below, but **do not see** a corrected video.

Will the Petaluma City staff please **post transcripts of these missing public comments** at https://petaluma.granicus.com/MediaPlayer.php?view_id=31&clip_id=3091 . . . **while** the City staff works with Granicus to get the full video from the service's back ups and re-edits the video to make it complete?

Staff is aware of a technical error that resulted in a delayed start to the video recording and are working diligently to remedy the situation. Draft minutes will be posted as soon as possible to account for the missing video footage. Thank you for your pa

It would be great for the City Staff to demonstrate responsiveness on this request, as City staff responsiveness has been a serious problem during the COVID-19 national emergency, as described in the Oct 14, 2020 email (https://www.unsafeatanyg.com/petaluma/creamery/#latest) sent to the following people:

- Flynn, Peggy PFlynn@cityofpetaluma.org
- Cochran, Brian BCochran@cityofpetaluma.org
- Bendix, Brittany bbendix@cityofpetaluma.org
- Hines, Heather hhines@cityofpetaluma.org
- Danly, Eric EDanly@cityofpetaluma.org
- Green, Jordan JGreen@cityofpetaluma.org
- Kendall Rose krose@cityofpetaluma.org
- Kendall Rose krose@ci.petaluma.ca.us

I will look forward to a **progress update later today**, Ms. Hines. Please read my other comments below.

Regarding the Signal Strength Drive test, we **have been in a months-long holding pattern,** waiting for **real information** from the City of Petaluma (not just projections of intentions about what might happen):

1. Who is the Drive Test vendor -- does the public have the ability to research the vendor' background? **We need that answer now.**
2. When will the Drive Test work start? **We need that answer now.**
3. What is the methodology of the drive test? **We need that answer now.**
4. What equipment will the vendor use to collect and log the data? **We need that answer now.**
5. Is the vendor doing coverage analysis in dBm? . . . or is the vendor doing some other analysis, which may not be necessary ? **We need to know that now.**
6. Will the vendor place the raw data of the Drive test into the public record? **There is no way the m-group should hide this data from anyone.**
7. **Is the City asking for a written report?** None is needed.

8. We need to understand the format of the data **before** the test is ordered/conducted.

>>> Hines, Heather wrote on 10/14/2020 2:19 PM:

> Mr. McGavin,
>
> Thank you for your voicemail of this afternoon alerting me to the incomplete video posting of yesterday's HCPC meeting.
> City Staff is trying to trouble shoot this issue alongside Petaluma Community Access (PCA) and get this corrected as quickly as possible.
> I will follow up with an email to let you know how and when this has been remedied.
>
> The accusations of this glitch in the meeting video being a deliberate act is offensive and un-called for.

To the contrary, this is **not** the first time this year that public meeting **videos have been sloppily posted**, preventing timely access to review recorded public comments . . . don't you recall the following events from July, 2020, Ms. Hines? The public has done nothing wrong. We are demanding a level of service outlined in the m-group's 2018 employment agreement (see attached):

> **From m-group SCOPE OF SERVICES** (see attached)
> m-group' s scope of services falls under one of four general categories, Base Level Services, Building Division Support, Cost Recovery Services, and Special Projects.
>
> **I. Base Level: Services**
>
> - Tasks under Base Level Services are those that cannot be assigned to a specific project, and which provide general planning services for the City, residents, businesses, and developers.
> - This includes:
> - Full time coverage of the Planning Counter (Monday through Thursday, 8: 00 a.m. to 5: 00 p. m.) to provide general zoning information in response to public inquiry.
> - Counter coverage also extends to **timely response to emails and voicemails on similar issues as counter inquiries**;

>>> Paul McGavin wrote to the Heather Hines on July 28, 2020 at 9:00 am . . .

> "**The July 27, 2020 Planning Commission Video is still missing** from https://cityofpetaluma.org/meetings/ ; we alerted Petaluma Planning, City Attorney, City Clerk and City Manager of this mistake at 8:30 am on July 29, but no one has yet responded.
>
> As we presented in public comment on July 27 at the Planning Commission meeting, the City of Petaluma by passing three simple ordinances to the current outdated Petaluma Wireless code for "mini", "minor" and "major" Wireless Telecommunications Facilities (WTFs):
>
> 1. **Ordinance M** (for WTF application moratorim),
> 2. **Ordinance VHP** (to cap the power of WTFs to intensities that are needed for telecommunications service and no higher) and
> 3. **Ordinance WE-WANT-IT** (to create and base decisions on objective, verifiable data of wireless carrier signal strengths **at no cost to the City**)."

You see the pattern, right?

Next, we are quite surprised that after 16-months of engagement with the Petaluma Creamery Wireless Telecommunications Facilities applicants (Complete Wireless/Verizon), the Petaluma City staff has **still** not been able to make the applicant submit a **complete application**. To the best of our knowledge, following a detailed review of the project files from June 12 to June 15, the application on **was incomplete in fatally significant ways, which the m-group has known since June 15, 2020 -- yet the m-group has not yet addressed all of the missing items . . .**

>>> Paul McGavin wrote to Brittany Bendix on 6/15/2020 at 3:08 PM:

Thank you also for speaking to us for about 20 minutes from 1:30 pm to 1:50 pm on some of the things that were missing from the file for PLMA-20-0003/PLUP-19-000 -- missing items that were apparent even in our first hour of inspection. Please see the **STATUS** of each item below in red. As we stated in the June 11 email, "we specifically, are interested in the following information:"

1. **STATUS: Incomplete detail for radios and power generation equipment (cannot be verified):** "Manufacturer, Model No. and Specifications for each piece of equipment being installed" (note we only have verified the antenna manufacturer and model number, all radio and power generation detail is missing)

2. **STATUS: Missing analysis (cannot be verified):** A Power Consumption Analysis to project Electricity consumption projected by day, month and year

3. **STATUS: MIssing analysis (cannot be verified):** Any analysis about the minimum level of Effective Radiated Power that is actually needed to close an alleged significant gap in Title II telecommunications coverage (the only lawful basis for any preemption of local authority the Wireless applicant may have under the 1996-TCA in 2020)

4. **STATUS: Incomplete detail (we have only some, but not all emails and texts):** All communications between Verizon and its agents and the m-group/Petaluma staff from Jan 1, 2019 through June 12, 2020.

5. **STATUS: Missing NEPA Review (cannot be verified):** Any NEPA review, since according to Erica Rosenberg, the FCC NEPA attorney, "Every single Wireless Telecommunication Facilities applications must do a NEPA review –> <https://scientists4wiredtech.com/action/nepa-strategies/

After reading the other documents that you provided to us over the weekend, we have found **many more missing items** which we are compiling into a complete list that will cite documentary sources and will be forwarded to you tomorrow.

1. **How can the m-group proceed to a with a Nov 10, 2020 HCPC and/or Planning Commission meeting with a known incomplete application? I believe doing so would violate Petaluma Muni Code and the m-group's employment agreement.**

2. **On what authority can the City of Petaluma not provide the public equal access and equal time for presentation in all meetings about PLMA-20-0003/PLUP-19-000 project -- as has been the case from June 1, 2019 through Oct 15, 2020?**

3. **When can we set a meeting with City Manager Peggy Flynn to discuss solutions to these serious problems? We are running out of time.**

In this 10/15/2020 email, we, the public, **are enforcing our rights** to immediate inspection of the PLMA-20-0003/PLUP-19-000 project file **-- in whatever shape it is in right now --** to determine if the application is any more complete than when we saw it last on 8/4/2020.

Recall, we have been asking for this immediate inspection of records for weeks, **without** reasonable response from the City of Petaluma:

>>> From 9/23/2020 . . . it's now two days later and from the m-group **we get only the big bagel, nada, bubkes, NOTHING of substance back . . . which is unacceptable.**

Finally, please let me know when can we schedule the following?

1. A 60-Minute Zoom call between members of Petaluma VHP and the m-group personnel (Heather Hines, Brittany Bendix and Justin Shiu -- to ensure that all m-group personnel who are touching this project are available to answer our questions (obviating the need to check with "a, b or c", who could not attend the meeting. We wish all three of you to be present **for accountability reasons.**

2. A 90-minute immediate records inspection of the contents of the public record for the Petaluma Creamery project; we need to know what has made it into the public record through 9/23/2020 or whatever date we can schedule the inspection.

Hines: Echoing my own previous communication with you as well as direct communication from the City Manager, your continued harassment of staff is unacceptable.

I take great issue with your mischaracterization of and allegation of my communications as harassment. I do not appreciate such a transparent and unfounded attempt at gaslighting me -- a well-informed Petaluma resident and professional in the field of Wireline and Wireless Telecommunications issues.

I am reasonably following up on **many, many requests** for actual information to answer our reasonable questions -- **requests that you and Brittany Bendix have repeatedly ignored**. There is nothing wrong about members of the public insisting on responsiveness from our local government and defending their 14th Amendment rights when dealing with their local government.

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. **No state** shall make or enforce any law which **shall abridge the privileges** or immunities of **citizens of the United States**; nor shall any state **deprive any person of life, liberty, or property**, without due process of law; **nor deny to any person within its jurisdiction the equal protection of the laws**." (see Appendix A).

I will not tolerate the well-documented, unprofessional behavior that is being exhibited by the m-group and the Petaluma City staff towards the public. Frankly, it shows negligence, at the very least.

Hines: As you are aware, Brittany Bendix is your point of contact as the project planner overseeing the Verizon application and she will continue to provide status updates on the project as that status changes.

The statement above is, unfortunately, one that is not helpful, since the updates (the few that we receive) are devoid of sufficient detail to reasonably inform. The m-group's well-established practices of "holding their cards close to the vest", not sufficiently engaging in discussion with the public about the project and continually extending to the applicants many undeserved "breaks" shows a clear pattern of discrimination against the public,. a pattern which been deep-seeded and chronic. In short, the m-group is not living up to their contractual obligations and the **public demands much more reasonable and timely service from the m-group**.

Hines: As mentioned in staff comment at last night's HCPC meeting, we are looking at a joint hearing of the Planning Commission and Historic and Cultural Preservation Committee to

consider the design and use elements of the Verizon application and are tentatively looking at a hearing date for a joint meeting in November.

We would like the opportunity to convince all that proceeding in this way so is not in Petaluma's best interest.

We propose the following timeline as the best one for the City of Petaluma:

- **Tue Oct 20 or 27** for **Zoom Study Session** to educate the HCPC and the Planning Commission on the best ways to make solid findings to say NO Wireless Telecommunications Facilities (WTFs) **and not get sued** (see links above -- we might even be able to get attorney Andrew Campanelli to answer 30 minutes of questions by Zoom)
- **Tue Nov 10** for HCPC Advisory recommendation to the Planning Commission
- **Tue Dec 8** for Decision by the Planning Commission
- **Mon Jan 18 or 25** for the expected Appeal (regardless of the Planning Commission decision)
- Date TBD -- Law Suit filed by Verizon that the city could easily win, if sufficiently educated.

Hines: To date we have not received call logs from Verizon and we continue to ask for that submittal but have not received the requested documentation.

Asking without a meaningful ratchet, is useless, Heather. Since Verizon has not acted in good faith, the City of Petaluma has good cause to cancel the application, pass a moratorium on processing any Wireless Telecommunications Facilities (WTFs) applications during COVID-19 national emergency, use that time to revise the City of Petaluma's wireless code and then open back up to processing Wireless Telecommunications Facilities (WTFs) applications after the President declares the COVID-19 emergency over.

Hines: It is my understanding that you would like to set up a time to review the hard copy project file and I will ask Brittany to reach out to schedule a time for you to review the file at City Hall.

This has been our interest, of which you are well-aware and have ignored for weeks:

>>> Paul McGavin wrote to Brittany Bendix on 9/23/2020:

Please let me know when can we schedule the following?

1. A 60-Minute Zoom call between members of Petaluma VHP and the m-group personnel (Heather Hines, Brittany Bendix and Justin Shiu -- to ensure that all m-group personnel who are touching this project are available to answer our questions (obviating the need to check with "a, b or c", who could not attend the meeting. We wish all three of you to be present **for accountability reasons.**

2. A 90-minute immediate records inspection of the contents of the public record for the Petaluma Creamery project; we need to know what has made it into the public record through 9/23/2020 or whatever date we can schedule the inspection.

Heather

Heather Hines
Planning Manager
City of Petaluma

This is what we have been experiencing from the m-Group and the City Manager's office for months:

- Ignoring the public's questions . . . avoiding answering them at all, including during our **one** meeting for 30 minutes on July 30, 2020
- Ignoring many requests for additional meetings, as choices are being made by the m-group, without engaging with the public
- No consistent, reasonable practice of returning phone calls and emails in a timely manner and updates are without sufficient detail
- Ignoring our requests to inspect records at the City of Petaluma City Hall offices for weeks (similar to **two earlier inspections** that we conducted on June 12, 2020 and Aug 4, 2020)
- Not enough transparency into the decision-making processes that are clearly being jointly made and influenced by City Manager Flynn, City Attorney Danly.

In short, we have the evidence to show that our criticisms of the m-group's management/mismanagement of the PLMA-20-0003/PLUP-19-000 project is well-founded and **has not been addressed in the two months**, since we first wrote to City Management and the City Council Members about this:

Please, recall I wrote to on Aug 11, 2020 @ 9:23 am:

"Our experience to date has been disappointing on multiple fronts:

1. m-group's disregard for the **incompleteness** of the current PLMA-20-0003/PLUP-19-000 application, which still exists today [**update:** the application still remains incomplete on Oct 14, 2020 -- are you not curious, Ms. Hines, about the **many ways** the current PLMA-20-0003/PLUP-19-000 application remains incomplete -- **all on your watch?**]

2. m-group's disregard for providing a full accounting of the **shot clock management** for PLMA-20-0003/PLUP-19-000 [as of Oct 14, 2020, we still don't have this]

3. m-group's **disregard for addressing/answering the public's questions** detailed here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest -- some of which have gone **unaddressed for over seven weeks** [**update:** as of Oct 14, 2020, we still don't have answers]

4. m-group's disregard for securing and placing into the public records objective, reliable and verifiable data to assess whether or not a **significant gap in Verizon Telecommunications coverage** exists in the the three-mile radius surrounding the Petaluma Creamery; **note:** any applicant coverage maps that are **not** backed by verifiable raw data measurements placed into the public record for all to review are **not** reliable, verifiable or even truthful records. [**update:** as of Oct 14, 2020, we still don't have decent detailed information that would satisfy the public that the m-group is not just being the **blind leading the blind** in this technical matter -- there are many details that need to be addressed **before** the Wireless Antenna Need Test/Drive Test is conducted (see below)]

5. m-group **not disclosing in a timely manner** material requests from the applicant -- most recently evidenced by **not informing the public until Aug 3, 2020** the existence a July 7, 2020 letter from the applicant that requested the mutually-agreeable shot-clock end date to be extended from Sept 1, 2020 to October 6, 2020 (see here https://petaluma.granicus.com/MetaViewer.php?view_id=31&event_id=44965&meta_id=463862)

6. m-group's **disregard for scheduling a follow up meeting** for the shortened July 30, 2020 meeting that did not address the agenda points outlined by the public in its 7/30/2020 email; 12-days later . . . we are still needing to reschedule a follow up meeting

7. m-group Director Heather Hines' decisions to not **return over ten voicemail messages** during the period of June 12, 2020 through Aug 11, 2020. We have received **exactly one** return call from Ms. Hines during this period, and zero during the period when Brittany Bendix was on personal leave."

We are have been seeking a meeting with City Manager Peggy Flynn and Mayor Teresa Barrett to discuss the current management/mismanagement of project PLMA-20-0003/PLUP-19-000 and reasonable solutions to these well-established,

well-documented problems.

We would appreciate a prompt and professional response from City Manager Peggy Flynn and Mayor Teresa Barrett.

Thank you.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Appendix A: 14th Amendment

The Fourteenth Amendment addresses many aspects of citizenship and the rights of citizens. The most commonly used -- and frequently litigated -- phrase in the amendment is "equal protection of the laws", which figures prominently in a wide variety of landmark cases, including Brown v. Board of Education (racial discrimination), Roe v. Wade (reproductive rights), Bush v. Gore (election recounts), Reed v. Reed (gender discrimination), and University of California v. Bakke (racial quotas in education). See more...

Primary tabs

Amendment XIV

Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. **No state shall** make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor **deny to any person within its jurisdiction the equal protection of the laws**.

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Wednesday, October 14, 2020 5:26 PM
To: Green, Jordan
Cc: Bendix, Brittany; Hines, Heather; Danly, Eric; Flynn, Peggy; Cochran, Brian; Rose, Kendall; Kendall Rose; Scott Springhorn; Scott Springhorn
Subject: Next Steps re: Verizon PLMA-20-0003/PLUP-19-000 Project
Attachments: 2018-0801-m group- contact.pdf

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
October 14, 2020

Ms. Jordan Green
Assistant City Attorney
City of Petaluma
11 English Street
Petaluma, CA 94952
(707) 778-4565

Dear Ms. Green,

Nice to hear from you, Ms.Green. When was the last time we talked? Was it September 24th?

[City Kendall Rose, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through June 16 be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners. Thank you for doing so.]

You wrote today on 10/14 -- (see Appendix A, below):

> "The City's Planning Department is working to make a hard copy of the file current. Once that file is complete, we will provide you with a few dates and times for you to come to City Hall to inspect the file."

. . . which is **not** a timely response to my Sept 23, 2020 request or our my Sept 24, 2020 telephone conversation with you. What part of **immediate records inspection**, which is the public's right to conduct, does the City of Petaluma not understand or respect?

> >>> From 9/23/2020 . . . it's now two days later and from the g-group **we get only the big bagel, nada, bubkes, NOTHING of substance back . . . which is unacceptable.**
>
> **Finally, please let me know when can we schedule the following?**
>
> 1. A 60-Minute Zoom call between members of Petaluma VHP and the m-group personnel (Heather Hines, Brittany Bendix and Justin Shiu -- to ensure that all m-group personnel who are touching this project are avavilable to answer our questions (obviating the need to check with "a, b or c", who could not attend the meeting. We wish all three of you to be present **for accountability reasons**.

2. A 90-minute immediate records inspection of the contents of the public record for the Petaluma Creamery project; we need to know what has made it into the public record through 9/23/2020 or whatever date we can schedule the inspection.

You also wrote today on 10/14 -- (see Appendix A, below):

> "The City is not scheduling a 60-Minute Zoom call between members of Petaluma VHP City Planning Department staff. Rather, the City will provide regular updates to you and other interested community members. You are always welcome to submit your comments in writing to Brittany Bendix."

This is simply not acceptable, Ms. Green. The public deserves **equal** time and **equal** opportunity to educate the decision-makers on this project as that afforded to the applicants. Any honest accounting of the time given to the public -- 15 minutes of one meeting on July 30, 2020 **that did not give sufficient time to address all open issues** -- vs the time the City of Petaluma has given the applicants shows that the **total time is clearly not equal.** The public needs equal time to sufficiently educate the decision-makers and influencers (city staff/contractors/report writers). I refer you to the US constitutional 14th Amendment rights -- which applies when we are dealing with our local government.

> "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. **No state** shall make or enforce any law which **shall abridge the privileges** or immunities of **citizens of the United States**; nor shall any state **deprive any person of life, liberty, or property**, without due process of law; **nor deny to any person within its jurisdiction the equal protection of the laws**." (see Appendix A).

You also wrote today on 10/14 -- (see Appendix A, below):

> "Please note that the City is not "closed." Rather, City staff is working remotely as much as possible to curb the spread of the coronavirus. We are still providing all the services that we previously provided, but we are doing so mostly virtually."

Let us be clear. **We are correct in saying the evidence indicates that the City of Petaluma is essentially closed to doing business with the public.** We have the evidence to prove it. Just listen to the outgoing voicemail greetings and the serious lack of effort by City staff to to engage with the public. No one even picks up a phone call in real time or even returns a phone call, following any professional, timely standards. We have a complete communications record showing as serious lack of response by the City of Petaluma from June 6 , 2020 through Oct 14, 2020.

We are asking the City of Petaluma to either increase its efforts to engage with the public or stop doing business with the applicants, until the COVID-19 National Emergency is declared over and City Hall opens again. You see, we cannot even just go down and find someone at City Hall during business hours. **This allows contractors, like the m-group and City employees to hide for months -- which is what the evidence shows.**

In short, contrary to what you wrote, the City of Petaluma is **not** continuing to maintain continuity of City services. Just because you write such a statement it does not make it true. What evidence can you provide to refute the evidence we have already presented in the public record about the lack of City of Petaluma sufficiently engaging with the publice re: the Verizon PLMA-20-0003/PLUP-19-000 Project ?

>>> Paul McGavin wrote on 9/28/2020 9:00 PM:

> *Scott, I told you that I did not file a CPRA. Jordan Green falsely assumed that any request to inspect records constitutes a CPRA. That is not true.*
>
> Scott Springhorn wrote on 9/28/2020 6:44 PM:
>
> Paul,

I am confused at this part of the email? Did you request a CPRA on this project? Did you get a chance to talk to Jordan Green about this?

> Green, Jordan wrote on 9/24/2020 8:53 AM:

Dear Mr. McGavin,

I will call you today to discuss the Public Records Act (PRA), the documents you are entitled to and the timeline the City has to respond to your PRA request. At what number shall I call you?

Thank you,

Jordan Green

I believe during our call on Sept 24, 2020, I addressed many of the same issues you are repeating below in your email in **Appendix A**. Please consult your notes from that conversation.

To be clear, I am **not** communicating any "concerns". I am seeking resolution to the problems for which I have presented ample evidence since Aug 11, 2020. I have presented evidence regarding the m-group's chronic and continuing mismanagement of the PLMA-20-0003/PLUP-19-000 project; evidence I have emailed to the City Manager and others.

When you write: "we are designating one point of contact for you regarding the Verizon application, which is Brittany Bendix", I have clearly communicated that Ms. Bendix has been **insufficiently responsive for a long time**, so that will not work. The m-group's inability to sufficiently answer the public's questions and explain, in sufficient detail, about what is actually going on with the PLMA-20-0003/PLUP-19-000 project, the rationale for decisions being made and even who are the real decision-makers has been utterly lacking for months. Please see the evidence of such sparse communication in **Appendices B and C**.

I take people at their word, so when I read in an auto-reply email from Ms. Bendix that . . . " I will make every every effort to respond to your inquiry by the end of the next business day" . . . and then there is **no follow up** since that date, something is clearly wrong and **every effort is not being made**. I also include the 2018 m-group contract, attached which outlines the **m-group's Base Level: Services**

> "Full time coverage of the Planning Counter (Monday through Thursday, 8: 00 a.m. to 5: 00 p. m.) to provide general zoning information in response to public inquiry. Counter coverage also extends to timely response to emails and voicemails on similar issues as counter inquiries; "

Covid-19 cannot be an excuse. **These base levels services are not being delivered by the m-group. Full stop.**

If this cannot happen, then the City of Petaluma should not be processing any Wireless Telecommunications Facilities (WTFs) applications until the **Covid-19 national emergency** has been declared over by the President of the USA, whomever that is at the time. We have needed to discuss this with City Manager Flynn, as well. To date . . . no response from Ms. Flynn or Mr. Cochran.

We, the public, are getting jerked around -- by both the applicants to the Petaluma Creamery project and by the m-group. The evidence is clear.

We wish to solve this problem to the public's satisfaction, going forward. **That is why we have been seeking to meet with Ms. Flynn and/or Mr. Cochran about this for over three months** (as presented here to the City Council in the public

record on Oct 5, 2020 --> https://youtu.be/GgSiXIakb1E?t=749) --- without any credible response from City Management that communicates a desire to **recognize and address this serious problem**.

We are experiencing that the m-group and others involved are simply running out the clock without taking sufficient opportunity to prepare Petaluma for the best outcome: a denial of this disastrous PLMA-20-0003/PLUP-19-000 project project in a way that will easily stand up in court. We have every right to defend our homes and our lives from the significant public safety, privacy and property values harms that this Verizon PLMA-20-0003/PLUP-19-000 project certainly will inflict upon the residents of Petaluma.

I have substantial and specific knowledge of how best to navigate this Wireless Telecommunications Facilities (WTFs) approval process and have shared the following links with the public on my web sites, directly with the m-group and in public comment many times to the Petaluma City Council, Planning Commission and the Historic & Cultural Preservation Committee many times from June, 2020 through October, 2020.

- https://scientists4wiredtech.com/campanelli/
- https://scientists4wiredtech.com/learn-how-to-fight-locally/
- https://scientists4wiredtech.com/readinglaw/
- https://scientists4wiredtech.com/thisworks/
- https://mystreetmychoice.com/thisworks

The City of Petaluma -- and its residents -- would benefit from a timeline similar to the following. There is **no advantage to hold** a joint HCPC/Planning Commission meeting on Nov 10, as announced by Heather Hines on Oct 13, 2020 in the HCPC meeting. Curiously, at 4:45 pm on Oct 14, 2020, **the video of the Oct 14, HCPC meeting is still missing the first 28 minutes, including the substantial public comment contributed by about ten Petaluma residents**. What is going on?

Here is the best timeline for the City of Petaluma, going forward:

- **Tue Oct 20 or 27** for **Zoom Study Session** to educate the HCPC and the Planning Commission on the best ways to make solid findings to say NO Wireless Telecommunications Facilities (WTFs) **and not get sued** (see links above -- we might even be able to get attorney Andrew Campanelli to answer 30 minutes of questions by Zoom)
- **Tue Nov 10** for HCPC Advisory recommendation to the Planning Commission
- **Tue Dec 8** for Decision by the Planning Commission
- **Mon Jan 18 or 25** for the expected Appeal (regardless of the Planning Commission decision)
- Date TBD -- Law Suit filed by Verizon that the city could easily win, if sufficiently educated.

Thank you. I will look forward to setting up our requested meeting with City Manager Peggy Flynn at her earliest convenience.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Appendix A: Email from Ms. Jordan Green

Green, Jordan wrote on 10/14/2020 2:55 PM:

Dear Mr. McGavin,

I have received your voicemails. Further, several other staff members have also received several voicemails from you. To help the City respond to your concerns, we are designating one point of contact for you regarding the Verizon application, which is Brittany Bendix. In the future, please contact Ms. Bendix if you have questions or concerns relating to the Verizon application.

The City's Planning Department is working to make a hard copy of the file current. Once that file is complete, we will provide you with a few dates and times for you to come to City Hall to inspect the file. If you have any further PRA requests, please submit them through the City Clerk's Office at the following web address: https://cityofpetaluma.org/request-for-public-records/

The City is not scheduling a 60-Minute Zoom call between members of Petaluma VHP City Planning Department staff. Rather, the City will provide regular updates to you and other interested community members. You are always welcome to submit your comments in writing to Brittany Bendix.

Please note that the City is not "closed." Rather, City staff is working remotely as much as possible to curb the spread of the coronavirus. We are still providing all the services that we previously provided, but we are doing so mostly virtually. The faster we can curb the virus spread, the faster we can re-open our offices to our staff and the public. Until then, the public's and the staff's safety is a top priority, along with continuing to maintain continuity of City services.

Sincerely,

Jordan Green

Assistant City Attorney, City of Petaluma

11 English Street, Petaluma, CA 94952

Phone: (707) 778-4565 Facsimile: (707) 206-6040

City Business Hours: M-Th 8am-5pm, closed Fridays

Appendix B: Returned calls from Brittany Bendix or Heather Hines From Aug 12 through Oct 14, 2020

I must have left each ten voicemails in From Aug 12 through Oct 14, 2020

- **Returned calls from Hines:** One (1) voicemail - to which I promptly replied, requesting another call back. From then **Zero(0)**.
- **Returned calls from Bendix: Zero (0)**

Appendix C: Email Communications from Brittany Bendix From Aug 12 through Oct 14, 2020

>>> Bendix, Brittany wrote on 9/23/2020 3:43 PM:

Hello,

While City Hall buildings remain closed to the public in response to COVID-19 Health Orders, the Planning Division is providing services remotely, including virtual counter inquiries and entitlement review. I am working remotely and checking email and voicemail regularly. I will make every effort to respond to your inquiry by the end of the next business day.

Thank you for your patience,

Brittany

>>> Bendix, Brittany wrote on 9/23/2020 12:37 PM:

Hi Paul and Scott,

I just wanted to let you know that I received Paul's voicemail messages from last night and this morning, as has Justin, and I'm assuming Heather, although I haven't connected with her yet today. I'm responding on their behalf.

We have not received any new submittals from Verizon or the requested call logs, although we are aware that they are attempting to fit the antennas on the roof of the building so that they are beyond 75-feet from the adjacent dwelling unit. Additionally, based on telephone conversations with the applicant and Verizon's legal counsel, we expect that they will challenge the Municipal Code's limitation on wattage.

In anticipation of Verizon's response we have been reaching out to consultants with the objective of completing a drive test, as well as possibly providing broader technical review services. At this time we are hoping to make a selection as soon as possible, after which we will advise Verizon, yourself and Scott Springhorn.

These efforts are in addition to coordinating with our Building and Fire divisions to better understand the safety and hazard conditions present at the Creamery and how they relate to the wireless proposal. I have also spoken with neighbors this week who, beyond the wireless project, have additional concerns relating to the Creamery's operations and will be coordinating with our enforcement division to investigate these complaints. I understand that a recent complaint has also been filed with BAAQMD, but I was not provided any details other than the neighbors anticipate a letter from BAAQMD acknowledging

operational violations. I have not had an opportunity to track that down, but if you or Scott have that information, that would be helpful.

Additionally, I want to inform you that moving forward Justin Shiu will not be working on this project. Please direct inquiries to me.

Thank you,

Brittany Bendix, Deputy Planning Manager

>>> Bendix, Brittany wrote on 8/12/2020 9:18 AM:

Hi Paul,

During our conversation on Monday had you mentioned wanting to set up an informational presentation to the HCPC and PC on their ability to review/take action on telecommunication proposals. I had requested that you put that proposal in writing and include your suggested framework as you had a lot of thoughts related to speakers and format, but I haven't seen it come through. Can you please send that to me?

Thank you,

Brittany Bendix, Deputy Planning Manager

Appendix D: m-group SCOPE OF SERVICES

m-Group' s scope of services falls under one of four general categories, Base Level Services, Building Division Support, Cost Recovery Services, and Special Projects.

I. Base Level: Services
Tasks under Base Level Services are those that cannot be assigned to a specific project, and which provide general planning services for the City, residents, businesses, and developers. This includes:

- **Full time coverage of the Planning Counter (Monday through Thursday, 8: 00 a.m. to 5: 00 p. m.)** to provide general zoning information in response to public inquiry. Counter coverage also extends to **timely response to emails and voicemails on similar issues as counter inquiries**;
- Processing flat fee permits such as fence permits, home occupation permits, short term vacation rental permits, cannabis permits, outside dining permits and zoning permits; Zoning clearance review for all business licenses processed through the Finance Department;
- Project review for all referrals from outside agencies including but not limited to the State Department of Alcoholic Beverage Control and the Sonoma County Permit and Resource Management District;
- Inter Departmental coordination, including:
    - facilitating weekly Development Review Committee meetings
    - attending agenda setting and senior staff meetings, and
    - regular check in meetings with other city departments;
    - Maintaining the Planning Division website;
    - Compiling monthly activity and major development reports for the City; and
    - Media relations.

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Friday, September 25, 2020 2:58 PM
To: Bendix, Brittany
Cc: Scott Springhorn; Flynn, Peggy; Teresa Barrett; Green, Jordan; Hines, Heather
Subject: Bubkes = Nothing of Substance

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
September 25, 2020

Dear Ms. Bendix,

You have not returned a call in a long, long time.

As of 9/23/2020 in the afternoon sometime, **you** are now the

STAFF CONTACT
Brittany Bendix
Deputy Planning Manager
707-778-4314
bbendix@cityofpetaluma.org

listed on this page . . . https://cityofpetaluma.org/611-western-avenue-verizon-telecommunications-facility/

. . . but you have not returned a single voicemail message to me all this week . . . check your contractual duties, folks.

I received a voicemail from Heather Hines yesterday afternoon, because I was on another call. I was not impressed. I returned that call right away to let her know the following:

- Heather's voicemail did not communicate substantial or even sufficient information to the answer the open questions that have been in front of the m-group and the Petaluma City Manager's office **for months**. --> https://unsafeatanyg.com/petaluma/creamery

- Heather seemed to paint Brittany Bendix's **9/23/2020 300-word email** as sufficiently detailed. I told her in writing and in another voicemail that the email was **not** sufficiently detailed.

- There is too much hiding of information from the public going on . . . **that is clearly the case.** The communications record proves this.

- Hiding information from the public, like this is unacceptable. That is why we are demanding an **immediate inspection of the public record on this Petaluma Creamery project**.

We need a response to the following:

>>> From 9/23/2020 . . . it's now two days later and from the g-group **we get only the big bagel, nada, bubkes, NOTHING of substance back . . . which is unacceptable.**

Finally, please let me know when can we schedule the following?

1. A 60-Minute Zoom call between members of Petaluma VHP and the m-group personnel (Heather Hines, Brittany Bendix and Justin Shiu -- to ensure that all m-group personnel who are touching this project are avavilable to answer our questions (obviating the need to check with "a, b or c", who could not attend the meeting. We wish all three of you to be present **for accountability reasons**.

2. A 90-minute immediate records inspection of the contents of the public record for the Petaluma Creamery project; we need to know what has made it into the public record through 9/23/2020 or whatever date we can schedule the inspection.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Hines, Heather

From: Hines, Heather
Sent: Friday, September 25, 2020 7:50 AM
To: Bendix, Brittany; Ellis, Evelyn
Cc: Mrobi@sonic.net
Subject: Fw: 4 and 5G

Brittany,

Please see the public comment from Mr. Robinett below for the Verizon project file.

Heather

From: Mark Robinett <mrobi@sonic.net>
Sent: Thursday, September 24, 2020 5:31 PM
To: Hines, Heather <hhines@cityofpetaluma.org>
Subject: 4 and 5G

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Hi Heather,

Please vote no for any expansion of 4 or 5G antennas in Petaluma. I've taken a number of courses on this RF radiation and own a meter to measure it and believe its very unhealthy for people when its too close to us.

Thank you!
Mark Robinett
633 F St.
Petaluma 94952

Hines, Heather

From: Flynn, Peggy
Sent: Thursday, September 24, 2020 8:47 AM
To: Paul McGavin; Bendix, Brittany
Cc: Scott Springhorn; Hines, Heather; Justin Shiu; Barrett,Teresa; Cochran, Brian; ityclerk@cityofpetaluma.org; sspringhorn@gmail.com
Subject: RE: Thank you for the summary email, but your summary is insufficient

Paul—stop harassing my staff. We have responded repeatedly with the information we currently have. A drive test is being required (a sincere thank you Mr. Springhorn for your continued recommendations!). We will continue to provide updates as we have them--to you, and most importantly, to the community.

Peggy Flynn, City Manager
City of Petaluma | 11 English Street, Petaluma, CA 94952
Direct 707.776.3765 | Office 707.778.4345
City Hall is open M-Th; closed Fridays

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Wednesday, September 23, 2020 3:43 PM
To: Bendix, Brittany <bbendix@cityofpetaluma.org>
Cc: Scott Springhorn <sspringhorn@gmail.com>; Hines, Heather <hhines@cityofpetaluma.org>; Justin Shiu <JShiu@m-group.us>; Barrett,Teresa <tbarrett@cityofpetaluma.org>; Flynn, Peggy <PFlynn@cityofpetaluma.org>; Cochran, Brian <BCochran@cityofpetaluma.org>; ityclerk@cityofpetaluma.org; sspringhorn@gmail.com
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m-group Contract Planning
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4314

cc:
Heather Hines, m-group
Justin Shiu, m-group
Teresa Barrett, Mayor of Petaluma
Peggy Flynn, City Manager
Brian Cochran, Assistant City Manager
Petaluma City Clerk <cityclerk@cityofpetaluma.org>
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[Petaluma City Clerk, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file

for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through today be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee, the Planning Commission and the City Council. Thank you for doing so.]

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Dear Ms. Bendix:

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Also, you now understand, Petaluma VHP **seeks a written record of every communication** that exists (including but not limited to call logs, texts, emails and letters) between the m-group and all stakeholders in this project for the dates from **July 23 through September 23** -- not just a summary email, like the one you have provided. We are requesting that you email us copies of **every communication** the m-group has had on this project to **any party** -- any City of Petaluma staff person and any wireless or wireline vendor. Nothing short of that will be acceptable.

>>> Bendix, Brittany wrote on 9/23/2020 12:37 PM:

> Hi Paul and Scott,
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> I just wanted to let you know that I received Paul's voicemail messages from last night and this morning, as has Justin, and I'm assuming Heather, although I haven't connected with her yet today. I'm responding on their behalf.

Yet, no one in the m-group or the City Manager's office has extended the basic common courtesy, to the public, of a of return phone call for quite some time. That seems to be the **hallmark** of the m-group, a pattern which has been established in our meticulously[-curated record of communications from June 1 , 2020 to the present.

Bendix:

> We have not received any new submittals from Verizon or the requested call logs, although we are aware that they are attempting to fit the antennas on the roof of the building so that they are beyond 75-feet from the adjacent dwelling unit.

Brittany, you wrote this sentence attempting to convince us that that these two issues are connected in some way? They are not. Look, either Verizon will provide the call records or not. **Which is it?** Please show us the written request that you made of Verizon and then show us their written reply. Nothing short of that will be acceptable.

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Why do you not require this call log data from Verizon? Not doing so could cause irreparable harms to thousands of Petaluma residents. That is what is at stake, here. You do not yet seem to understand this.

We require answers to our questions, Brittany. We can no longer tolerate you ignoring our reasonable and relevant questions, many of which you and Heather Hines have ignored since June 12, 2020, as detailed here --> https://www.unsafeatanyg.com/petaluma/creamery/

To be clear, our questions are not rhetorical. We expect them to be answered. The m-group ignoring and not answering

Petaluma VHP's questions is a disservice to Petaluma residents, taxpayers and voters, the very people who pay your salary. This inattention to detail will no longer be tolerated. We will hold the m-group accountable for all performance or lack of performance in their duties -- the duties described in the current m-group employment contract with the City of Petaluma.

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> Additionally, based on telephone conversations with the applicant and Verizon's legal counsel, we expect that they will challenge the Municipal Code's limitation on wattage.

We hear you. **We need all of that communication shared with us immediately.** No more dark room deals/agreements between any stakeholders and the City of Petaluma will be tolerated. No more months of secrecy, like we experienced from the m-group and the applicants from Aug, 2019 to May 2020. None of that will be acceptable, going forward. A flood light is now being turned on this whole process. We seek full accountability of all involved in this process and we will rely on the data, not summary emails, to inform us of the truth.

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> In anticipation of Verizon's response we have been reaching out to consultants with the objective of completing a drive test,

Come on, Brittany, we have been hearing this same "song and dance" from you for three months now . . . you either are going to order the drive test or not. There has been **more than sufficient time** to get prices from vendors and hire someone. **We need this decision asap.** No more "we are considering" and "we are thinking about." . . . **What is this m-group actually going to do?**

Bendix:

> as well as possibly providing broader technical review services.

What does "possibly providing broader technical review services" mean?

We need to know with which vendors you are communicating with. We need to know what you communicated to them and what they communicated to you. We need the original emails, texts and any other forms of communication.

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That's nice.

Bendix:

> I understand that a recent complaint has also been filed with BAAQMD, but I was not provided any details other than the neighbors anticipate a letter from BAAQMD acknowledging operational violations. I have not had an opportunity to track that down, but if you or Scott have that information, that would be helpful.

Scott can help out with that. I will be laser focused on making the m-group and the applicants **fully accountable to a proper planning process** from this day forward. I am very detail-oriented. Let's hope that the information that we are seeking is given to us in a timely manner so we can commence this work as soon as possible.

We are demanding our **US Constitutional 14th amendment rights** (see Appendix A) be respected here: **equal** protection under the law, which implies **equal** time and **equal** consideration as that given to the other stakeholders in this project. We will tolerate no "preferential treatment" given to the personal wireless service industry, as confirmed in Federal law. The 1996-TCA Conference Report, recognized by the US Supreme Court in a 2005 Ruling (Abrams v Palos Verdes) is the "law of the land" and it applies to the entire US. The Conference Report is accepted as the definitive source for the legislative intent of the 1996-TCA:

> "It is **not the intent of this provision to give preferential treatment to the personal wireless service industry** in the processing of requests, or to subject their requests to any but the generally applicable time frames for zoning decision."

You should also take careful note of the following in the 1996-TCA (see https://scientists4wiredtech.com/readinglaw/)

> ## 47 U.S. Code § 324 – Use of minimum power
>
> **"In all circumstances**, except in case of radio communications or signals relating to vessels in distress, **all radio** stations, including those owned and operated by the United States, **shall use the minimum amount of power necessary** to carry out the communication desired."

Finally, please let me know when can we schedule the following?

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Bendix:

> Additionally, I want to inform you that moving forward Justin Shiu will not be working on this project. Please direct inquiries to me.

Good to know. Then will you please update this web page:

https://cityofpetaluma.org/611-western-avenue-verizon-telecommunications-facility/

. . . which, as of Noon on Sept 23, 2020, listed Justin Shiu as **STAFF CONTACT** for this project?

Thank you. I will expect a return call still today.
--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Appendix A: 14th Amendment

The Fourteenth Amendment addresses many aspects of citizenship and the rights of citizens. The most commonly used -- and frequently litigated -- phrase in the amendment is "equal protection of the laws", which figures prominently in a wide variety of landmark cases, including Brown v. Board of Education (racial discrimination), Roe v. Wade (reproductive rights), Bush v. Gore (election recounts), Reed v. Reed (gender discrimination), and University of California v. Bakke (racial quotas in education). See more...

Primary tabs

Amendment XIV

Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. **No state shall** make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor **deny to any person within its jurisdiction the equal protection of the laws**.

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Thursday, September 24, 2020 8:21 AM
To: Bendix, Brittany; Flynn, Peggy; Cochran, Brian
Cc: sspringhorn@gmail.com; Hines, Heather; Justin Shiu; -- City Clerk; sspringhorn@gmail.com
Subject: What changes will Petaluma make from this day forward, Ms. Flynn and Mr. Cochran?

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
September 24, 2020

To:
Brittany Bendix
m-group Contract Planning
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4314

To:
City Manager Peggy Flynn
Assistant City Manager Brian Cochran

cc:
Heather Hines, m-group
Justin Shiu, m-group
Peggy Flynn, City Manager
Brian Cochran, Assistant City Manager
Petaluma City Clerk <cityclerk@cityofpetaluma.org>
Scott Springhorn

[Petaluma City Clerk, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through today be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee, the Planning Commission and the City Council. Thank you for doing so.]

I clearly did not receive a return call from anyone from the m-group by 5:00 pm on 9/23/2020, as promised by the auto-reply messaage within the "end of the next business day" (see below)

- I left voicemail messages for Brittany Bendix and Heather Hines on on **Mon 9/21/2020** (and on many previous dates without return calls)
- Today is **Thu 9/24/2020**
- I have received **exactly one return phone call** from Heather Hines**,** and attended **exactly one** 30-minute Zoom meeting with Heather Hines, since June 12, 2020, despite nearly 20 requests

It looks like responsiveness and the operations of the m-group are significantly broken.

1. When in the next two hours, may I expect a return call?

2. When will we hear back re: the following:

1. A 60-Minute Zoom call between members of Petaluma VHP and the m-group personnel (Heather Hines, Brittany Bendix and Justin Shiu -- to ensure that all m-group personnel who are touching this project are avavilable to answer our questions (obviating the need to check with "a, b or c", who could not attend the meeting. We wish all three of you to be present **for accountability reasons** Justin Shiu was only removed from the project at some time after noon on 9/23/2020, according to what was communicated to the public on this web page -- > https://cityofpetaluma.org/611-western-avenue-verizon-telecommunications-facility/ (we have the time-stamped screen grab as proof).

2. A 90-minute immediate records inspection of the contents of the public record for the Petaluma Creamery project; we need to know what has made it into the public record through 9/23/2020 or whatever date we can schedule the inspection.

We must enforce our rights on this project to protect our homes, safety, privacy and lives from improperly conducted City of Petaluma business.

A record has been established on this Petaluma Creamery project. It does not look very good. **What changes will Petaluma make from this day forward, Ms. Flynn and Mr. Cochran?**

>>> Sonal Aggarwal wrote on 9/23/2020 11:16 AM:

Hi Justin, Brittany, and Heather,

While I was trying to make a call through our Comcast system, I accidentally received a call from Paul from Petaluma. He has been trying to reach you and would appreciate it if you could give him a call today. Here are his contact details:

E-mail: paul@mystreetmychoice.com
Phone number: 707-981-5522

Please give him a call at your earliest convenience today, as he had been trying to reach you for a while and have left several voicemails on your M-Group phone number.

Thanks!

Regards,
Sonal Aggarwal

>>> Paul McGavin wrote on 9/23/2020 4:03 PM:

Hi, Brittany.

Yeah . . . I am going to call you on this Brittany.

I left you a message yesterday. It has been **more than 24 hours.** The end of the next business days is **in one hour**.

I will expect my return call in the next hour, by 5:00 pm.

By the way, robot, auto-replies do not count as a response.

>>> Bendix, Brittany wrote on 9/23/2020 3:43 PM:

Hello,

While City Hall buildings remain closed to the public in response to COVID-19 Health Orders, the Planning Division is providing services remotely, including virtual counter inquiries and entitlement review. I am working remotely and checking email and voicemail regularly. I will make every effort to respond to your inquiry by the end of the next business day.

Thank you for your patience,

Brittany

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Wednesday, September 23, 2020 3:43 PM
To: Bendix, Brittany
Cc: Scott Springhorn; Hines, Heather; Justin Shiu; Barrett,Teresa; Flynn, Peggy; Cochran, Brian; ityclerk@cityofpetaluma.org; sspringhorn@gmail.com
Subject: Thank you for the summary email, but your summary is insufficient

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Brittany Bendix
m-group Contract Planning
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4314

cc:
Heather Hines, m-group
Justin Shiu, m-group
Teresa Barrett, Mayor of Petaluma
Peggy Flynn, City Manager
Brian Cochran, Assistant City Manager
Petaluma City Clerk <cityclerk@cityofpetaluma.org>
Scott Springhorn

[Petaluma City Clerk, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through today be added to the agenda packet that will be distributed to the Petaluma Historic & Cultural Preservation Committee, the Planning Commission and the City Council. Thank you for doing so.]

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> I just wanted to let you know that I received Paul's voicemail messages from last night and this morning, as has Justin, and I'm assuming Heather, although I haven't connected with her yet today. I'm responding on their behalf.

Yet, no one in the m-group or the City Manager's office has extended the basic common courtesy, to the public, of a of return phone call for quite some time. That seems to be the **hallmark** of the m-group, a pattern which has been established in our meticulously[-curated record of communications from June 1 , 2020 to the present.

Bendix:

> We have not received any new submittals from Verizon or the requested call logs, although we are aware that they are attempting to fit the antennas on the roof of the building so that they are beyond 75-feet from the adjacent dwelling unit.

Brittany, you wrote this sentence attempting to convince us that that these two issues are connected in some way? They are not. Look, either Verizon will provide the call records or not. **Which is it?** Please show us the written request that you made of Verizon and then show us their written reply. Nothing short of that will be acceptable.

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Primary tabs

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Hines, Heather

From: Scott Springhorn <sspringhorn@gmail.com>
Sent: Monday, September 14, 2020 8:22 AM
To: Bendix, Brittany; Hines, Heather; -- City Clerk; Flynn, Peggy; Cochran, Brian; Barrett,Teresa; patrickstreeter@gmail.com; -- City Attorney; jshiu@m-group.us
Subject: Evidence of No Gap in Service - Petaluma Creamery
Attachments: Proof of NO Significant Gap of Verizon Telecommunications Service Coverage.pdf

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
[City Clerk Cooper, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through September 14 be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners. Thank you for doing so.]

Date: September 14th, 2020

Heather Hines
Contract Planning Manager
Brittany Bendix, Justin Shiu
Employees of m-group/Contract Planners
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

Below is evidence that I would like to have put into the public record for PLMA-20-0003/PULP-19-000 WTF Farm proposed at the Petaluma Creamery. I have given you a link to a slide presentation and attached a PDF that you can print out. Each slide contains a call number, location of call, link to watch the call being completed, and also a link at the end to watch all 30 calls being made and completed. It shows that there is no gap in verizon telecommunications service coverage at 30 spots around the creamery at varying distances up to 3 miles away. Please put this in the agenda packet that will be distributed to the HCPC & Petaluma Planning Commission. Thank you and please let me know if you have any questions. We continue to ask for the city to request a drive test and copies of the completed call logs for this service area. Thank you for your time.

Evidence - No Gap in Verizon Telecommunications Service Coverage - Petaluma Creamery

Hines, Heather

From: Hines, Heather
Sent: Wednesday, August 26, 2020 8:30 AM
To: Petaluma West-VHP!; sspringhorn@gmail.com; stevebleasdell@gmail.com
Cc: Bendix, Brittany; Danly, Eric; Flynn, Peggy; Justin Shiu
Subject: Re: No Response from the City of Petaluma Staff Today -- Par for the Course

Scott and Steve,

The below e-mail received last night does not include an individual to address this response to, so I am responding to both of you as recipients of the email. I wanted to provide an update that the City has requested call logs from Verizon. Any specific questions about the request can be directed to Brittany as the primary contact for the project.

Heather

Heather Hines
Planning Manager
City of Petaluma

From: Petaluma West-VHP! <petaluma@unsafeatanyg.com>
Sent: Tuesday, August 25, 2020 6:13 PM
To: sspringhorn@gmail.com <sspringhorn@gmail.com>; stevebleasdell@gmail.com <stevebleasdell@gmail.com>
Cc: -- City Clerk <CityClerk@cityofpetaluma.org>; Teresa Barrett <teresa4petaluma@comcast.net>; D'Lynda Fischer <dlynda@fischerforcouncil.com>; Flynn, Peggy <PFlynn@cityofpetaluma.org>; Cochran, Brian <BCochran@cityofpetaluma.org>; Terry, Suzanne <STerry@cityofpetaluma.org>; Hines, Heather <hhines@cityofpetaluma.org>; Bendix, Brittany <bbendix@cityofpetaluma.org>; Justin Shiu <jshiu@m-group.us>; Scott Alonso <alonsoplanningpet@gmail.com>; Heidi Bauer <heidibauer2000@gmail.com>; Blake Hooper <bmhooper1@gmail.com>; Richard Marzo <richard@lacehouselinen.com>; Sandi Potter <sandi.lee.potter@gmail.com>; Patrick Streeter <patrickstreeter@gmail.com>; Christopher Caputo <tukuto@yahoo.com>; Kit Schlich <kitschlich@gmail.com>; Terry Kosewic <terry@kozyhomes.net>; John Perlis <brknmad@yahoo.com>; Bill Rinehart <bill@johnsonrinehart.com>
Subject: No Response from the City of Petaluma Staff Today -- Par for the Course

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
August 25, 2020

Re: No Response from the City of Petaluma Staff Today -- Par for the Course

Hi, Scott et al.

[Petaluma City Clerk, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through the date when the packet will be sent to the Historic & Cultural Preservation Committee be added to the agenda packet that will be distributed to the Petaluma

Planning Commissioners. Thank you for doing so.]

I left a message for Brittany this morning and **once again**, I got no return call today.

This is the **same story** for Petaluma City Manager Peggy Flynn, Assistant City Manager Brian Cochran, and Suzanne Terry.

Brittany promised you, Scott, an answer by Fri Aug 21 about whether or not the m-group would follow through to request from Verizon Wireless **objective, anonymized call records** to/from Verizon accounts in a three-mile radius of the Petaluma Creamery for the period of **August 1, 2019 to July 31, 2020** -- based on the data that we placed in the public record on July 17, 2020 (see below):

As one can learn/view here from July 23, 2020--> https://scientists4wiredtech.com/campanelli/

. . . and as one can read here --> https://www.unsafeatanyg.com/petaluma/creamery/

> Here is one of the many still unaddressed questions asked by **Petaluma-VHP** of the m-group, from June 12, 2020 to the present:
> **A. Unaddressed Questions** from voicemails left for Heather Hines/Brittany Bendix the week of July 13, 2020
> **Q: From July 15, 2020:** Petaluma VHP reported to Heather Hines and Brittany Bendix that residents of West Petaluma have experienced in the last few weeks that their Verizon service has degraded. I communicated that this is a common practice that has been observed by many communities facing an impending vote on an upcoming Verizon antenna project. It appears that Verizon has every incentive to degrade service (by manipulating the power output from their antennas) just before a vote to "manufacture the belief" that more Verizon wireless antennas are needed to address this **fake problem**. I pointed out that this is an act of bad faith by the applicant and is a **reason to dismiss the application** and start over. Instead of a he-said/she-said stream of hearsay and unverifiable claims, I strongly recommend that the City of Petaluma do what the number one Telecom attorney in the nation, Andrew Camapanelli, recommends doing: require a 12-month analysis of anonymized Verizon call records for the three-mile radius around the Creamery that will **verfiably show** the prevalence of completed and/or dropped calls in the area and therefore would be an **objective measure of the NEED for the project**. This would be **no cost to the City of Petaluma** and is necessitated by the bad-faith actions recently taken by the applicant. Feel free to call Andrew Campanelli at 516-746-1600, if you have any questions. For more examples of bad faith and evidence of duplicity by Verizon and its contractors, feel free to consult the Petaluma public record for evidence reported in two 2019 San Francisco Appeals

Are the following people, pictured below from the m-group, actually working **on behalf of the residents of Petaluma or not?**

The m-group's record from June 10 through August 25 on the PLMA-20-0003/PLUP-19-000 project has not been very good.

http://www.m-group.us/our-team-2

SANTA ROSA OFFICE

HEATHER HINES

SENIOR + PRINCIPAL PLANNERS

BRITTANY BENDIX

JIM CARNEY

OLIVIA ERVIN

AARON HOLLISTER

STEVEN HUSS

CHRISTINA PAUL, AICP

TIFFANY ROBBE

EMMANUEL URSU

HAYWARD OFFICE
22561 Main Street, Suite 200
Hayward, CA 94541
510.634.8443

TOM FORD, AICP

SENIOR + PRINCIPAL PLANNERS

PAYAL BHAGAT

MANDY KANG

RICHARD PATENAUDE, AICP

JUSTIN SHIU, AICP

ASSISTANT + ASSOCIATE PLANNERS

ASHER KOHN

ERIN TOU

--
Regards,

Petaluma West-VHP!
https://unsafeatanyg.com/petaluma

Hines, Heather

From: Flynn, Peggy
Sent: Tuesday, August 18, 2020 3:01 PM
To: Hines, Heather; Bendix, Brittany
Cc: Danly, Eric
Subject: FW: Stop Deployment of Wireless during Quarantine

Peggy Flynn, City Manager
City of Petaluma | 11 English Street, Petaluma, CA 94952
Direct 707.776.3765 | Office 707.778.4345
City Hall is open M-Th; closed Fridays

From: Matt Asaro <matt@emfhealthandsafety.com>
Sent: Tuesday, August 18, 2020 2:40 PM
To: Flynn, Peggy <PFlynn@cityofpetaluma.org>
Subject: Stop Deployment of Wireless during Quarantine

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Dear Ms. Flynn,

Dear Mayor & City Council Member,

We ask that you impose a moratorium on “small cells” and other wireless infrastructure permits process and deployment until the COVID-19 emergency is over.

The wireless providers are using the COVID-19 emergency as cover to expand and cement their rapid and virtually unsupervised deployment of harmful wireless infrastructure. Our local leaders should not have to dedicate time and resources to policing whether the wireless companies are following local and state law, they have far more important things to do.

The FCC wireless permit rules allow emergency moratoria. Homeland Security guidelines emphasize that maintenance of existing communications capability is the priority. New construction is not “essential.”

The COVID-19 emergency has led to a government shut down of non-essential activity. Hospitals, emergency response and local officials are overwhelmed and they must be allowed to focus on what is indeed “essential”. Now is not the time to be dedicating resources to expanding, rather than just maintaining, our networks.

The FCC has directly held a local jurisdiction can impose a temporary halt to deployment and permits during emergencies. In the Matter of Accelerating Wireline Broadband Deployment by Removing Barriers, FCC 18-111, 33 FCC Rcd 7705, 7784-7785, ¶157 (2018) (“We recognize that there may be limited situations in the case of a natural disaster or other comparable emergency where an express or de facto moratoria that violates section 253(a) may nonetheless be ‘necessary’ to ‘protect the public safety and welfare’ or to ‘ensure the continued quality of telecommunications services.’”)

Homeland Security has declared that local government is on the forefront and can take control over determining whether to temporarily halt all non-essential activity. Homeland Security guidance documents prioritize maintenance of existing Communications Systems, and do not support "essential" status for new construction. See Homeland Security Cybersecurity & Infrastructure Security Agency, Identifying Critical Infrastructure During COVID-19, https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19 (local control); e-Critical Infrastructure and Key Resources Support Annex, http://www.fema.gov/pdf/emergency/nrf/nrf-support-cikr.pdf (focus on "protection, response, recovery, and restoration"). Homeland Security, like the FCC, understands that it is essential in an emergency situations justify focusing on protecting, responding, recovering and restoring of existing systems, but new communications facilities construction is and should be deemed nonessential, and subject to lockdown for so long as we are under emergency conditions.

Cities can and should impose a moratorium on deployment in their local area and freeze the permit process until the COVID-19 emergency is over.

Sincerely,
Matt Asaro
2013 Appaloosa Dr.
Petaluma, CA 94954

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Tuesday, August 11, 2020 9:18 PM
To: Hines, Heather
Cc: sspringhorn@gmail.com
Subject: Re: July 28 th PC video

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi, Heather.

So checking at 8:30 pm, I see

- https://petaluma.granicus.com/MediaPlayer.php?view_id=31&clip_id=3045 --> 6:10 is the length of video that I have seen from 7/29/2020 to 8/11/2020 at 7:30 pm

  and

- https://petaluma.granicus.com/MediaPlayer.php?view_id=31&clip_id=3046 --> 3:13:19 is the length of video that I saw for the first time on 8/11/2020 at 8:30 pm

Q1: On what date/time was the **second** video posted?

Q2: On what date/time did the City of Petaluma **respond** to the email, quoted below?

Q3: When will the public **get back** its public comments for which we prepared for Agenda Items 7 this evening?

>>> Petaluma West-VHP! wrote on 7/30/2020 8:34 AM:

> Dear Ms. Hines et al.
>
> On July 29, 2020, in an approximately a one-hour phone call with Justin Shiu of the m-group, Petaluma VHP was able to discuss the following, all of which needs to be addressed in more detail by the City Manager of Petaluma:
>
> - Problems in the City of Petaluma's shot clock management with regards to the the chronically-incomplete application for PLMA-20-0003/PLUP-19-000
>
> - Problems of bad faith exhibited by Cellco Partnership dba Verizon Wireless. We have gathered evidence of Verizon subscribers within three miles of the Petaluma Creamery who note that their Verizon telecommunications service has "magically" degraded over the last month or so, compared to the telecommunications service they had been receiving in the previous six months. Turning down the power on existing Wireless Telecommunications Facility infrastructure is a common, deceptive trick played by Cellco Partnership dba Verizon Wireless when they are facing a Planning Commission or City Council Vote on a new WTF project. Doing so is an example of **bad faith dealings** and is grounds for cancelling the application for PLMA-20-0003/PLUP-19-000. As we wrote to the City of Petaluma about this on June 17, 2024 . . .

"It appears that Verizon has every incentive to degrade service (by manipulating the power output from their antennas) just before a vote to "manufacture the belief" that more Verizon wireless antennas are needed to address this **fake problem**. I pointed out that this is an act of bad faith by the applicant and is a **reason to dismiss the application** and start over. Instead of a he-said/she-said stream of hearsay and unverifiable claims, I strongly recommend that the City of Petaluma do what the number one Telecom attorney in the nation, Andrew Camapanelli, recommends doing: require a 12-month analysis of anonymized Verizon call records for the three-mile radius around the Creamery that will **verfiably show** the prevalence of completed and/or dropped calls in the area and therefore would be an **objective measure of the NEED for the project**. This would be **no cost to the City of Petaluma** and is necessitated by the bad-faith actions recently taken by the applicant. Feel free to call Andrew Campanelli at 516-746-1600, if you have any questions. For more examples of bad faith and evidence of duplicity by Verizon and its contractors, feel free to consult the Petaluma public record for evidence reported in two 2019 San Francisco Appeals." --> https://scientists4wiredtech.com/sanfrancisco/sf-appeal-16wr-0123/ **and** https://scientists4wiredtech.com/sanfrancisco/sf-appeal-18wr-0296/

- . . .
- The July 28, 2020 Planning Commission Video is still missing from https://cityofpetaluma.org/meetings/ ; we alerted Petaluma Planning, City Attorney, City Clerk and City Manager of this mistake at 8:30 am on July 29, but no one has yet responded. As we presented in public comment on July 28 at the Planning Commission meeting, the City of Petaluma by passing three simple ordinances to the current outdated Petaluma Wireless code for "mini", "minor" and "major" Wireless Telecommunications Facilities (WTFs): Ordinance M (for WTF application moratorim), Ordinance VHP (to cap the power of WTFS to intensities that are needed for telecommunications service and no higher) and Ordinance WE-WANT-IT (to create and base decisions on objective, verifiable data of wireless carrier signal strengths **at no cost to the City**).

I am looking here -->

Hines, Heather wrote on 8/11/2020 8:26 PM:

> Paul and Scott,
>
> In response to comments tonight about posting the video of the July 28th Planning Commission meeting, The video of the entirety of the meeting is posted on the website. There are two video links, one for the first approximately 6 minutes and the second with the duration of the meeting.
>
> Hope that helps clarify.
>
> Heather

Hines, Heather

From: Petaluma West-VHP! <petaluma@unsafeatanyg.com>
Sent: Tuesday, August 11, 2020 9:24 AM
To: Bendix, Brittany; Hines, Heather; Justin Shiu
Cc: Flynn, Peggy; Cochran, Brian; Terry, Suzanne; Barrett,Teresa; Mike Healy; Fischer, D'Lynda; Kearney, Gabe; King, Dave; McDonnell, Kevin; Miller, Kathy; -- City Clerk; Sandi Potter; Patrick Streeter; Richard Marzo; Blake Hooper; Scott Alonso; Heidi Bauer; Christopher Caputo; Kit Schlich; Terry Kosewic; John Perlis; Bill Rinehart; sspringhorn@gmail.com; stevebleasdell@gmail.com; Helen Grieco; lendri purcell; Taryn Obaid; Lydia Schindler
Subject: The Next Few Weeks Will Be Critical to Ensure Fairness in the Processing of PLMA-20-0003/PLUP-19-000
Attachments: 2018-0801-m group- contact.pdf

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Date: Aug 11, 2020

Heather Hines
Contract Planning Manager
Brittany Bendix, Justin Shiu
Employees of m-group/Contract Planners
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

cc:
Peggy Flynn, City Manger
Brian Cochran, Assistant City Manger
Suzanne Terry, Executive Assistant to the City Manager
Teresa Barrett, Mayor
Mike Healy, Council Member
D'Lynda Fischer, Vice Mayor
Gabe Kearney, Council Member
Dave King, , Council Member
Kevin McDonnell, Council Member
Kathy Miller, Council Member
Claire Cooper, City Clerk
Sandi Potter, Planning Commissioner
Patrick Streeter, Planning Commissioner
Richard Marzo, Planning Commissioner
Blake Hooper, Planning Commissioner
Scott Alonso, Planning Commissioner
Heidi Bauer, Planning Commissioner
Christopher Caputo, Chair HCPC Committee
Kit Schlich, Vice Chair, HCPC Committee
Terry Kosewic, HCPC Committee Member

John Perlis, HCPC Committee Member
Bill Rinehart, HCPC Committee Member
Petaluma West-VHP

Re: The Next Few Weeks Will Be Critical to Ensure Fairness in the Processing of PLMA-20-0003/PLUP-19-000

Dear Ms. Bendix et al.

[City Clerk Cooper, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through Aug 11 be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners and the members of the Historic And Cultural Preservation Committee. Thank you for doing so.]

Thank you for returning my call yesterday. As we discussed yesterday, I removed the single occurrence of your cell number from the web page at https://www.unsafeatanyg.com/petaluma/creamery/ and replaced it with "your cell number (858-XXX-YYYY)" Going forward, I agree to call your business number, 707-778-4314, as long as you return calls in a professional and timely manner.

In reviewing the m-group's August 1, 2018 Consulting Contract with the City of Petaluma (attached), I note the following items highlighted in red, below, listed in **Appendix A**.

During the National Emergency of COVID-19 shelter-in-place orders "Full time coverage of the Planning Counter (Monday through Thursday, 8: 00 a.m. to 5: 00 p. m.)" **has not occurred**., Therefore, it has been exceedingly difficult for the public to receive from the m-group the following services lifted directly from **Exhibit A: Scope of Services** from the m-group's five-year consulting agreement with the City of Petaluma (8/1/2018 through 7/23/2023):

- "Assistance and coordination with public information" -- though we do recognize and appreciate Ms. Bendix opening the Planning Dept. conference room for 90 minutes on June 12, 2020 and for 60 minutes on Aug 4, 2020 to enable the public to inspect the paper file
- "Highest level of customer service to the community"
- "Completeness review" -- as the PLMA-20-0003/PLUP-19-000 application suffers from **chronic errors and omissions** that have gone unaddressed by the m-group
- "Public outreach including noticing and engagement with interested members of the public"

The next few weeks will be a test of the fairness and completeness of how the City of Petaluma and the m-group engages with the "interested members of the public" on a critically important project that could forever end the residential character of a 28-square mile area of Petaluma's residential neighborhoods (the three-mile radius surrounding the Petaluma Creamery) -- **PLMA-20-0003/PLUP-19-000.**

Our experience to date has been disappointing on multiple fronts:

1. m-group's disregard for the **incompleteness** of the current PLMA-20-0003/PLUP-19-000 application, which still exists today

2. m-group's disregard for providing a full accounting of the **shot clock management** for PLMA-20-0003/PLUP-19-000

3. m-group's **disregard for addressing/answering the public's questions** detailed here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest
   -- some of which have gone **unaddressed for over seven weeks**

4. m-group's disregard for securing and placing into the public records objective, reliable and verifiable data to assess whether or not a **significant gap in Verizon Telecommunications coverage** exists in the the three-mile radius surrounding the Petaluma Creamery; **note:** any applicant coverage maps that are **not** backed by verifiable raw data measurements placed into the public record for all to review are **not** reliable, verifiable or even truthful records.

5. m-group **not disclosing in a timely manner** material requests from the applicant -- most recently evidenced by **not informing the public until Aug 3, 2020** the existence a July 7, 2020 letter from the applicant that requested the mutually-agreeable shot-clock end date to be extended from Sept 1, 2020 to October 6, 2020 (see here https://petaluma.granicus.com/MetaViewer.php?view_id=31&event_id=44965&meta_id=463862)

6. m-group's **disregard for scheduling a follow up meeting** for the shortened July 30, 2020 meeting that did not address the agenda points outlined by the public in its 7/30/2020 email; 12-days later . . . we are still needing to reschedule a follow up meeting

7. m-group Director Heather Hines' deciisions to not **return over ten voicemail messages** during the period of June 12, 2020 through Aug 11, 2020. We have received **exactly one** return call from Ms. Hines during this period, and zero during the period when Brittany Bendix was on personal leave.

We will see how things change, going forward, to ensure fairness in the processing of PLMA-20-0003/PLUP-19-000, over the next several weeks.

--
Regards,

Petaluma West-VHP!
https://unsafeatanyg.com/petaluma

APPENDIX A: PROFESSIONAL SERVICES AGREEMENT WITH METROPOLITAN PLANNING GROUP (M -GROUP) FOR PLANNING SERVICES

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is **effective August 1, 2018** Effective Date"), by and between the City of Petaluma, a municipal corporation and a charter city City") and Metropolitan Planning Group (M -Group)., a planning consultant (" Consultant") collectively, the " Parties").

Term. The term of this Agreement commences on the Effective Date, and **terminates on July 31, 2023**, unless sooner terminated in accordance with Section 4. The Agreement may be renewed for three (3) additional one-year periods. Any such extensions must be agreed upon in writing through an amendment to this Agreement. At least 45 days prior to the expiration date, or extended expiration date, Consultant shall provide written notice to City of Consultant' s desire to renew for an additional one-year term. It shall be within the City' s sole discretion whether

any term shall be renewed. Upon termination, any and all of City' s documents or materials provided to Consultant and any and all ofthe documents or materials prepared for City or relating to the performance of the Services, shall be delivered to the City as soon as possible, but not later than fourteen (14) days after termination of the Agreement.

Exhibit A: Scope of Services

I. Base Level: Services

Tasks under Base Level Services are those that cannot be assigned to a specific project, and which provide general planning services for the City, residents, businesses, and developers. This includes:

- Full time coverage of the Planning Counter (Monday through Thursday, 8: 00 a.m. to 5: 00 p. m.) to provide general zoning information in response to public inquiry. Counter coverage also extends to timely response to emails and voicemails on similar issues as counter inquiries;
- Processing flat fee permits such as fence permits, home occupation permits, short term vacation rental permits, cannabis permits, outside dining permits and zoning permits;
- Zoning clearance review for all business licenses processed through the Finance Department;
- Project review for all referrals from outside agencies including but not limited to the State Department of Alcoholic Beverage Control and the Sonoma County Permit and Resource Management District;
- Inter Departmental coordination, including:
    - facilitating weekly Development Review Committee meetings
    - attending agenda setting and senior staff meetings, and regular check in meetings with other city departments;
- Maintaining the Planning Division website;
- Compiling monthly activity and major development reports for the City; and
- Media relations.

II. Building Division Support

The Planning and Building Divisions are closely tied in day-to-day activities and public counter coverage. Tasks under Building Division Support are associated with the overall operation of development services and include review ofprojects that don' t require a separate planning entitlement review. Tasks that will be performed in this category include, but are not limited to:

- Sign and building permit review;
- Assessment of development impact fees for all applicable projects;
- Cashiering and reconciliation of daily fee intake;
- Coordination and problem solving on projects, from plan check through construction;
- Assistance and coordination with public information;
- Regular update of the building permit data base with planning related information;
- Identification and resolution of management issues overlapping the Planning and Building function; and
- Focus on process improvement to ensure the highest level of customer service to the community.

III. Cost Recovery Services

- Tasks under Cost Recovery Services are all associated with a specific project application and charged on a time and materials to the project applicant. This category encompasses all activities associated with project entitlements, from application through approval, building permit, construction, completion, and occupancy. Tasks include, but are not limited to:
- Application intake and referral;

- Site visits;
- Completeness review;
- Design Review;
- Development Review Committee meetings;
- California Environmental Quality Act (CEQA) review and analysis; Determination of need for and coordination of studies in support of project entitlement
- applications;
- Staff Reports, Conditions of Approval, Resolutions;
- Ongoing coordination with the applicant team;
- Public outreach including noticing and engagement with interested members of the public; and
- Presentation and discussion at applicable advisory committee meetings.

Cost recovery services also include preparation, presentation, and follow up for public hearings before decision making bodies such as Historic and Cultural Preservation Committee, Public Art Committee, Planning Commission, and the City Council. These are followed with building permit review, public improvement plan review, onsite inspections and other post entitlement review activities.

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Thursday, August 06, 2020 9:57 AM
To: Teresa Barrett; Teresa Barrett; Flynn, Peggy; Cochran, Brian
Cc: Danly, Eric; Hines, Heather; Bendix, Brittany; Justin Shiu; sspringhorn@gmail.com; lendri purcell; Lydia Schindler; stevebleasdell@gmail.com; -- City Clerk; -- City Clerk
Subject: Wireless Telecommunications Facilities (WTFs) project PLMA-20-0003/PLUP-19-000
Attachments: Verizon Tolling to 10-6-20 Signed.pdf

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
August 6, 2020 @ 9:55 am

Mayor Teresa Barrett
City Manager Peggy Flynn
Assistant City Manager Brian Cochran
City of Petaluma
11 English St.
Petaluma, 94952
707-778-4345

cc:
Claire Cooper, City Clerk
Petaluma City Staff
Petaluma VHP

Dear Mayor Barrett, City Manager Flynn and Assistant City Manager Cochran,

[City Clerk Cooper, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through October 1 be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners. Thank you for doing so.]

Will you please first listen to my public comment on Aug 3, 2020 -->
https://www.unsafeatanyg.com/petaluma/meetings/ **and** https://youtu.be/M6jJSbbMhF8

. . . and then return my phone call to 707-981-5522 as soon as you can? The following is very serious matter to which we need a timely reply this morning.

On Mon Aug 3 at around 6:00 pm, Petaluma West-VHP received from Justin Shiu of the m-group, the attached revised tolling agreement between the City of Petaluma and the alleged applicant for Wireless Telecommunications Facilities (WTFs) project PLMA-20-0003/PLUP-19-000, extending the mutually-agreeable end-date for this year-long+ process to October 6, 2020 -- a date which would have given both main stakeholders on this project, the proponents (Complete Wireless, Cellco Partnership dba Verizon Wireless and the owner of the Petaluma Creamery) and the opponents (Petaluma West-VHP) **sufficient time** to have the item heard at both the Planning Commission and at the City Council (for the expected appeal.

After consulting this page --> https://cityofpetaluma.org/meetings

. . . one sees the following:

- Meeting of the Petaluma Planning Commission: **August 11**, 2020 - 07:00 PM
- Meeting of the Petaluma City Council and Petaluma Community Development Successor Agency September 14, 2020 - 06:45 PM
- Meeting of the Petaluma City Council and Petaluma Community Development Successor Agency September 21, 2020 - 06:45 PM
- Meeting of the Petaluma City Council and Petaluma Community Development Successor Agency **October 5,** 2020 - 06:45 PM

We also see that the following is listed at https://cityofpetaluma.org

- The Petaluma Planning Commission Meets: 2nd and 4th Tuesdays of each month at 7:00 P.M. in the City Council Chambers, City Hall, 11 English Street, Petaluma.

- The Petaluma City Council Meets: 1st and 3rd Mondays of each month at 6:30 P.M. in the City Council Chambers, City Hall, 11 English Street, Petaluma.

Projecting this across August and September, 2020:

- The Petaluma Planning Commission Can Meet on **Aug 11, Aug 25, Sept 8 and Sept 22**

- The Petaluma City Council Can Meet on **Aug 3, Aug 17, Sept 14 and Sept 21**

It is clear that this attached tolling agreement afforded **sufficient time** for the Planning Commission to hear the item and for the City Council to hear the expected appeal before October 6, 2020.

We don't understand the reasoning provided by Brittany Bendix in her 8/5/2020 email, quoted below.

Despite our calls and emails from yesterday afternoon from 4:00 pm to 6:00 pm, we have received no clarification if **the City of Petaluma has assigned** the alleged even newer and ill-advised tolling agreement, wihich extends the mutually agreeable end-date to January 29, 2021.We urge the City of Petaluma **not to sign** the newest alleged agreement **until** we can have a frank discussion with Heather Hines, Eric Danly and you about the benefits/detriments of doing so and the unnecessary liabilities this may accrue to the City of Petaluma.

I have inside knowledge of a very similar Verizon cell tower that was improperly processed by the City of Thousand Oaks, which resulted in the filing of two law suits. It is to no one's advantage for the City of Petaluma to make similar, wholly-preventable mistakes.

Will the City of Petaluma respond in a timely manner or will the public be **forced to endure more of this** --> https://youtu.be/M6jJSbbMhF8

There is more to learn here:

- https://scientists4wiredtech.com/campanelli

- https://scientists4wiredtech.com/thousandoaks

We care deeply about our City and wish to engage in a helpful dialog as soon as possible about this.

We hope to hear from you, soon.

>>> Paul McGavin wrote to Heather Hines, Brittany Bendix and Eric Danly on 8/5/2020 at 6:05 PM:

Hi, Heather.

Thank you for your response. We need clarity: **did the new tolling agreement get signed today or not?**

If so, pdf please send the pdf of the signed agreement as evidence.

If not, please schedule an extremely important meeting for tomorrow morning with Scott, myself and Steve Bleasdell to discuss with the m-group and City Attorney Danly why signing such an agreement is a real disservice to the residents of Petaluma and to the City of Petaluma both.

I know what I am talking about. I have defeated many aggressive moves made by the Wireless Industry and defended the interests of many disadvantaged people over the last five years. I do this nationwide. I can tell you with confidence that signing such an agreement is not a good move.

Allowing Verizon et al. out of the corner (Oct 6 deadline to address all issues) and then give them the massive gift of a long runway to address all of their issues until January 29, 2021 without a **huge concession** is not a good move.

What commitments did you extract from Verizon et al., for giving them such a huge gift/life raft?

We, the public . . . the other, and much disrespected, stakeholders in this deal deserve to know.

It is only our public safety, property values and privacy at stake here. Millions of dollars in loss of property value alone (easily calculated for you) shows you the magnitude of such a massive eminent domain-type "taking" of private property to be handed to a $160 Billion dollar per year Wireless Co..

Unconscionable, really.

We would actually appreciate a **return call**, Heather, instead of the following uninformative email.

We need to **talk** about this.

Hines, Heather wrote on 8/5/2020 5:32 PM:

Paul and Scott,

I received your voicemail and forwarded it to Brittany to reach out and discuss staff's consideration of the revised tolling agreement.
I believe Brittany has already returned the call and spoke with Scott.

Hopefully that helped clarify the issue.

>>> Bendix, Brittany wrote on 8/5/2020 3:29 PM:

Hello Everyone,

I'm reaching out to give you a brief update on where we're at with the Tolling Agreement.

At the July 31 meeting of applicant staff and City staff to discuss a number of issues related to significant changed circumstances regarding the application, applicant staff suggested that they would seek a further tolling to accommodate a hearing at the first Planning Commission meeting in December, which is on December 8. City staff have determined that the tolling to accommodate such a meeting would need to extend through January 28 to provide for the appeal period. Otherwise, with tolling only through October 6, it would be necessary for staff to notice a meeting of the City's Historic Preservation Committee and the Planning Commission simultaneously by August 6, 2020 for meetings on August 25, 2020.

We communicated this to the applicant's counsel and yesterday, received a new tolling extension tolling the project shot clock through January 29, 2021. We intend to execute that latest tolling extension on behalf of the City to provide time for staff analysis of the extent to which the project satisfies or can satisfy the requirements for minor cell facilities under the City's cell tower regulations, the status of needed safety improvements at the Petaluma Creamery and their implications for the application, and shot clock and other analysis. We intend to recommend that the Planning Commission continue consideration of the project application to a date uncertain at the August 11 Planning Commission meeting.

Thank you,

Brittany Bendix, Deputy Planning Manager
M-Group Consulting Planner
Serving the City of Petaluma

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Wednesday, August 05, 2020 6:06 PM
To: Hines, Heather
Cc: sspringhorn@gmail.com; Bendix, Brittany; Danly, Eric; stevebleasdell@gmail.com
Subject: Revised Verizon Tolling Agreement ??????

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi, Heather.

Thank you for your response. We need clarity: **did the new tolling agreement get signed today or not?**

If so, pdf please send the pdf of the signed agreement as evidence.

If not, please schedule an extremely important meeting for tomorrow morning with Scott, myself and Steve Bleasdell to discuss with the m-group and City Attorney Danly why signing such an agreement is a real disservice to the residents of Petaluma and to the City of Petaluma both.

I know what I am talking about. I have defeated many aggressive moves made by the Wireless Industry and defended the interests of many disadvantaged people over the last five years. I do this nationwide. I can tell you with confidence that signing such an agreement is not a good move.

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What commitments did you extract from Verizon et al., for giving them such a huge gift/life raft?

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> Paul and Scott,
>
> I received your voicemail and forwarded it to Brittany to reach out and discuss staff's consideration of the revised tolling agreement.
> I believe Brittany has already returned the call and spoke with Scott.

Hopefully that helped clarify the issue.

Hines, Heather

From: Petaluma West-VHP! <petaluma@unsafeatanyg.com>
Sent: Tuesday, August 04, 2020 1:58 PM
To: Bendix, Brittany
Cc: Justin Shiu; Hines, Heather; Paul McGavin; stevebleasdell@gmail.com; Lydia Schindler; lendri purcell; Scott Springhorn
Subject: Taking a look at PLMA-20-0003/PLUP-19-000 file today

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi, Brittany et al.

I am ready to join Scott at City Hall, whenever he arrives around 3:00 pm.

We desire answers to all of the questions here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest

. . . denoted with **Q:** (about 75% were answered by Justin Shiu, but 25% were deferred to Heather, but they have **not yet** been addressed, yet.

We also desire answer to the issues in the email that served as our agenda for the 7/30/2020 meeting, which have also **not yet** been addressed.

>>> Bendix, Brittany wrote on 8/4/2020 1:21 PM:

> Yes, I am here. Thank you for reaching out.
>
> ---
>
> **From:** Scott Springhorn <sspringhorn@gmail.com>
> **Sent:** Tuesday, August 4, 2020 1:19 PM
> **To:** Bendix, Brittany <bbendix@cityofpetaluma.org>; Paul McGavin <paul@mystreetmychoice.com>
> **Subject:** Taking a look at file today?
>
> ---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
>
> Brittany,
>
> I just wanted to check in with you and see if you did come into the office today? I am not in Petaluma until 3:00 pm and I wanted to see if you will still be there for Paul and I to take a look at the file. Looking forward to hearing from you soon. Thanks.

Scott Springhorn

>>> Paul McGavin wrote on 7/30/2020 at 8:30 AM:

July 30, 2020

Heather Hines
Contract Planning Manager
Brittany Bendix, Justin Shiu
Employees of m-group/Contract Planners
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

cc:
Peggy Flynn, City Manger
Brian Cochran, Assistant City Manger
Suzanne Terry, Executive Assistant to the City Manager
Teresa Barrett, Mayor
Mike Healy, Council Member
D'Lynda Fischer, Vice Mayor
Gabe Kearney, Council Member
Dave King, , Council Member
Kevin McDonnell, Council Member
Kathy Miller, Council Member
Claire Cooper, City Clerk
Patrick Streeter, Planning Commissioner
Sandi Potter, Planning Commissioner
Richard Marzo, Planning Commissioner
Blake Hooper, Planning Commissioner
Scott Alonso, Planning Commissioner
Heidi Bauer, Planning Commissioner
Petaluma West-VHP Members

Re: For the July 30, 2020 @ 9:30 am meeting with Petaluma City Staff, 30 Minutes does not seem to be enough time to cover all that needs to be discussed regarding PLMA-20-0003/PLUP-19-000

[City Clerk Cooper, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through Aug 4 be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners. Thank you for doing so.]

Dear Ms. Hines et al.

On July 29, 2020, in an approximately a one-hour phone call with Justin Shiu of the m-group, Petaluma VHP was able to discuss the following, all of which needs to be addressed in more detail by the City Manager of Petaluma:

- Problems in the City of Petaluma's shot clock management with regards to the the chronically-incomplete application for PLMA-20-0003/PLUP-19-000

- Problems of bad faith exhibited by Cellco Partnership dba Verizon Wireless. We have gathered evidence of Verizon subscribers within three miles of the Petaluma Creamery who note that their Verizon telecommunications service has "magically" degraded over the last month or so, compared to the telecommunications service they had been receiving in the previous six months. Turning down the power on existing Wireless Telecommunications Facility infrastructure is a common, deceptive trick played by Cellco Partnership dba Verizon Wireless when they are facing a Planning Commission or City Council Vote on a new WTF project. Doing so is an example of **bad faith dealings** and is grounds for cancelling the application for PLMA-20-0003/PLUP-19-000. As we wrote to the City of Petaluma about this on June 17, 2024 . . .

  > "It appears that Verizon has every incentive to degrade service (by manipulating the power output from their antennas) just before a vote to "manufacture the belief" that more Verizon wireless antennas are needed to address this **fake problem**. I pointed out that this is an act of bad faith by the applicant and is a **reason to dismiss the application** and start over. Instead of a he-said/she-said stream of hearsay and unverifiable claims, I strongly recommend that the City of Petaluma do what the number one Telecom attorney in the nation, Andrew Camapanelli, recommends doing: require a 12-month analysis of anonymized Verizon call records for the three-mile radius around the Creamery that will **verfiably show** the prevalence of completed and/or dropped calls in the area and therefore would be an **objective measure of the NEED for the project**. This would be **no cost to the City of Petaluma** and is necessitated by the bad-faith actions recently taken by the applicant. Feel free to call Andrew Campanelli at 516-746-1600, if you have any questions. For more examples of bad faith and evidence of duplicity by Verizon and its contractors, feel free to consult the Petaluma public record for evidence reported in two 2019 San Francisco Appeals." --> https://scientists4wiredtech.com/sanfrancisco/sf-appeal-16wr-0123/ **and** https://scientists4wiredtech.com/sanfrancisco/sf-appeal-18wr-0296/

- Evidence that shows that the City of Petaluma Staff been insufficiently responsive to the public in the processing of PLMA-20-0003/PLUP-19-000, leading to discrimination among the stakeholders of this project

- Evidence that shows that the City of Petaluma is mostly closed to engaging with the public outside of public meetings, from March 2020 through July 29, 2020 -- we need to face the facts of **what are (maintenance)** and **what are not (new construction)** "Essential Activities" during our current COVID-19 National emergency

- The need for Petaluma West VHP to review the recording of the video conference between the applicant and what has been reported to be less than ten participants in the ineffective so-called "Community Outreach" effort on this project; the City of Petaluma cannot accept the applicant's unverified claims of "technical glitch" as a sufficient reason for having no recording of this video conference meeting, which was a governmental function because it was co-hosted/attended by m-group employees Brittany Bendix and Justin Shiu. This outreach effort may need to be repeated, and when it is repeated, it must have **equal time and equal access** for project proponents and project opponents to present at the outreach event.

- The need for Petaluma City staff to receive basic instruction and in the words of attorney Andrew Campanelli "guidance as to what type of evidence they should ask for in a Wireless Telecommunications Facilities (WTFs)

application so they can understand if they see a false document. The two most common types of fraud that Attorney Andrew Campanelli has seen in litigating over 7,000 law suits over 27 years has been perpetrated through false FCC compliance reports is claims of compliance with the wrong standard or the other trick they play called the distance game." (more details about this, below)

- The July 28, 2020 Planning Commission Video is still missing from https://cityofpetaluma.org/meetings/ ; we alerted Petaluma Planning, City Attorney, City Clerk and City Manager of this mistake at 8:30 am on July 29, but no one has yet responded. As we presented in public comment on July 28 at the Planning Commission meeting, the City of Petaluma by passing three simple ordinances to the current outdated Petaluma Wireless code for "mini", "minor" and "major" Wireless Telecommunications Facilities (WTFs): Ordinance M (for WTF application moratorim), Ordinance VHP (to cap the power of WTFS to intensities that are needed for telecommunications service and no higher) and Ordinance WE-WANT-IT (to create and base decisions on objective, verifiable data of wireless carrier signal strengths **at no cost to the City**).

We propose the following Urgency Ordinance for the City of Petaluma, from https://unsafeatanyg.com/survival

Written Evidence — Wireless Antenna Need Test In Telecommunications (WE-WANT-IT) Bill/Ordinance

WE-WANT-IT would require a Comprehensive Wireless Signal Strength Test to be conducted every six months by an independent RF Engineer, who will log, second-by-second, the Wireless signal-strength levels in dBm (decibel-milliWatts) of every carrier-specific licensed and unlicensed wireless frequency that is being transmitted to the streets of every local authority (every city, town, village or unincorporated county area). The full data file for each WE-WANT-IT test will be placed in the public record of each respective authority for anyone to view, analyze and verify and will serve as the basis for local decisions, regarding:

- the need for any additional Wireless infrastructure; and
- the placement, construction, modification and operations of **WTFs of any G** within the authority's borders.

The cost for each WE-WANT-IT test would be paid by antenna operators on a pro rata basis: the share of each Wireless Company's antenna capabilities, meaning the percentage of the sum of the maximum Effective Radiated Power that could be transmitted by each antenna operating within the authority's borders.

In addition to the items above, we recommend addressing the following today, in order **A** through **E**:

A. At the start of the Zoom meeting scheduled to begin on July 30, 2020 at 9:30 am, we would first like to define defining the time constraints faced by the **four main stakeholders** for PLMA-20-0003/PLUP-19-000, a WTF 16-unit antenna farm proposed at 611 Western Ave, the Petaluma Creamery:

1. Petaluma City Staff deadlines for ordering Written Evidence Wireless Antenna Need Test In Telecommunications (WE-WANT-IT) and submitting the staff packet for the Aug 11, 2020 Petaluma Planning Commission Meeting

2. Petaluma Residents (the affected "natural" persons)

3. The applicants (Complete Wireless/Cellco Partnership dba Verizon Wireless (the "artificial" persons) -- the tenant

4. The Petaluma Creamery owner -- the landord

B. Next, we would like the following timing and agreements addressed

- An agreed-to date/time for a **second meeting** with members of Petaluma West-VHP, other affected Petaluma residents, Petaluma City Planning staff, **City Manager staff**, City Public Works Staff City Attorney staff in order to continue discussing the items for which there will not be sufficient time to address on July 30 in the 30-minutes, allotted from 9:30 am to 10:00 am. The issues have been listed here (denoted by **Q:**) listed here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest et seq. (scroll down the web page for a record of our communications that have already been placed in the Petaluma public record and needs to be in the staff packet for the Aug 11, 2020 Petaluma Planning Commission Meeting).

- The participation by the City Manager staff in this and other meetings with Petaluma VHP is critically important because m-group employees are not City of Petaluma employees. As you have confirmed to me in writing, Heather, m-group employees are contractors working at the pleasure of the Petaluma City Manager. The Petaluma City Attorney is an advisory position, not a line staff policy position. We need to meet with City employees who have the duty and accountability to manage and mitigate the liability and financial viability of the City of Petaluma, in the midst of **insufficient insurance coverage** by the wireless applicant for injury, illness and death claims from the intensities of pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) that are in excess of what is needed for telecommunications service. This foundational issue is well explained by attorney Mark Pollock here --> https://scientists4wiredtech.com/thisworks and https://mystreetmychoice.com/thisworks

- An agreed-to date/time for a **Wireleless Telecommunications Ordinance Workshop**: in which attorney Mark Pollock and others can cover the information on this web page (https://scientists4wiredtech.com/campanelli/ **)** with affected Petaluma residents, Petaluma City Planning staff, Petaluma City Manger staff, Petaluma City Attorney staff --> https://scientists4wiredtech.com/campanelli and the content in these embeded videos: https://youtu.be/UtT6gVH584s **and** https://youtu.be/G_INu9R56Xk?t=5698

C. We would like to discuss the dates and length of in-person, telephone or video conference meetings between the City of Petaluma and the applicant from Aug 7, 2019 to July 29, 2020, to understand if there has been **equal time** allotted to meeting with the opposing stakeholders in the PLMA-20-0003/PLUP-19-000 project. Petaluma Residents (the affected "natural" persons) seek **equal time** and **equal privileges** afforded to the applicant, during this process. We already note that discussion of PLMA-20-0003/PLUP-19-000 proceed from Aug 7, 2020 through May 19, 2020 **without any notice to or any engagement with Petaluma Residents** (the affected "natural" persons). We also note that Justin Shiu reported on 7/30/2020 that mailed notice was provided to approximately 600 addresses on May 19, 2020 -- those **within 1,000 feet** of the Creamery -- notice which was wholly ineffective and insufficient to engage with the residents of Petaluma who will be negatively affected by the 16-antenna Wireless Telecommunications Facilities (WTFs) on top of the Creamery (those within **15,625 feet** -- or 3 miles -- of the Creamery), an area which includes many schools and pre-schools.

D. We would like to discuss the annotated version of the June 24, 2020 letter from the City of Petaluma to the applicant - See **Appendix C**, below.

E. Time permitting, we would like the rest of the answers to the questions (denoted by **Q:**) listed here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest et seq. (scroll down the web page for a record of our communications that have already been placed in the Petaluma public record and needs to be in the staff packet for the Aug 11, 2020 Petaluma Planning Commission Meeting).

Please see more detail in **Appendices A, B and C**, below.

Appendix A: Excepts from July 23, 2020 Zoominar with Attorney Andrew Campanelli

Andrew Campanalli Overview

Since beginning his legal career as a litigator in 1992, Andrew Campanelli has handled over 7,000 civil cases challenging Wireless Telecommunications Facilities (WTFs).

In addition to prosecuting qui tam actions in federal courts across the Country, Mr. Campanelli offers experienced representation to property owners, civic associations and local governments who seek to invoke their civil rights to oppose respective applications for the installation of WTFs.

Mr. Campanelli offers a full range of services throughout each stage of the tower installation process undertaken by wireless companies, from site acquisition, through zoning applications and, if necessary, both federal and state litigation.

His services include, but are not limited to:

- (a) individual case investigations to determine whether there are legal and/or factual grounds to deny an application for the installation of a Cell Tower or Cell Antennas, or to remove antennas which have already been built,
- (b) formal presentations before local zoning boards to oppose zoning approvals,
- (c) prosecuting or defending federal or state litigation to prevent the installation of antennas, secure the removal of installed antennas, or defend a local government which has been sued as a result of having denied an application for installation of one or more cell antennas or towers,
- (d) assisting local governments in the drafting of zoning ordinances governing the installation of Cell Towers, and
- (e) advocating on behalf of citizens and civic associations, that their local government adopt such ordinances.

Transcript Excerpts from the Andrew Campanelli Video:

Appendix B: the Need for a WTF Application Moratorium during COVID-19 National Emergency

"NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States, by the authority vested in me by the Constitution and the laws of the United States of America. . . do hereby find and proclaim that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020."

Sonoma County Health Order No. C19-03:

> All individuals living in the County are directed to shelter at their place of residence, except that they may leave to provide or receive certain essential services or engage in certain essential activities and work for essential businesses . . . individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of "Essential Infrastructure," including a number of activities relating to water, sewer, gas, transportation and a single mention of internet, and telecommunications systems . . .

So let's recap.

We have a federal national emergency -- Novel Coronavirus Disease (COVID-19) Outbreak -- and a Sonoma county order that specifies that ONLY work necessary for theOPERATIONS & MAINTENANCE of Telecommunications Services is considered an "Essential Activity."

THIS DOES NOT MEAN the building of NEW Wireless Telecommunications Facilities is necessary for the operations & maintenance of "Essential Infrastructure."

Pass a moratorium on all WTF applications until the federal national emergency is declared OVER.

https://unsafeatanyg.com/petaluma/moratorium

Appendix C: July 24, 2020 City of Petaluma (Annotated) Letter re: Historic Status of Petaluma Creamery

The following text is taken from an important letter that we received today at around 6:00 pm from Heather Hines,

Contract Planner for Petaluma, employee of m-group. **Emphases are mine**.

Source: https://www.unsafeatanyg.com/wp-content/uploads/2020/07/2020-0724-Verizon-Letter-re-Historic-Status-re-Petaluma-Creamery.pdf

---

July 24, 2020

Ms. Maria Kim
2009 V Street
Sacramento, CA 95818

Ms. Kim,

This letter provides information pertaining to your Conditional Use and Site Plan and Architectural Review applications to construct a Major Telecommunications Facility at 611 Western Avenue.

Based on the latest information placed in the record concerning the site's eligibility for national listing and inclusion on the California Register of Historical Places, as well as the still unresolved safety issues related to the operations of the Petaluma Creamery, **the current application is not eligible to be approved as a Major [Wireless] Telecommunications Facility** at its current location for the reasons outlined below.

As previously discussed, the City has raised concerns related to the location of the proposed telecommunications facility on an existing building at 611 Western Avenue that contains the ammonia refrigeration tanks for the Petaluma Creamery, the principal use of the property. These concerns relate to findings and recommendations in the

- '5-Year Hazard Review of the Ammonia Refrigeration System' and
- 'Seismic Assessment'

. . . prepared by Resource Compliance, which have not yet been addressed by the property owner.

Given the safety concerns identified in these reports, the Planning Division determined that it could not recommend support of the proposal and was prepared to recommend denial of the project at the publicly noticed Planning Commission hearing on June 23, 2020.

At the request of the applicant, the item was continued to the August 11, 2020, Planning Commission hearing to **enable Verizon the opportunity to review the safety concerns with the property owner**.

Since that time, Planning staff has **received additional information indicating that the State Historic Preservation Office has included the property at 611 Western Avenue on the California Register of Historical Resources**. As a result of this listing, the project site is considered a landmark property per Petaluma Implementing Zoning Ordinance Section 15.040. Although the State has not yet posted this determination on the electronic register available to the public, staff has confirmed with the Northwest Information Center that the letter provided by the State Historic Preservation Officer as a result of the Section 106 review process **automatically places the site on the California Register, for purposes of Section 15.040**.

As a result of the site's landmark status under the Implementing Zoning Ordinance only telecommunication facilities that qualify as "exempt," "mini," or "minor" [Wireless Telecommunications] facilities are eligible to be installed pursuant to Municipal Code Section 14.44.020(S).

As proposed, the project does not meet the definition criteria for "exempt" or "mini" facilities. Although the proposal could proceed as a minor [Wireless Telecommunications] facility, per Muni Code Sections 14.44.090(B) and (R) a minor [Wireless Telecommunications] facility

- **may not** have a combined effective radiated power radiated by all antennas present on the parcel in excess **one thousand five hundred watts**, and
- **may not** be located within **75-feet from a residential dwelling unit**.

The Verizon Telecommunication application **proposes a facility** with a maximum effective radiate power of **46,800 watts** and the installation location, at the southern corner of the property is located directly adjacent to a residential unit at 432 Baker Street.

Petaluma West-VHP Comment: Yet, the antennas have the capability of transmitting more than 530,000 Watts of effective radiated power . . . **46,800 / 533,440 = 8.8% of antenna capability.** How can the City of Petaluma trust this unverified Verizon Effective Radiated Power projection calculated by a serially-unreliable vendor as established by data already in the Petaluma public record, **without any local policing** of the power output from these antennas?

Therefore, in order for the current application to be eligible for approval, in addition to addressing the concerns related to the safety of the ammonia refrigeration system noted above, the **project must also be revised to comply with Muni Code Section 14.44.090 (B) and (R)**.

As you are aware there is currently a **Tolling Agreement in effect until September 1, 2020**, with an active request from the applicant to extend the tolling period to October 6, 2020. Per previous communications with Verizon counsel, City Staff believes additional time remains on the shot clock for consideration of the pending application.

Petaluma West-VHP Comment: How does this timing work, considering the probable outcome: an appeal to the Planning Commission decision to the Petaluma City Council? When will there be a new tolling agreement signed?

Based on staff's review of the current application record it **will be necessary** for the

1. **applicant to revise the project** as described above,
2. And — if not — it will be necessary for staff to **schedule the project for denial,** prior to expiration of the tolling agreement.

Please do not hesitate to contact me at bbendix@cityofpetaluma.org or at 707-778-4314 with any follow-up questions and discussion items that result from this letter.

Sincerely,

Brittany Bendix
Deputy Planning Manager

cc:
Heather Hines
Eric Danley
Justin Shiu

--
Regards,

Petaluma West-VHP!
https://unsafeatanyg.com/petaluma

Hines, Heather

From: Bendix, Brittany
Sent: Monday, August 03, 2020 4:03 PM
To: Petaluma West-VHP!; Hines, Heather; Justin Shiu
Cc: Cooper, Claire; Flynn, Peggy; Cochran, Brian; Terry, Suzanne; Barrett,Teresa; Mike Healy; Fischer, D'Lynda; Kearney, Gabe; King, Dave; McDonnell, Kevin; Miller, Kathy; Patrick Streeter; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Heidi Bauer; sspringhorn@gmail.com; stevebleasdell@gmail.com; Shad Cloney; lendri purcell; Lydia Schindler; Helen Grieco; Samantha Buller; Genie Raff
Subject: RE: Petaluma West-VHP Still Needs Professional, Thorough Answers to Unaddressed Questions/Issues for PLMA-20-0003/PLUP-19-000

Paul,

I will be at City Hall tomorrow and will be able to make the record available for you to review between 11AM and 2PM or after 3PM. Please let me know when you plan to arrive. You can call my desk at 707-778-4314.

Thank you,

Brittany

From: Petaluma West-VHP! <petaluma@unsafeatanyg.com>
Sent: Monday, August 3, 2020 9:09 AM
To: Hines, Heather <hhines@cityofpetaluma.org>; Bendix, Brittany <bbendix@cityofpetaluma.org>; Justin Shiu <jshiu@m-group.us>
Cc: Cooper, Claire <CCooper@cityofpetaluma.org>; Flynn, Peggy <PFlynn@cityofpetaluma.org>; Cochran, Brian <BCochran@cityofpetaluma.org>; Terry, Suzanne <STerry@cityofpetaluma.org>; Barrett,Teresa <tbarrett@cityofpetaluma.org>; Mike Healy <mthealy@sbcglobal.net>; Fischer, D'Lynda <dfischer@cityofpetaluma.org>; Kearney, Gabe <gkearney@cityofpetaluma.org>; King, Dave <dking@cityofpetaluma.org>; McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; Miller, Kathy <kmiller@cityofpetaluma.org>; Patrick Streeter <patrickstreeter@gmail.com>; Sandi Potter <sandi.lee.potter@gmail.com>; Richard Marzo <richard@lacehouselinen.com>; Blake Hooper <bmhooper1@gmail.com>; Scott Alonso <alonsoplanningpet@gmail.com>; Heidi Bauer <heidibauer2000@gmail.com>; sspringhorn@gmail.com; stevebleasdell@gmail.com; Shad Cloney <shad@cloneyrealestate.com>; lendri purcell <lendrip@gmail.com>; Lydia Schindler <lschin3@yahoo.com>; Helen Grieco <helengrieco@comcast.net>; Samantha Buller <samanthabuller@gmail.com>; Genie Raff <eraff@ix.netcom.com>
Subject: Petaluma West-VHP Still Needs Professional, Thorough Answers to Unaddressed Questions/Issues for PLMA-20-0003/PLUP-19-000

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
August 3, 2020

Heather Hines
Contract Planning Manager
Brittany Bendix, Justin Shiu
Employees of m-group/Contract Planners
City of Petaluma
11 English Street
Petaluma, CA 94952

707-778-4316

cc:
Peggy Flynn, City Manger
Brian Cochran, Assistant City Manger
Suzanne Terry, Executive Assistant to the City Manager
Teresa Barrett, Mayor
Mike Healy, Council Member
D'Lynda Fischer, Vice Mayor
Gabe Kearney, Council Member
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Kevin McDonnell, Council Member
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Patrick Streeter, Planning Commissioner
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Richard Marzo, Planning Commissioner
Blake Hooper, Planning Commissioner
Scott Alonso, Planning Commissioner
Heidi Bauer, Planning Commissioner
Petaluma West-VHP

[City Clerk Cooper, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through Aug 4 be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners. Thank you for doing so.]

Re: Petaluma West-VHP Still Needs Professional, Thorough Answers to Unaddressed Questions/Issues for PLMA-20-0003/PLUP-19-000

Dear Ms. Hines.

We are writing to follow up on the two important emails that we sent you on July 17, 2020 and on July 30, 2020. We are also following up on **rescheduling another meeting with City Staff** because our 30-minute Zoom conference on July 30 with you and Eric Danly (15-minutes of which was spent on you recapping the very same information that we already read and understood from the July 24 letter sent from the City of Petaluma to the applicant) did **not** address the agendized items listed in the July 30 email.

We also need to **schedule an in-person inspection** of the paper file at City Hall for PLMA-20-0003/PLUP-19-000 -- similar to the inspection we performed on June 12, 2020 -- for about 90-minutes on either Aug 3 or Aug 4. We need to perform a Quality Assurance (QA) check to ensure all of the evidence we have entered into the Petaluma Public Record has been printed and entered into the PLMA-20-0003/PLUP-19-000 project file and that this evidence will be included in the Planning Commission packet. We can take no chances on this. We need access to the paper file in the next two days.

Also, Petaluma West VHP still has a **large number of unaddressed issues** detailed in our emails from July 17 and on July 30, 2020, which you can read here --> https://www.unsafeatanyg.com/petaluma/creamery/

Ms. Hines, on what date, can we expect the m-group to answer the open questions and address the unaddressed issues?

We are also a bit confused about the management/mismanagement of applicant deadlines and CA AB.57-mandated shot clock on this project and need to get clarity about this by 5:00 pm today, so we can discuss the issues accurately with the Petaluma City Council this evening during public comment.

We need to understand why the City of Petaluma chose to enter into a tolling agreement with the applicant in January 2020, when only **70 days of the 150-day shot clock** had expired.

Also, the emails from Justin Shiu on July 31, 2020 raise some relevant issues:

- There is only **one** Planning Commission (Aug 11) and **one** Petaluma City Council (Aug 3) meeting currently scheduled for August 2020.
- The City cannot wait until **Fri Aug 7 for** a final answer of whether or not the Planning Commission will hear the item on Aug 11, 2020**, because** the packet for the meeting generally goes out on Wed or Thu prior to the following Tue Meeting.

Given these constraints, please lay out for us today how this project could be properly adjudicated by the current shot clock end date of September 1, 2020.

Unless there are additional Planning Commission and City Council dates added to the August 2020 calendar, this seems to be an impossibility -- one that requires a new negotiated shot clock end date.

What is the workable plan? Petaluma VHP, important stakeholders in the PLMA-20-0003/PLUP-19-000 project, need to know this by 5:00 pm today.

Thank you.

7/31/2020 EMAIL FROM JUSTIN SHIU

> **From:** Justin Shiu <JShiu@m-group.us>
> **Date:** Friday, July 31, 2020 4:20 PM
> **To:** Paul McGavin <paul@mystreetmychoice.com>
> **Subject:** FW: Continuance - South Petaluma
>
> Paul,
>
> The applicant has requested a continuance for the project, so it would not be heard at the 8/11/2020 Planning Commission hearing. The applicant has requested the first Planning Commission of November or December, but this has not been confirmed. We are circling back with them next Friday, and I will let you know updates about the continuance date.
>
> Thank you,

Justin

JUSTIN SHIU, AICP
senior planner
510.634.8443 x143

a new design on urban planning
m-group.us | M-LAB | keepplanninglocal.org

From: Maria Kim <MKim@completewireless.net>
Sent: Friday, July 31, 2020 3:22 PM
To: Justin Shiu <JShiu@m-group.us>
Subject: Re: Continuance - South Petaluma

Dear Justin,

Verizon is requesting a continuance from the 8/11 Planning Commission hearing to allow the property owner time to file a Building Permit to resolve the CUPA compliance issue on the property.

We are requesting a date certain of either the first Planning Commission hearing date in November or the first hearing date in December.

Thank you.

Sincerely,

Maria

Maria Kim, Director of Land Use Planning

Complete Wireless Consulting

(916) 247-6087

(916) 313-3730 fax

MKim@completewireless.net

2009 V Street

Sacramento, CA 95818

On Jul 31, 2020, at 3:02 PM, Justin Shiu <JShiu@m-group.us> wrote:

Hi Maria,

Could you provide an email response to confirm the request for continuance?

Even if it is yet to be determined whether it is to a date-certain or a date-uncertain at his point, we would want to have a written confirmation of the applicant requesting the application not be heard on August 11, 2020 and for the decision to be continued.

Would it be possible to receive this today?

Thank you very much,

<image001.jpg> **JUSTIN SHIU, AICP**
senior planner
510.634.8443 x143

--
Regards,

Petaluma West-VHP!
https://unsafeatanyg.com/petaluma

Hines, Heather

From: Petaluma West-VHP! <petaluma@unsafeatanyg.com>
Sent: Monday, August 03, 2020 9:09 AM
To: Hines, Heather; Bendix, Brittany; Justin Shiu
Cc: Cooper, Claire; Flynn, Peggy; Cochran, Brian; Terry, Suzanne; Barrett,Teresa; Mike Healy; Fischer, D'Lynda; Kearney, Gabe; King, Dave; McDonnell, Kevin; Miller, Kathy; Patrick Streeter; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Heidi Bauer; sspringhorn@gmail.com; stevebleasdell@gmail.com; Shad Cloney; lendri purcell; Lydia Schindler; Helen Grieco; Samantha Buller; Genie Raff
Subject: Petaluma West-VHP Still Needs Professional, Thorough Answers to Unaddressed Questions/Issues for PLMA-20-0003/PLUP-19-000

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August 3, 2020

Heather Hines
Contract Planning Manager
Brittany Bendix, Justin Shiu
Employees of m-group/Contract Planners
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

cc:
Peggy Flynn, City Manger
Brian Cochran, Assistant City Manger
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We also need to **schedule an in-person inspection** of the paper file at City Hall for PLMA-20-0003/PLUP-19-000 -- similar to the inspection we performed on June 12, 2020 -- for about 90-minutes on either Aug 3 or Aug 4. We need to perform a Quality Assurance (QA) check to ensure all of the evidence we have entered into the Petaluma Public Record has been printed and entered into the PLMA-20-0003/PLUP-19-000 project file and that this evidence will be included in the Planning Commission packet. We can take no chances on this. We need access to the paper file in the next two days.

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What is the workable plan? Petaluma VHP, important stakeholders in the PLMA-20-0003/PLUP-19-000 project, need

to know this by 5:00 pm today.

Thank you.

7/31/2020 EMAIL FROM JUSTIN SHIU

From: Justin Shiu <JShiu@m-group.us>
Date: Friday, July 31, 2020 4:20 PM
To: Paul McGavin <paul@mystreetmychoice.com>
Subject: FW: Continuance - South Petaluma

Paul,

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Thank you,

Justin

JUSTIN SHIU, AICP
senior planner
510.634.8443 x143

a new design on urban planning
m-group.us | M-LAB | keepplanninglocal.org

From: Maria Kim <MKim@completewireless.net>
Sent: Friday, July 31, 2020 3:22 PM

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Thursday, July 30, 2020 2:39 PM
To: Danly, Eric <EDanly@cityofpetaluma.org>
Cc: Mark Pollock <mpollock@pollockandjames.com>; Gary Widman <gwidman@mindspring.com>; Flynn, Peggy <PFlynn@cityofpetaluma.org>; Cochran, Brian <BCochran@cityofpetaluma.org>; Teresa Barrett <teresa4petaluma@comcast.net>; Mike Healy <mthealy@sbcglobal.net>; D'Lynda Fischer <dlynda@fischerforcouncil.com>; Kearney, Gabe <gkearney@cityofpetaluma.org>; Dave King <davekingpcc@gmail.com>; McDonnell, Kevin <kmcdonnell@cityofpetaluma.org>; Kathy Miller <kathleencmilleroffice@gmail.com>; sspringhorn@gmail.com <sspringhorn@gmail.com>; Shad Cloney <shad@cloneyrealestate.com>; lendri purcell <lendrip@gmail.com>; Lydia Schindler <lschin3@yahoo.com>
Subject: Thank you for participating in the Zoom call with other members of the Petaluma West VHP this morning.

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

July 30, 2020

Mr. Eric Danly
City Attorney
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

cc:
Teresa Barrett, Mayor
Mike Healy, Council Member
D'Lynda Fischer, Vice Mayor
Gabe Kearney, Council Member
Dave King, , Council Member
Kevin McDonnell, Council Member
Kathy Miller, Council Member
Peggy Flynn, City Manager
Brian Cochran,
Petaluma West VHP Members

Dear Mr. Danly,

Thank you for participating in the Zoom call with Heather Hines from m-group and four members of the Petaluma West VHP this morning. Since no one consented to the recording of today's meeting, will you please confirm that the City of Petaluma did not record the meeting, in accordance with California law?

As we predicted, few of the agenda items of the 7/30/2020 @ 8:30 am email were addressed in our call, so we still have a need to complete the discussion that we have **finally** started with you, after trying to engage with the City Manager and you since June 12, 2020 about the important liability and other issues that the City of Petaluma faces when issuing permits for Wireless Telecommunications Facilities (WTFs), described **quite succinctly** here --> https://scientists4wiredtech.com/thisworks **and** https://mystreetmychoice.com/thisworks

I would appreciate, in the future, Mr. Danly if you did not mischaracterize my work as **diatribes**, which is a dismissive term and proves that you have not read my writings carefully.

Diatribe definition :

1. : a bitter and abusive speech or piece of writing
2. : ironic or satirical criticism

The pages that I cite on https://scientists4wiredtech.com/ **are vetted, and sourced with links back to the originals.** The attorneys with whom I work around the country on Telecom issues, including Andrew Campanelli, W. Scott McCollough, Edward B. Myers, Harry V. Lehmann, Gary Widman and Mark Pollock all appreciate the depth and accuracy of my research and analysis. In fact, after speaking with the three top FCC attorneys for NEPA at the FCC on 12/12/19 . . .

Wireless Telecommunications Bureau *Competition & Infrastructure Policy Division*

-
  - Aaron Goldschmidt, Aaron.Goldschmidt@fcc.gov, Deputy Chief
    - Erica Rosenberg, Erica.Rosenberg@fcc.gov, Assistant Deputy Chief 202-418-1343
      - Paul D'Ari, Paul.Dari@fcc.gov, Senior Legal Counsel

. . . we developed this web page --> https://scientists4wiredtech.com/action/nepa-strategies/

. . .which is the **top search item** for "NEPA Strategies" on Google, Bing and DuckDuckGo today.

We are often educating City Attorneys across the country --> https://scientists4wiredtech.com/sanfrancisco/#davis

Now, to follow up on your specific requests today, I spoke to and emailed attorney Mark Pollock <mpollock@pollockandjames.com> **707-257-3089** and gave him your contact information. He is expecting your return call today.

Allow me to provide the citations that are critically important to be included in the Petaluma City staff packet in support of the anticipated denial of PLMA-20-0003/PLUP-19-000 project a 16-unit antenna farm (or whatever revised design Verizon chooses to spring on the City of Petaluma at the 11th hour) because the m-group and you, as the City Attorney, have not insisted on specific deadlines that would enable the public (**the other co-equal stakeholders**) sufficient time to review and evaluate the revised design before it might be heard as a "time certain" agendized item scheduled for Aug 11, 2020 in front of the Petaluma Planning Commission:

1. https://scientists4wiredtech.com/campanelli
2. https://scientists4wiredtech.com/compare
3. https://scientists4wiredtech.com/legislation/1996-telecommunications-act-conference-report/
4. https://scientists4wiredtech.com/legislation/titles-47-and-42-of-us-code/#A
5. https://scientists4wiredtech.com/mozilla-v-fcc/
6. https://scientists4wiredtech.com/2018-myers-et-al-v-fcc/ **and** https://scientists4wiredtech.com/2019/08/federal-court-overturns-fcc-order-bypassing-environmental-review-for-4g-5g-wireless-small-cell-densification/#summary
7. https://scientists4wiredtech.com/2019-ca-supreme-court-decision-t-mobile-v-san-francisco/
8. https://scientists4wiredtech.com/metro-pcs-vs-san-francisco/
9. https://scientists4wiredtech.com/1998-cellular-telephone-co-v-town-of-oyster-bay/

Mr. Danly, **the Public Needs CA AB.57 Shot Clock Verification -- In Writing -- In the Public Record By No Later than Tue Aug 4, 2020.** Your private conversations with Mr. Albritton on this matter are not sufficient. **We need clarity of the following agreed to by all stakeholders, stated in writing and entered into the public record for all to verify.**

- An accurate accounting -- in writing -- of shot clock management by Petaluma staff from Aug 7, 2019 to the present (we have been asking for this since June 12, 2020)

- A determination that any decision by the Planning Commission on Aug 11, 2020 will permanently end the shot clock and any deemed approved privileges that applicant seeks to claim

- By getting this determination in writing from all parties, this affords sufficient time for the City of Petaluma to process any appeal in a manner that is appropriate during COVID-19 national emergency.

We can add mismanagement of applicant deadlines to possible mismanagement of the CA AB.57 Shot clock on new Wireless Telecommunications Facility (WTF) construction (150 days), which by our accounting still has time left on it, since the application for PLMA-20-0003/PLUP-19-000 still has **errors and omissions in it and should not be considered "complete" enough to be heard on Aug 11, 2020.** The refusal of the m-group and the City Attorney to adequately address the existing errors and omissions of this application is very germane to the improper processing of this application during a national emergency.

> "NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States, by the authority vested in me by the Constitution and the laws of the United States of America. . . do hereby find and proclaim that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020."
>
> We have a federal national emergency -- Novel Coronavirus Disease (COVID-19) Outbreak -- and a Sonoma county order that specifies that ONLY work necessary for the OPERATIONS & MAINTENANCE of Telecommunications Services is considered an "Essential Activity."
>
> **THIS DOES NOT MEAN** the building of NEW Wireless Telecommunications Facilities is necessary for the operations & maintenance of "Essential Infrastructure."

It makes much more sense to admit that a single "30-minute" Zoom call is **not sufficient engagement** even remotely equal to the time/attention afforded to the other stakeholders in this project from Aug 7, 2019 through July 30, 2020. We are seeking, but not receiving **equal** access and **equal** time to city staff in this process. This lack of willingness to respect and engage with the Petaluma residents (the "natural persons") negatively affected by this project is simply unacceptable and must change, going forward.

We strongly state that the City of Petaluma should only hear this item after COVID-19 is over **and** the public's right to redress their grievances face-to-face with their government is fully-restored -- Zoom public comments without the ability to to show our faces or present slide content is simply not sufficient. **Please stop stealing the public's rights like this.**

The City of Petaluma can signal that they are actually open for business by promptly returning phone calls:

- I count exactly **zero** returned calls from the City Clerk from June 10, 2020 to the present.
- I count exactly **zero** returned calls from the City Manager or the Assistant City Manager from June 10, 2020 to the present.
- I count exactly **zero** returned call from the City Attorney from June 10, 2020 to the present.
- I count exactly **one** returned call from Heather Hines from the m-grouop since June 10, 2020.

That is simply not enough returned calls.

You can start today, Mr. Danly by calling attorney Mark Pollock <mpollock@pollockandjames.com> **707-257-3089** and then returning my call at 707-981-5522 to let me know how you conversation went.

You have the duty, Mr. Danly, to **read, understand and reply** to the items that Petaluma VHP has placed in the Petaluma public record here (https://www.unsafeatanyg.com/petaluma/creamery/#latest et. seq), including emails I have sent to you seeking answers to relevant questions regarding the PLMA-20-0003/PLUP-19-000 project. These

numerous items have not been addressed, many of them for over a month.

I hope this email was succinct enough for your taste.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Hines, Heather

From: Hines, Heather
Sent: Thursday, July 30, 2020 9:24 AM
To: Danly, Eric
Subject: Fwd: For the July 30, 2020 @ 9:30 am meeting with Petaluma City Staff, 30 Minutes does not seem to be enough time to cover all that needs to be discussed regarding PLMA-20-0003/PLUP-19-000

Sent from my iPhone

Begin forwarded message:

> **From:** Petaluma West-VHP! <petaluma@unsafeatanyg.com>
> **Date:** July 30, 2020 at 8:34:56 AM PDT
> **To:** "Hines, Heather" <hhines@cityofpetaluma.org>, "Bendix, Brittany" <bbendix@cityofpetaluma.org>, Justin Shiu <JShiu@m-group.us>
> **Cc:** "Flynn, Peggy" <PFlynn@cityofpetaluma.org>, "Cochran, Brian" <BCochran@cityofpetaluma.org>, "Terry, Suzanne" <STerry@cityofpetaluma.org>, Teresa Barrett <teresa4petaluma@comcast.net>, Mike Healy <mthealy@sbcglobal.net>, D'Lynda Fischer <dlynda@fischerforcouncil.com>, Gabe Kearney <councilmemberkearney@me.com>, Dave King <davekingpcc@gmail.com>, "McDonnell, Kevin" <kmcdonnell@cityofpetaluma.org>, Kathy Miller <kathleencmilleroffice@gmail.com>, "Cooper, Claire" <CCooper@cityofpetaluma.org>, Patrick Streeter <patrickstreeter@gmail.com>, Sandi Potter <sandi.lee.potter@gmail.com>, Richard Marzo <richard@lacehouselinen.com>, Blake Hooper <bmhooper1@gmail.com>, Scott Alonso <alonsoplanningpet@gmail.com>, Heidi Bauer <heidibauer2000@gmail.com>, "stevebleasdell@gmail.com" <stevebleasdell@gmail.com>, lendri purcell <lendrip@gmail.com>, Lydia Schindler <lschin3@yahoo.com>, "sspringhorn@gmail.com" <sspringhorn@gmail.com>, Helen Grieco <helengrieco@comcast.net>, Shad Cloney <shad@cloneyrealestate.com>, Genie Raff <eraff@ix.netcom.com>, Samantha Buller <samanthabuller@gmail.com>, Preston Brown <preston@tirn.net>
> **Subject: For the July 30, 2020 @ 9:30 am meeting with Petaluma City Staff, 30 Minutes does not seem to be enough time to cover all that needs to be discussed regarding PLMA-20-0003/PLUP-19-000**
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>
> July 30, 2020
>
> Heather Hines
> Contract Planning Manager
> Brittany Bendix, Justin Shiu
> Employees of m-group/Contract Planners
> City of Petaluma
> 11 English Street
> Petaluma, CA 94952
> 707-778-4316

cc:
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THE INVITATION
>>> Terry, Suzanne wrote on 7/24/2020 10:24 AM:

> Suzie Terry is inviting you to a scheduled Zoom meeting.
>
> Join Zoom Meeting
> https://zoom.us/j/94357644604?pwd=ZjEyc0lLeDg5MnNiQzdiblV3TXk0QT09
>
> Meeting ID: 943 5764 4604
> Passcode: 516790
> One tap mobile
> +16699009128,,94357644604#,,,,,,0#,,516790# US (San Jose)
> +12532158782,,94357644604#,,,,,,0#,,516790# US (Tacoma)
>
> Dial by your location
> +1 669 900 9128 US (San Jose)
> +1 253 215 8782 US (Tacoma)
> +1 346 248 7799 US (Houston)
> +1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)
+1 312 626 6799 US (Chicago)
Meeting ID: 943 5764 4604
Passcode: 516790
Find your local number: https://zoom.us/u/ad2ve5m6F

Dear Ms. Hines et al.

On July 29, 2020, in an approximately a one-hour phone call with Justin Shiu of the m-group, Petaluma VHP was able to discuss the following, all of which needs to be addressed in more detail by the City Manager of Petaluma:

- Problems in the City of Petaluma's shot clock management with regards to the the chronically-incomplete application for PLMA-20-0003/PLUP-19-000

- Problems of bad faith exhibited by Cellco Partnership dba Verizon Wireless. We have gathered evidence of Verizon subscribers within three miles of the Petaluma Creamery who note that their Verizon telecommunications service has "magically" degraded over the last month or so, compared to the telecommunications service they had been receiving in the previous six months. Turning down the power on existing Wireless Telecommunications Facility infrastructure is a common, deceptive trick played by Cellco Partnership dba Verizon Wireless when they are facing a Planning Commission or City Council Vote on a new WTF project. Doing so is an example of **bad faith dealings** and is grounds for cancelling the application for PLMA-20-0003/PLUP-19-000. As we wrote to the City of Petaluma about this on June 17, 2024 . . .

  > "It appears that Verizon has every incentive to degrade service (by manipulating the power output from their antennas) just before a vote to "manufacture the belief" that more Verizon wireless antennas are needed to address this **fake problem**. I pointed out that this is an act of bad faith by the applicant and is a **reason to dismiss the application** and start over. Instead of a he-said/she-said stream of hearsay and unverifiable claims, I strongly recommend that the City of Petaluma do what the number one Telecom attorney in the nation, Andrew Camapanelli, recommends doing: require a 12-month analysis of anonymized Verizon call records for the three-mile radius around the Creamery that will **verfiably show** the prevalence of completed and/or dropped calls in the area and therefore would be an **objective measure of the NEED for the project**. This would be **no cost to the City of Petaluma** and is necessitated by the bad-faith actions recently taken by the applicant. Feel free to call Andrew Campanelli at 516-746-1600, if you have any questions. For more examples of bad faith and evidence of duplicity by Verizon and its contractors, feel free to consult the Petaluma public record for evidence reported in two 2019 San Francisco Appeals." --> https://scientists4wiredtech.com/sanfrancisco/sf-appeal-16wr-0123/ **and** https://scientists4wiredtech.com/sanfrancisco/sf-appeal-18wr-0296/

- Evidence that shows that the City of Petaluma Staff been insufficiently responsive to the public in the processing of PLMA-20-0003/PLUP-19-000, leading to discrimination among the stakeholders of this project

- Evidence that shows that the City of Petaluma is mostly closed to engaging with the public outside of public meetings, from March 2020 through July 29, 2020 -- we need to face the facts of **what are (maintenance)** and **what are not (new construction)** "Essential Activities" during our current COVID-19 National emergency

- The need for Petaluma West VHP to review the recording of the video conference between the applicant and what has been reported to be less than ten participants in the ineffective so-called "Community Outreach" effort on this project; the City of Petaluma cannot accept the applicant's unverified claims of "technical glitch" as a sufficient reason for having no recording of this video conference meeting, which was a governmental function because it was co-hosted/attended by m-group employees Brittany Bendix and Justin Shiu. This outreach effort may need to be repeated, and when it is repeated, it must have **equal time and equal access** for project proponents and project opponents to present at the outreach event.

- The need for Petaluma City staff to receive basic instruction and in the words of attorney Andrew Campanelli "guidance as to what type of evidence they should ask for in a Wireless Telecommunications Facilities (WTFs) application so they can understand if they see a false document. The two most common types of fraud that Attorney Andrew Campanelli has seen in litigating over 7,000 law suits over 27 years has been perpetrated through false FCC compliance reports is claims of compliance with the wrong standard or the other trick they play called the distance game." (more details about this, below)

- The July 28, 2020 Planning Commission Video is still missing from https://cityofpetaluma.org/meetings/ ; we alerted Petaluma Planning, City Attorney, City Clerk and City Manager of this mistake at 8:30 am on July 29, but no one has yet responded. As we presented in public comment on July 28 at the Planning Commission meeting, the City of Petaluma by passing three simple ordinances to the current outdated Petaluma Wireless code for "mini", "minor" and "major" Wireless Telecommunications Facilities (WTFs): Ordinance M (for WTF application moratorim), Ordinance VHP (to cap the power of WTFS to intensities that are needed for telecommunications service and no higher) and Ordinance WE-WANT-IT (to create and base decisions on objective, verifiable data of wireless carrier signal strengths **at no cost to the City**).

We propose the following Urgency Ordinance for the City of Petaluma,
from https://unsafeatanyg.com/survival

Written Evidence — Wireless Antenna Need Test In Telecommunications (WE-WANT-IT) Bill/Ordinance

WE-WANT-IT would require a Comprehensive Wireless Signal Strength Test to be conducted every six months by an independent RF Engineer, who will log, second-by-second, the Wireless signal-strength levels in dBm (decibel-milliWatts) of every carrier-specific licensed and unlicensed wireless frequency that is being transmitted to the streets of every local authority (every city, town, village or unincorporated county area). The full data file for each WE-WANT-IT test will be placed in the public record of each respective authority for anyone to view, analyze and verify and will serve as the basis for local decisions, regarding:

- the need for any additional Wireless infrastructure; and

- the placement, construction, modification and operations of **WTFs of any G** within the authority's borders.

The cost for each WE-WANT-IT test would be paid by antenna operators on a pro rata basis: the share of each Wireless Company's antenna capabilities, meaning the percentage of the sum of the maximum Effective Radiated Power that could be transmitted by each antenna operating within the authority's borders.

In addition to the items above, we recommend addressing the following today, in order **A** through **E**:

A. At the start of the Zoom meeting scheduled to begin on July 30, 2020 at 9:30 am, we would first like to define defining the time constraints faced by the **four main stakeholders** for PLMA-20-0003/PLUP-19-000, a WTF 16-unit antenna farm proposed at 611 Western Ave, the Petaluma Creamery:

1. Petaluma City Staff deadlines for ordering Written Evidence Wireless Antenna Need Test In Telecommunications (WE-WANT-IT) and submitting the staff packet for the Aug 11, 2020 Petaluma Planning Commission Meeting

2. Petaluma Residents (the affected "natural" persons)

3. The applicants (Complete Wireless/Cellco Partnership dba Verizon Wireless (the "artificial" persons) -- the tenant

4. The Petaluma Creamery owner -- the landord

B. Next, we would like the following timing and agreements addressed

- An agreed-to date/time for a **second meeting** with members of Petaluma West-VHP, other affected Petaluma residents, Petaluma City Planning staff, **City Manager staff**, City Public Works Staff City Attorney staff in order to continue discussing the items for which there will not be sufficient time to address on July 30 in the 30-minutes, allotted from 9:30 am to 10:00 am. The issues have been listed here (denoted by **Q:**) listed here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest et seq. (scroll down the web page for a record of our communications that have already been placed in the Petaluma public record and needs to be in the staff packet for the Aug 11, 2020 Petaluma Planning Commission Meeting).

- The participation by the City Manager staff in this and other meetings with Petaluma VHP is critically important because m-group employees are not City of Petaluma employees. As you have confirmed to me in writing, Heather, m-group employees are contractors working at the pleasure of the Petaluma City Manager. The Petaluma City Attorney is an advisory position, not a line staff policy position. We need to meet with City employees who have the duty and accountability to manage and mitigate the liability and financial viability of the City of Petaluma, in the midst of **insufficient insurance coverage** by the wireless applicant for injury, illness and death claims from the intensities of pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) that are in excess of what is needed for telecommunications service. This foundational issue is well explained by attorney Mark

Pollock here --> https://scientists4wiredtech.com/thisworks and https://mystreetmychoice.com/thisworks

- An agreed-to date/time for a **Wireleless Telecommunications Ordinance Workshop**: in which attorney Mark Pollock and others can cover the information on this web page (https://scientists4wiredtech.com/campanelli/ **)** with affected Petaluma residents, Petaluma City Planning staff, Petaluma City Manger staff, Petaluma City Attorney staff --> https://scientists4wiredtech.com/campanelli and the content in these embeded videos: https://youtu.be/UtT6gVH584s **and** https://youtu.be/G_INu9R56Xk?t=5698

C. We would like to discuss the dates and length of in-person, telephone or video conference meetings between the City of Petaluma and the applicant from Aug 7, 2019 to July 29, 2020, to understand if there has been **equal time** allotted to meeting with the opposing stakeholders in the PLMA-20-0003/PLUP-19-000 project. Petaluma Residents (the affected "natural" persons) seek **equal time** and **equal privileges** afforded to the applicant, during this process. We already note that discussion of PLMA-20-0003/PLUP-19-000 proceed from Aug 7, 2020 through May 19, 2020 **without any notice to or any engagement with Petaluma Residents** (the affected "natural" persons). We also note that Justin Shiu reported on 7/30/2020 that mailed notice was provided to approximately 600 addresses on May 19, 2020 -- those **within 1,000 feet** of the Creamery -- notice which was wholly ineffective and insufficient to engage with the residents of Petaluma who will be negatively affected by the 16-antenna Wireless Telecommunications Facilities (WTFs) on top of the Creamery (those within **15,625 feet** -- or 3 miles -- of the Creamery), an area which includes many schools and pre-schools.

D. We would like to discuss the annotated version of the June 24, 2020 letter from the City of Petaluma to the applicant - See **Appendix C**, below.

E. Time permitting, we would like the rest of the answers to the questions (denoted by **Q:**) listed here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest et seq. (scroll down the web page for a record of our communications that have already been placed in the Petaluma public record and needs to be in the staff packet for the Aug 11, 2020 Petaluma Planning Commission Meeting).

Please see more detail in **Appendices A, B and C**, below.

Appendix A: Excepts from July 23, 2020 Zoominar with Attorney Andrew Campanelli

Andrew Campanalli Overview

Since beginning his legal career as a litigator in 1992, Andrew Campanelli has handled over 7,000 civil cases challenging Wireless Telecommunications Facilities (WTFs).

In addition to prosecuting qui tam actions in federal courts across the Country, Mr. Campanelli offers experienced representation to property owners, civic associations and local governments who seek to invoke their civil rights to oppose respective applications for the installation of WTFs.

Mr. Campanelli offers a full range of services throughout each stage of the tower installation process undertaken by wireless companies, from site acquisition, through zoning applications and, if necessary, both federal and state litigation.

His services include, but are not limited to:

- (a) individual case investigations to determine whether there are legal and/or factual grounds to deny an application for the installation of a Cell Tower or Cell Antennas, or to remove antennas which have already been built,
- (b) formal presentations before local zoning boards to oppose zoning approvals,
- (c) prosecuting or defending federal or state litigation to prevent the installation of antennas, secure the removal of installed antennas, or defend a local government which has been sued as a result of having denied an application for installation of one or more cell antennas or towers,
- (d) assisting local governments in the drafting of zoning ordinances governing the installation of Cell Towers, and
- (e) advocating on behalf of citizens and civic associations, that their local government adopt such ordinances.

Transcript Excerpts from the Andrew Campanelli Video:

> Here is the test: the courts have said that a town must grant a permit for a location to build a Wireless Telecommunications Facilities (WTFs) — even if it violates your local zoning code — if the applicant can prove two things:
>
> 1. The wireless carrier suffers from a gap in its personal wireless services
> 2. The proposed installation is the least intrusive means of remedying that gap and there is no possible less intrusive alternative location
>
> **If — and only if — they can prove those two things**, then the municipality has to issue the permit for the WTF.
>
> BUT, the important part is to make the applicant prove these two points with substantial written evidence in the public record
>
> **Usually, when it is a site developer, such as Crown Castle or Extenet, it is not the best location.** So local governments have to force the applicant to give them probitive evidence, just like anybody else would. The applicant will come in with propagation maps, many of which are bogus. Without the data behind the maps, the municipality does not know if the propagation map is worth the paper it is written on. **The truth is that no Federal Court would take a propagation map without verification.**

The first thing a town should say to a wireless applicant is "Do you have a gap in telecommunications service? Do a drive test and give me the drive test results. Very cheap. They take take a phone [or RF meter], attach a recording device and they drive through town. The recording device records the signal strengths every few milliseconds and it will give you a precise reading of all the signal strengths on the streets of the town. That hard data will show you if there is a gap in telecommunications service, where it is and what it's boundaries are . . .

Then and only then can a local board — whether it is a planning board, zoning board, or city council — figure out if the location the applicant is proposing is consistent with intelligent planning . . . because if the proposed tower does not fill the identified gap in telecommunications service and the town approves the construction of the WTF, the applicant might come back six months later and propose another cell tower because the first WTF did not fill the gap in the first place.

And usually when the application is from a site developer, it's not the best location. It's not even necessary. If a wireless carrier has a significant gap, they will be the one applying for the cell tower or the WTF. . . . if sophisticated local governments know what to ask for, they can control, for the most part, where Wireless Telecommunications Facilities go.

If the town denies an application because of aesthetics, and an applicant has said we have a significant gap **and the town does not find whether or not the applicant proves there is a gap, then the town loses by default**. Under the federal law, any denial of a cell tower must be based upon substantial written evidence.

The town wants to say "We deny the application because of an adverse effect on property values and the evidence we have that this property owner brought in a letter from a professional, a real estate broker or an appraiser, saying this tower will reduce the value of your house by 20-30%".

The next thing the town wants to do is give your board(s) some guidance as to what type of evidence they should ask for so they can understand if they see a false document. The two most common types of fraud that I have seen perpetrated through false FCC compliance reports is claims of compliance with the wrong standard or the other trick they play called the distance game and here is what that is.

When the applicant gives the town an FCC compliance report, they have to calculate the level of microwave radiation to which they will expose people. The reason for such a report is that the WTF doesn't exist yet. The easiest way to prevent a false calculation is with a false distance fact. The first factor they have to consider is how close someone can get to the WTF. The closer someone gets to a WTF, the greater the level of microwave radiation to which they get exposed.

To prepare a false FCC compliance report, which shows the level of microwave radiation will be a fraction of what it will actually be, all they have to do is start with a false distance factor. If your board does not know how to read these reports, they can miss this. The same goes for false propagation maps, false visual impact analysis. You have to give your board guidance on how to analyze what is given to them because, in my experience, 90% of the applications I have seen, the applicant has submitted false and misleading information and it is not by mistake.

The important part is to make the Wireless Company give you proof."

Appendix B: the Need for a WTF Application Moratorium during COVID-19 National Emergency

"NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States, by the authority vested in me by the Constitution and the laws of the United States of America. . . do hereby find and proclaim that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020."

Sonoma County Health Order No. C19-03:

> All individuals living in the County are directed to shelter at their place of residence, except that they may leave to provide or receive certain essential services or engage in certain essential activities and work for essential businesses . . . individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of "Essential Infrastructure," including a number of activities relating to water, sewer, gas, transportation and a single mention of internet,
> and telecommunications systems . . .

So let's recap.

We have a federal national emergency -- Novel Coronavirus Disease (COVID-19) Outbreak -- and a Sonoma county order that specifies that ONLY work necessary for theOPERATIONS & MAINTENANCE of Telecommunications Services is considered an "Essential Activity."

THIS DOES NOT MEAN the building of NEW Wireless Telecommunications Facilities is necessary for the operations & maintenance of "Essential Infrastructure."

Pass a moratorium on all WTF applications until the federal national emergency is declared OVER.

https://unsafeatanyg.com/petaluma/moratorium

Appendix C: July 24, 2020 City of Petaluma (Annotated) Letter re: Historic Status of Petaluma Creamery

The following text is taken from an important letter that we received today at around 6:00 pm from Heather Hines, Contract Planner for Petaluma, employee of m-group. **Emphases are mine**.

Source: https://www.unsafeatanyg.com/wp-content/uploads/2020/07/2020-0724-Verizon-Letter-re-Historic-Status-re-Petaluma-Creamery.pdf

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July 24, 2020

Ms. Maria Kim
2009 V Street
Sacramento, CA 95818

Ms. Kim,

This letter provides information pertaining to your Conditional Use and Site Plan and Architectural Review applications to construct a Major Telecommunications Facility at 611 Western Avenue.

Based on the latest information placed in the record concerning the site's eligibility for national listing and inclusion on the California Register of Historical Places, as well as the still unresolved safety issues related to the operations of the Petaluma Creamery, **the current application is not eligible to be approved as a Major [Wireless] Telecommunications Facility** at its current location for the reasons outlined below.

As previously discussed, the City has raised concerns related to the location of the proposed telecommunications facility on an existing building at 611 Western Avenue that contains the ammonia refrigeration tanks for the Petaluma Creamery, the principal use of the property. These concerns relate to findings and recommendations in the

- '5-Year Hazard Review of the Ammonia Refrigeration System' and
- 'Seismic Assessment'

. . . prepared by Resource Compliance, which have not yet been addressed by the property owner.

Given the safety concerns identified in these reports, the Planning Division determined that it could not recommend support of the proposal and was prepared to recommend denial of the project at the publicly noticed Planning Commission hearing on June 23, 2020.

At the request of the applicant, the item was continued to the August 11, 2020, Planning Commission hearing to **enable Verizon the opportunity to review the safety concerns with the property owner**.

Since that time, Planning staff has **received additional information indicating that the State Historic Preservation Office has included the property at 611 Western Avenue on the California Register of Historical Resources**. As a result of this listing, the project site is considered a landmark property per Petaluma Implementing Zoning Ordinance Section 15.040. Although the State has not yet posted this determination on the electronic register available to the public, staff has confirmed with the Northwest Information Center that the letter provided by the State Historic Preservation Officer as a result of the Section 106 review process **automatically places the site on the California Register, for purposes of Section 15.040**.

As a result of the site's landmark status under the Implementing Zoning Ordinance only telecommunication facilities that qualify as "exempt," "mini," or "minor" [Wireless Telecommunications] facilities are eligible to be installed pursuant to Municipal Code Section 14.44.020(S).

As proposed, the project does not meet the definition criteria for "exempt" or "mini" facilities. Although the proposal could proceed as a minor [Wireless Telecommunications] facility, per Muni Code Sections 14.44.090(B) and (R) a minor [Wireless Telecommunications] facility

- **may not** have a combined effective radiated power radiated by all antennas present on the parcel in excess **one thousand five hundred watts**, and
- **may not** be located within **75-feet from a residential dwelling unit**.

The Verizon Telecommunication application **proposes a facility** with a maximum effective radiate power of **46,800 watts** and the installation location, at the southern corner of the property is located directly adjacent to a residential unit at 432 Baker Street.

Petaluma West-VHP Comment: Yet, the antennas have the capability of transmitting more than 530,000 Watts of effective radiated power . . . **46,800 / 533,440 = 8.8% of antenna capability.** How can the City of Petaluma trust this unverified Verizon Effective Radiated Power projection calculated by a serially-unreliable vendor as established by data already in the Petaluma public record, **without any local policing** of the power output from these antennas?

Therefore, in order for the current application to be eligible for approval, in addition to addressing the concerns related to the safety of the ammonia refrigeration system noted above, the **project must also be revised to comply with Muni Code Section 14.44.090 (B) and (R)**.

As you are aware there is currently a **Tolling Agreement in effect until September 1, 2020**, with an active request from the applicant to extend the tolling period to October 6, 2020. Per previous

communications with Verizon counsel, City Staff believes additional time remains on the shot clock for consideration of the pending application.

Petaluma West-VHP Comment: How does this timing work, considering the probable outcome: an appeal to the Planning Commission decision to the Petaluma City Council? When will there be a new tolling agreement signed?

Based on staff's review of the current application record it **will be necessary** for the

1. **applicant to revise the project** as described above,
2. And — if not — it will be necessary for staff to **schedule the project for denial,** prior to expiration of the tolling agreement.

Please do not hesitate to contact me at bbendix@cityofpetaluma.org or at 707-778-4314 with any follow-up questions and discussion items that result from this letter.

Sincerely,

Brittany Bendix
Deputy Planning Manager

cc:
Heather Hines
Eric Danley
Justin Shiu

--
Regards,

Petaluma West-VHP!
https://unsafeatanyg.com/petaluma

Hines, Heather

From: Petaluma West-VHP! <petaluma@unsafeatanyg.com>
Sent: Thursday, July 30, 2020 8:35 AM
To: Hines, Heather; Bendix, Brittany; Justin Shiu
Cc: Flynn, Peggy; Cochran, Brian; Terry, Suzanne; Teresa Barrett; Mike Healy; D'Lynda Fischer; Gabe Kearney; Dave King; McDonnell, Kevin; Kathy Miller; Cooper, Claire; Patrick Streeter; Sandi Potter; Richard Marzo; Blake Hooper; Scott Alonso; Heidi Bauer; stevebleasdell@gmail.com; lendri purcell; Lydia Schindler; sspringhorn@gmail.com; Helen Grieco; Shad Cloney; Genie Raff; Samantha Buller; Preston Brown
Subject: For the July 30, 2020 @ 9:30 am meeting with Petaluma City Staff, 30 Minutes does not seem to be enough time to cover all that needs to be discussed regarding PLMA-20-0003/PLUP-19-000

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

July 30, 2020

Heather Hines
Contract Planning Manager
Brittany Bendix, Justin Shiu
Employees of m-group/Contract Planners
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

cc:
Peggy Flynn, City Manger
Brian Cochran, Assistant City Manger
Suzanne Terry, Executive Assistant to the City Manager
Teresa Barrett, Mayor
Mike Healy, Council Member
D'Lynda Fischer, Vice Mayor
Gabe Kearney, Council Member
Dave King, , Council Member
Kevin McDonnell, Council Member
Kathy Miller, Council Member
Claire Cooper, City Clerk
Patrick Streeter, Planning Commissioner
Sandi Potter, Planning Commissioner
Richard Marzo, Planning Commissioner
Blake Hooper, Planning Commissioner
Scott Alonso, Planning Commissioner
Heidi Bauer, Planning Commissioner
Petaluma West-VHP Members

Re: For the July 30, 2020 @ 9:30 am meeting with Petaluma City Staff, 30 Minutes does not seem to be

enough time to cover all that needs to be discussed regarding PLMA-20-0003/PLUP-19-000

[City Clerk Cooper, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through Aug 4 be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners. Thank you for doing so.]

THE INVITATION
>>> Terry, Suzanne wrote on 7/24/2020 10:24 AM:

```
Suzie Terry is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting
https://zoom.us/j/94357644604?pwd=ZjEyc0lLeDg5MnNiQzdiblV3TXk0QT09

Meeting ID: 943 5764 4604
Passcode: 516790
One tap mobile
+16699009128,,94357644604#,,,,,,0#,,516790# US (San Jose)
+12532158782,,94357644604#,,,,,,0#,,516790# US (Tacoma)

Dial by your location
        +1 669 900 9128 US (San Jose)
        +1 253 215 8782 US (Tacoma)
        +1 346 248 7799 US (Houston)
        +1 646 558 8656 US (New York)
        +1 301 715 8592 US (Germantown)
        +1 312 626 6799 US (Chicago)
Meeting ID: 943 5764 4604
Passcode: 516790
Find your local number: https://zoom.us/u/ad2ve5m6F
```

Dear Ms. Hines et al.

On July 29, 2020, in an approximately a one-hour phone call with Justin Shiu of the m-group, Petaluma VHP was able to discuss the following, all of which needs to be addressed in more detail by the City Manager of Petaluma:

- Problems in the City of Petaluma's shot clock management with regards to the the chronically-incomplete application for PLMA-20-0003/PLUP-19-000

- Problems of bad faith exhibited by Cellco Partnership dba Verizon Wireless. We have gathered evidence of Verizon subscribers within three miles of the Petaluma Creamery who note that their Verizon telecommunications service has "magically" degraded over the last month or so, compared to the telecommunications service they had been receiving in the previous six months. Turning down the power on existing Wireless Telecommunications Facility infrastructure is a common, deceptive trick played by Cellco Partnership dba Verizon Wireless when they are facing a Planning Commission or City Council Vote on a new WTF project. Doing so is an example of **bad faith dealings** and is grounds for cancelling the application for PLMA-20-0003/PLUP-19-000. As we wrote to the City of Petaluma about this on June 17, 2024 . . .

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- Evidence that shows that the City of Petaluma Staff been insufficiently responsive to the public in the processing of PLMA-20-0003/PLUP-19-000, leading to discrimination among the stakeholders of this project

- Evidence that shows that the City of Petaluma is mostly closed to engaging with the public outside of public meetings, from March 2020 through July 29, 2020 -- we need to face the facts of **what are (maintenance)** and **what are not (new construction)** "Essential Activities" during our current COVID-19 National emergency

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- the need for any additional Wireless infrastructure; and
- the placement, construction, modification and operations of **WTFs of any G** within the authority's borders.

The cost for each WE-WANT-IT test would be paid by antenna operators on a pro rata basis: the share of each Wireless Company's antenna capabilities, meaning the percentage of the sum of the maximum Effective Radiated Power that could be transmitted by each antenna operating within the authority's borders.

In addition to the items above, we recommend addressing the following today, in order **A** through **E**:

A. At the start of the Zoom meeting scheduled to begin on July 30, 2020 at 9:30 am, we would first like to define defining the time constraints faced by the **four main stakeholders** for PLMA-20-0003/PLUP-19-000, a WTF 16-unit antenna farm proposed at 611 Western Ave, the Petaluma Creamery:

1. Petaluma City Staff deadlines for ordering Written Evidence Wireless Antenna Need Test In Telecommunications (WE-WANT-IT) and submitting the staff packet for the Aug 11, 2020 Petaluma Planning Commission Meeting

2. Petaluma Residents (the affected "natural" persons)

3. The applicants (Complete Wireless/Cellco Partnership dba Verizon Wireless (the "artificial" persons) -- the tenant

4. The Petaluma Creamery owner -- the landord

B. Next, we would like the following timing and agreements addressed

- An agreed-to date/time for a **second meeting** with members of Petaluma West-VHP, other affected Petaluma residents, Petaluma City Planning staff, **City Manager staff**, City Public Works Staff City Attorney staff in order to continue discussing the items for which there will not be sufficient time to address on July 30 in the 30-minutes, allotted from 9:30 am to 10:00 am. The issues have been listed here (denoted by **Q:**) listed here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest et seq. (scroll down the web page for a record of our communications that have already been placed in the Petaluma public record and needs to be in the staff packet for the Aug 11, 2020 Petaluma Planning Commission Meeting).

- The participation by the City Manager staff in this and other meetings with Petaluma VHP is critically important because m-group employees are not City of Petaluma employees. As you have confirmed to me in writing, Heather, m-group employees are contractors working at the pleasure of the Petaluma City Manager. The Petaluma City Attorney is an advisory position, not a line staff policy position. We need to meet with City employees who have the duty and accountability to manage and mitigate the liability and financial viability of the City of Petaluma, in the midst of **insufficient insurance coverage** by the wireless applicant for injury, illness and death claims from the intensities

of pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) that are in excess of what is needed for telecommunications service. This foundational issue is well explained by attorney Mark Pollock here --> https://scientists4wiredtech.com/thisworks and https://mystreetmychoice.com/thisworks

- An agreed-to date/time for a **Wireless Telecommunications Ordinance Workshop**: in which attorney Mark Pollock and others can cover the information on this web page (https://scientists4wiredtech.com/campanelli/ **)** with affected Petaluma residents, Petaluma City Planning staff, Petaluma City Manger staff, Petaluma City Attorney staff --> https://scientists4wiredtech.com/campanelli and the content in these embeded videos: https://youtu.be/UtT6gVH584s **and** https://youtu.be/G_INu9R56Xk?t=5698

C. We would like to discuss the dates and length of in-person, telephone or video conference meetings between the City of Petaluma and the applicant from Aug 7, 2019 to July 29, 2020, to understand if there has been **equal time** allotted to meeting with the opposing stakeholders in the PLMA-20-0003/PLUP-19-000 project. Petaluma Residents (the affected "natural" persons) seek **equal time** and **equal privileges** afforded to the applicant, during this process. We already note that discussion of PLMA-20-0003/PLUP-19-000 proceed from Aug 7, 2020 through May 19, 2020 **without any notice to or any engagement with Petaluma Residents** (the affected "natural" persons). We also note that Justin Shiu reported on 7/30/2020 that mailed notice was provided to approximately 600 addresses on May 19, 2020 -- those **within 1,000 feet** of the Creamery -- notice which was wholly ineffective and insufficient to engage with the residents of Petaluma who will be negatively affected by the 16-antenna Wireless Telecommunications Facilities (WTFs) on top of the Creamery (those within **15,625 feet** -- or 3 miles -- of the Creamery), an area which includes many schools and pre-schools.

D. We would like to discuss the annotated version of the June 24, 2020 letter from the City of Petaluma to the applicant - See **Appendix C**, below.

E. Time permitting, we would like the rest of the answers to the questions (denoted by **Q:**) listed here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest et seq. (scroll down the web page for a record of our communications that have already been placed in the Petaluma public record and needs to be in the staff packet for the Aug 11, 2020 Petaluma Planning Commission Meeting).

Please see more detail in **Appendices A, B and C**, below.

Appendix A: Excepts from July 23, 2020 Zoominar with Attorney Andrew Campanelli

Andrew Campanalli Overview

Since beginning his legal career as a litigator in 1992, Andrew Campanelli has handled over 7,000 civil cases challenging Wireless Telecommunications Facilities (WTFs).

In addition to prosecuting qui tam actions in federal courts across the Country, Mr. Campanelli offers experienced representation to property owners, civic associations and local governments who seek to invoke their civil rights to oppose respective applications for the installation of WTFs.

Mr. Campanelli offers a full range of services throughout each stage of the tower installation process undertaken by wireless companies, from site acquisition, through zoning applications and, if necessary, both federal and state litigation.

His services include, but are not limited to:

- (a) individual case investigations to determine whether there are legal and/or factual grounds to deny an application for the installation of a Cell Tower or Cell Antennas, or to remove antennas which have already been built,
- (b) formal presentations before local zoning boards to oppose zoning approvals,
- (c) prosecuting or defending federal or state litigation to prevent the installation of antennas, secure the removal of installed antennas, or defend a local government which has been sued as a result of having denied an application for installation of one or more cell antennas or towers,
- (d) assisting local governments in the drafting of zoning ordinances governing the installation of Cell Towers, and
- (e) advocating on behalf of citizens and civic associations, that their local government adopt such ordinances.

Transcript Excerpts from the Andrew Campanelli Video:

> Here is the test: the courts have said that a town must grant a permit for a location to build a Wireless Telecommunications Facilities (WTFs) — even if it violates your local zoning code — if the applicant can prove two things:
>
> 1. The wireless carrier suffers from a gap in its personal wireless services
> 2. The proposed installation is the least intrusive means of remedying that gap and there is no possible less intrusive alternative location
>
> **If — and only if — they can prove those two things**, then the municipality has to issue the permit for the WTF.
>
> BUT, the important part is to make the applicant prove these two points with substantial written evidence in the public record
>
> **Usually, when it is a site developer, such as Crown Castle or Extenet, it is not the best location.** So local governments have to force the applicant to give them probitive evidence, just like anybody else would. The applicant will come in with propagation maps, many of which are bogus. Without the data behind the maps, the municipality does not know if the propagation map is worth the paper it is written on. **The truth is that no Federal Court would take a propagation map without verification.**
>
> The first thing a town should say to a wireless applicant is "Do you have a gap in telecommunications service? Do a drive test and give me the drive test results. Very cheap. They take take a phone [or RF meter], attach a recording device and they drive through town. The recording device records the signal strengths every few milliseconds and it will give you a

precise reading of all the signal strengths on the streets of the town. That hard data will show you if there is a gap in telecommunications service, where it is and what it's boundaries are . . .

Then and only then can a local board — whether it is a planning board, zoning board, or city council — figure out if the location the applicant is proposing is consistent with intelligent planning . . . because if the proposed tower does not fill the identified gap in telecommunications service and the town approves the construction of the WTF, the applicant might come back six months later and propose another cell tower because the first WTF did not fill the gap in the first place.

And usually when the application is from a site developer, it's not the best location. It's not even necessary. If a wireless carrier has a significant gap, they will be the one applying for the cell tower or the WTF. . . . if sophisticated local governments know what to ask for, they can control, for the most part, where Wireless Telecommunications Facilities go.

If the town denies an application because of aesthetics, and an applicant has said we have a significant gap **and the town does not find whether or not the applicant proves there is a gap, then the town loses by default**. Under the federal law, any denial of a cell tower must be based upon substantial written evidence.

The town wants to say "We deny the application because of an adverse effect on property values and the evidence we have that this property owner brought in a letter from a professional, a real estate broker or an appraiser, saying this tower will reduce the value of your house by 20-30%".

The next thing the town wants to do is give your board(s) some guidance as to what type of evidence they should ask for so they can understand if they see a false document. The two most common types of fraud that I have seen perpetrated through false FCC compliance reports is claims of compliance with the wrong standard or the other trick they play called the distance game and here is what that is.

When the applicant gives the town an FCC compliance report, they have to calculate the level of microwave radiation to which they will expose people. The reason for such a report is that the WTF doesn't exist yet. The easiest way to prevent a false calculation is with a false distance fact. The first factor they have to consider is how close someone can get to the WTF. The closer someone gets to a WTF, the greater the level of microwave radiation to which they get exposed.

To prepare a false FCC compliance report, which shows the level of microwave radiation will be a fraction of what it will actually be, all they have to do is start with a false distance factor. If your board does not know how to read these reports, they can miss this. The same goes for false propagation maps, false visual impact analysis. You have to give your board guidance on how to analyze what is given to them because, in my experience, 90% of the applications I have seen, the applicant has submitted false and misleading information and it is not by mistake.

The important part is to make the Wireless Company give you proof."

Appendix B: the Need for a WTF Application Moratorium during COVID-19 National Emergency

"NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States, by the authority vested in me by the Constitution and the laws of the United States of America. . . do hereby find and proclaim that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020."

Sonoma County Health Order No. C19-03:

> All individuals living in the County are directed to shelter at their place of residence, except that they may leave to provide or receive certain essential services or engage in certain essential activities and work for essential businesses . . . individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of "Essential Infrastructure," including a number of activities relating to water, sewer, gas, transportation and a single mention of internet, and telecommunications systems . . .

So let's recap.

We have a federal national emergency -- Novel Coronavirus Disease (COVID-19) Outbreak -- and a Sonoma county order that specifies that ONLY work necessary for theOPERATIONS & MAINTENANCE of Telecommunications Services is considered an "Essential Activity."

THIS DOES NOT MEAN the building of NEW Wireless Telecommunications Facilities is necessary for the operations & maintenance of "Essential Infrastructure."

Pass a moratorium on all WTF applications until the federal national emergency is declared OVER.

https://unsafeatanyg.com/petaluma/moratorium

Appendix C: July 24, 2020 City of Petaluma (Annotated) Letter re: Historic Status of Petaluma Creamery

The following text is taken from an important letter that we received today at around 6:00 pm from Heather Hines, Contract Planner for Petaluma, employee of m-group. **Emphases are mine**.

Source: https://www.unsafeatanyg.com/wp-content/uploads/2020/07/2020-0724-Verizon-Letter-re-Historic-Status-re-Petaluma-Creamery.pdf

---

July 24, 2020

Ms. Maria Kim
2009 V Street
Sacramento, CA 95818

Ms. Kim,

This letter provides information pertaining to your Conditional Use and Site Plan and Architectural Review applications to construct a Major Telecommunications Facility at 611 Western Avenue.

Based on the latest information placed in the record concerning the site's eligibility for national listing and inclusion on the California Register of Historical Places, as well as the still unresolved safety issues related to the operations of the Petaluma Creamery, **the current application is not eligible to be approved as a Major [Wireless] Telecommunications Facility** at its current location for the reasons outlined below.

As previously discussed, the City has raised concerns related to the location of the proposed telecommunications facility on an existing building at 611 Western Avenue that contains the ammonia refrigeration tanks for the Petaluma Creamery, the principal use of the property. These concerns relate to findings and recommendations in the

- '5-Year Hazard Review of the Ammonia Refrigeration System' and
- 'Seismic Assessment'

. . . prepared by Resource Compliance, which have not yet been addressed by the property owner.

Given the safety concerns identified in these reports, the Planning Division determined that it could not recommend support of the proposal and was prepared to recommend denial of the project at the publicly noticed Planning Commission hearing on June 23, 2020.

At the request of the applicant, the item was continued to the August 11, 2020, Planning Commission hearing to **enable Verizon the opportunity to review the safety concerns with the property owner**.

Since that time, Planning staff has **received additional information indicating that the State Historic Preservation Office has included the property at 611 Western Avenue on the California Register of Historical Resources**. As a result of this listing, the project site is considered a landmark property per Petaluma Implementing Zoning Ordinance Section 15.040. Although the State has not yet posted this determination on the electronic register available to the public, staff has confirmed with the Northwest Information Center that the letter provided by the State Historic Preservation Officer as a result of the Section 106 review process **automatically places the site on the California Register, for purposes of Section 15.040**.

As a result of the site's landmark status under the Implementing Zoning Ordinance only telecommunication facilities that qualify as "exempt," "mini," or "minor" [Wireless Telecommunications] facilities are eligible to be installed pursuant to Municipal Code Section 14.44.020(S).

As proposed, the project does not meet the definition criteria for "exempt" or "mini" facilities. Although the proposal could proceed as a minor [Wireless Telecommunications] facility, per Muni Code Sections 14.44.090(B) and (R) a minor [Wireless Telecommunications] facility

- **may not** have a combined effective radiated power radiated by all antennas present on the parcel in excess **one thousand five hundred watts**, and
- **may not** be located within **75-feet from a residential dwelling unit**.

The Verizon Telecommunication application **proposes a facility** with a maximum effective radiate power of **46,800 watts** and the installation location, at the southern corner of the property is located directly adjacent to a residential unit at 432 Baker Street.

Petaluma West-VHP Comment: Yet, the antennas have the capability of transmitting more than 530,000 Watts of effective radiated power . . . **46,800 / 533,440 = 8.8% of antenna capability.** How can the City of Petaluma trust this unverified Verizon Effective Radiated Power projection calculated by a serially-unreliable vendor as established by data already in the Petaluma public record, **without any local policing** of the power output from these antennas?

Therefore, in order for the current application to be eligible for approval, in addition to addressing the concerns related to the safety of the ammonia refrigeration system noted above, the **project must also be revised to comply with Muni Code Section 14.44.090 (B) and (R)**.

As you are aware there is currently a **Tolling Agreement in effect until September 1, 2020**, with an active request from the applicant to extend the tolling period to October 6, 2020. Per previous communications with Verizon counsel, City Staff believes additional time remains on the shot clock for consideration of the pending application.

Petaluma West-VHP Comment: How does this timing work, considering the probable outcome: an appeal to the Planning Commission decision to the Petaluma City Council? When will there be a new tolling agreement signed?

Based on staff's review of the current application record it **will be necessary** for the

1. **applicant to revise the project** as described above,
2. And — if not — it will be necessary for staff to **schedule the project for denial,** prior to expiration of the tolling agreement.

Please do not hesitate to contact me at bbendix@cityofpetaluma.org or at 707-778-4314 with any follow-up questions and discussion items that result from this letter.

Sincerely,

Brittany Bendix
Deputy Planning Manager

cc:
Heather Hines
Eric Danley
Justin Shiu

--
Regards,

Petaluma West-VHP!
https://unsafeatanyg.com/petaluma

Hines, Heather

From: Paul McGavin <paul.mcgavin@scientists4wiredtech.com>
Sent: Thursday, July 30, 2020 12:39 AM
To: Hines, Heather
Cc: Flynn, Peggy; Danly, Eric; Justin Shiu; stevebleasdell@gmail.com; lendri purcell; Lydia Schindler; sspringhorn@gmail.com; Terry, Suzanne
Subject: Petaluma Creamery 4G/5G Application PLMA-20-0003/PLUP-19-000 Video Conference on July 30, 2020 at 9:30 am

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Thanks for your email response, Heather.

I left you a message at 8:30 am this morning and did not hear back from you until 6:44 pm.

You can look for a more detailed email from me tomorrow morning before the Zoom Video conference at 9:30 am.

The email tomorrow morning will include the agenda items we will need to cover tomorrow re: PLMA-20-0003/PLUP-19-000. It is unlikely we can cover in the allotted 30-minutes all of the items, some of which have remained unaddressed by the m-group (https://www.unsafeatanyg.com/petaluma/creamery/#latest) in over a month. Therefore, we will need to extend the meeting time **or** schedule another time later in the day.

When I received the following invitation, the distribution list included **Peggy Flynn**, Eric Danly, Brittany Bendix and you.

We understand that Brittany is out on personal leave, but our expectation is that everyone else on the distribution list, **including Peggy Flynn** would be attending the video conference. I also understood from Justin, as he is the project **STAFF CONTACT** person listed here https://cityofpetaluma.org/611-western-avenue-verizon-telecommunications-facility/ that he would be attending the video conference, as well.

STAFF CONTACT

Justin Shiu
Senior Planner
510-634-8443 ext.143
jshiu@m-group.us

Planning Division
11 English Street
Petaluma, CA
94952

I asked Justin today to pass on a clear message to you: "Receiving only **one** return call from Heather Hines since June 10, 2020 about PLMA-20-0003/PLUP-19-000 is both unprofessional and unacceptable -- and it evidences an unequal and discriminatory treatment of some of the important stakeholders that will be affected by this project (Petaluma Residents -- the "natural" persons)

Stakeholders of PLMA-20-0003/PLUP-19-000

1. Petaluma Residents (the affected "natural" persons)

2. The applicants (Complete Wireless/Cellco Partnership dba Verizon Wireless (the "artificial" persons) -- the tenant

3. The Petaluma Creamery owner -- the landlord

THE INVITATION

>>> Terry, Suzanne wrote on 7/24/2020 10:24 AM:

```
Suzie Terry is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting
https://zoom.us/j/94357644604?pwd=ZjEyc0lLeDg5MnNiQzdiblV3TXk0QT09

Meeting ID: 943 5764 4604
Passcode: 516790
One tap mobile
+16699009128,,94357644604#,,,,,,0#,,516790# US (San Jose)
+12532158782,,94357644604#,,,,,,0#,,516790# US (Tacoma)

Dial by your location
        +1 669 900 9128 US (San Jose)
        +1 253 215 8782 US (Tacoma)
        +1 346 248 7799 US (Houston)
        +1 646 558 8656 US (New York)
        +1 301 715 8592 US (Germantown)
        +1 312 626 6799 US (Chicago)
Meeting ID: 943 5764 4604
Passcode: 516790
Find your local number: https://zoom.us/u/ad2ve5m6F
```

We have four participating in the call from Glen Ellyn VHP.

1. Paul McGavin
2. Steve Bleasdell
3. Lendri Purcell
4. Lydia Schindler

I spent about an hour on the phone with Justin Shiu today, who attempted to answer as many questions as he could from those (denoted by **Q:**) listed here --> https://www.unsafeatanyg.com/petaluma/creamery/#latest

Justin could answer about 75% of the questions, but deferred about 25% of them to you. Time permitting, we will discuss tomorrow his answers and your answers.

See my other responses to your email, below.

>>> Hines, Heather wrote on 7/29/2020 6:44 PM:

Paul,

> I received your three voicemails today and am responding via email the same day. It is my understanding that you have also left several messages today for the City Manager, Justin Shiu, and Brittany Bendix. When you reach out to multiple staff members multiple times in a given day you will not receive calls back from each person.

I expected a call back from **someone**.

I count exactly **zero** returned calls from the City Clerk from June 10, 2020 to the present.

I count exactly **zero** returned calls from the City Manager or the Assistant City Manager from June 10, 2020 to the present.

I count exactly **zero** returned call from the City Attorney from June 10, 2020 to the present.

I count exactly **one** returned call from you since June 10, 2020. That is simply not enough returned calls, Heather . . .

. . . particularly when the following was emailed to Scott Springhorn and not to me:

---------- Forwarded message ---------
From: **Bendix, Brittany** <bbendix@cityofpetaluma.org>
Date: Tue, Jul 28, 2020 at 6:48 PM
Subject: Automatic reply: Verizon Project
To: Scott Springhorn <sspringhorn@gmail.com>

> Hello,
>
> I am away from my desk the week of July 27, 2020 and will be returning on Monday, August 3, 2020.
>
> For general inquiries please contact petalumaplanning@cityofpetaluma.org.
>
> For project related inquiries, please contact Heather Hines at hhines@cityofpetaluma.org.
>
> Thank you,
>
> Brittany

> We work as a team and have been diligent to make sure that staff got back to you in response to your inquiries, whether by email or by telephone.

pmg: The evidence shows the contrary, Heather. We have this all well-documented. You writing the sentence above does not change the facts.

> I know that Justin Shiu returned your call today

pmg: He did. I spent about an hour on the phone with him and appreciated the time he gave to me.

> and I am emailing after hours to provide timely response to your voicemails of earlier today.

pmg: How is an email at 6:44 pm at all timely, Heather? Did you address today the issue of the missing video of the 7/28/2020 Planning Commission Meeting at https://cityofpetaluma.org/meetings/ ?

Apparently not. I just checked it at https://petaluma.granicus.com/MediaPlayer.php?view_id=31&clip_id=3045

<iframe width="720" height="480" frameborder="0" allowfullscreen="true" src="https://petaluma.granicus.com/MediaPlayer.php?view_id=31&clip_id=3045&starttime=undefined&stoptime=undefined&autostart=0&embed=1"></iframe>

pmg: The video still **just shows the first six minutes of the meeting** of "oops, we sent out the wrong Zoom link". The video is missing all of the substantive comment from the meeting, including the public comments. What will the City of Petaluma do tomorrow to correct this error?

> Brittany is out of the office on personal leave this week and I ask that you please discontinue the repeated calls to her cell phone.

pmg: I called her today on her cell phone and business line once. I got a ten-second, unintelligible return call from her and a swift hang up. I had no chance to say, "I didn't hear you."

> City staff, including myself and City Attorney Eric Danly, are scheduled to meet with you via Zoom tomorrow at 9:30 a.m.

pmg: What about the City Manager, **Peggy Flynn**? She was copied on the invitation . . . see above.

> We have scheduled the meeting for 30 minutes and are there to answer questions about the project and/or process to the extent we are able to.

pmg: That will not be enough time, Heather. How else will the m-group address the items, many of which have not been addressed by the m-group in over a month?

> Staff has provided you a copy of our recent written communication with Verizon representatives and which provides an update on the status of the project.

pmg: We received the 7/24/2020 letter around 6:00 pm on 7/28/2020 -- which was also not very timely. We read the letter and have questions.

> There has not been any change in that status and staff has not received a response from Verizon to date.

pmg: We expect that Complete Wireless/Cellco Partnership dba Verizon Wireless will not respond, until the very last moment; it is a common ploy by attorney Paul Albritton and his clients.

We will have to assume that PLMA-20-0003/PLUP-19-000 will take whatever steps are necessary to have the item heard by the Planning Commission on August 11, 2020 -- just as it was listed on the Agenda of the 7/29/2020 Planning Commission meeting -->
https://petaluma.granicus.com/GeneratedAgendaViewer.php?view_id=31&clip_id=3045

10. Tentative Future Agenda Items:

A. August 11, 2020

1. Zoning Map Amendment - City owned property at 27 Howard Street

2. Verizon Telecommunication Facility (continued from 6/23/2020)

3. Hines Downtown Station Residential - Study Session

As previously indicated, we understand your interest in the project and will provide additional status update when one is available.

pmg: Please provide a detailed update with evidence and reasoned decision-making to explain why the City of Petaluma has not yet ordered an industry-standard test of Verizon signal strengths in the area within a three-mile radius of the Creamery? Please explain why it is it not in the best interests of Petaluma to order such a test of Verizon signal strengths?

Written Evidence — Wireless Antenna Need Test In Telecommunications (WE-WANT-IT)

WE-WANT-IT would require a Comprehensive Wireless Signal Strength Test to be conducted every six months by an independent RF Engineer, who will log, second-by-second, the Wireless signal-strength levels in dBm (decibel-milliWatts) of every carrier-specific licensed and unlicensed wireless frequency that is being transmitted to the streets of Petaluma The full data file for each WE-WANT-IT test will be placed in the Petaluma public record for anyone to view, analyze and verify and will serve as the basis for local decisions, regarding:

- the need for any additional Wireless infrastructure; and
- the placement, construction, modification and operations of WTFs of Any G within Petaluma's borders.

The cost for each WE-WANT-IT test would be paid by antenna operators on a pro rata basis: the share of each Wireless Company's antenna capabilities, meaning the percentage of the sum of the maximum Effective Radiated Power that could be transmitted by each antenna operating within the Petaluma's borders.

At this time, you have the most up to date status of the status of the project and the pertinent dates associated with the project.

pmg: No, we don't. We and the City of Petaluma both continue to lack substantial information about PLMA-20-0003/PLUP-19-000, proving that the Complete Wireless/Cellco Partnership dba Verizon Wireless application continues to **suffer from material errors and omissions** which we identified and communicated to the m-group from June 12, 2020 through July 17, 2020, as established in the Petaluma public record.

Allowing an incomplete application to go forward to the Petaluma Planning Commission with no verifiable data of Verizon signal strengths is just one serious error. There are other substantive errors and omissions throughout the application.

--
Regards,

Paul McGavin
Scientists For Wired Technology
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Hines, Heather

From: Helen Grieco <helengrieco@comcast.net>
Sent: Wednesday, July 29, 2020 9:15 AM
To: Hines, Heather
Cc: Bendix, Brittany
Subject: Re: Public comment from Helen Grieco

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Thank you:)

Helen Grieco
415 531 1774
helengrieco@comcast.net

On Jul 29, 2020, at 7:09 AM, Hines, Heather <hhines@cityofpetaluma.org> wrote:

Heather

I am glad that you were able to make your public comment verbally to the Planning Commission last night.

Please let me known if I can be of further assistance.

Heather

From: Helen Grieco <helengrieco@comcast.net>
Sent: Tuesday, July 28, 2020 7:23 PM
To: Hines, Heather <hhines@cityofpetaluma.org>
Subject: Public comment from Helen Grieco

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Greetings Heather Hines,
I was able to get the zoom link so I could attend the meeting tonight-
just in case anything else should go wrong — here are my comments:

Good evening Planning Commissioners,
My name is Helen Grieco, a resident of Petaluma.
I attest and affirm that the following statements are true, accurate, and within my personal knowledge.
We have a federal national emergency (COVID-19) Outbreak -- and a local county order that specifies that only the **work necessary to the operations and maintenance** of telecommunications services is essential.
This Does Not Cover the Building of New Wireless Telecommunications Facilities

Petaluma can and should join Simi Valley, CA, Easton, CT and Keene Nh and take full advantage of this set of circumstances to legally declare a moratorium -- a legal temporary delay on the processing of applications, placement, construction or operations of Wireless Telecommunications Facilities of any size and any G -- **until the federal national emergency has been declared over**. This point was expressly stated in FCC Orders

I am testifying tonight to request that Petaluma place a moratorium on any new telecommunications ---we only need to maintain what we have.

The City will have the benefit of receiving two Ninth Circuit Court of Appeals Ruling i on Feb 10, 2020 in Pasadena:

- **a.** Case No. 18-72689, the City of Portland et al v. FCC re: the repeal of FCC Order 18-133, the FCC's Small Cell Streamline Deployment Order
- **b.** Case No. 19-70490, American Electric Power v. FCC re: the repeal of FCC Order 18-111, The Self-Help, One-Touch/Make Ready order

I suggest you pass “Ordinance M, the Local Telecom Moratoria” order. By doing so, the city will have time to pass other important wireless ordinances to improve its wireless code. My I also suggest including an ordinance to regulate power output.

Our organization My Street, My Choice, (https://mystreetmychoice.com) request an “Ordinance M” to be put onto the agenda for the next meetings of the Planning Commission and/or City Council, if executed as an Urgency Ordinance.

I have expressed no matter of mere concern but solely matters of substance, fact and law. I accept your oath of office.

Signed this 28th day of July, 2020

Helen Grieco
Helen Grieco
415 531 1774
helengrieco@comcast.net

Hines, Heather

From: Hines, Heather
Sent: Wednesday, July 29, 2020 7:06 AM
To: lendri purcell; -- City Clerk; Bendix, Brittany
Subject: Re: I had trouble getting into the Planning Commission Meeting tonight, but here was my testimony. can you please pass to planning commission members?

Lendri,

I am sorry you were not able to join last night's Planning Commission meeting.
There were three people under the general public comment at last night's meeting that spoke about the Verizon application on the Petaluma Creamery.
I have forwarded your public comment to the Planning Commissioners per your request.

Please let me know if you have any additional questions.

Heather

From: lendri purcell <lendrip@gmail.com>
Sent: Tuesday, July 28, 2020 8:07 PM
To: Hines, Heather <hhines@cityofpetaluma.org>; -- City Clerk <CityClerk@cityofpetaluma.org>; -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: I had trouble getting into the Planning Commission Meeting tonight, but here was my testimony. can you please pass to planning commission members?

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
My name is Lendri Purcel. I am a resident of Petaluma and I am the President of FACTS (Families Advocating for Chemical and Toxics Safety). I attest and affirm that the following statements are true, accurate, and within my personal knowledge.
The City of Petaluma has the duty and obligation to preserve the Quiet Enjoyment of Petaluma streets and residences while enduring the invasion of densified 4G-5G Wireless Telecommunications Facilities (WTFs).
If Planning officials properly focus on the maximum power output of WTFs the Planning Officials will no longer get fooled by focusing only on the dimensions of a WTF.
So-called "small" WTFs are falsely branded. One sWTF 50 feet or so from a home is 25 million times more powerful than a Macro Cell Tower that is 2500 feet or more from a home -- once you consider the metric that matters -- the intensities of the toxic pollutant (RF/MW radiation) that reaches second- and third-story bedrooms.
That's right. The distance of the wireless antennas to the bedroom is the key variable that demands appropriate and effective **local regulation** of the maximum power output from these antennas.
It is simple. How much electromagnetic power through the air enables 5 bars on a cell phone? **The answer is** just 0.002 RF/WM radiation units.
What is the intensity of the RF/MW radiation from sWTF antennas placed 50 feet or so from a 2nd-story bedroom? **The answer is** 50,000 average RF/WM radiation units.
Simple Math: 50,000 divided by 0.002 yields a difference of 25 million times.
I will say it again, 25 million times more power than is needed for telecommunications service -- i.e. 5 bars on a cell phone.
This makes the Petaluma Small Cell-specific Zoning Ordinance passed in August/September 2018 all the more prescient.

Now we need to put equal care into updating the Municipal code for minor wireless facilities and major wireless facilities. The requirement for the latter is disturbingly thin in the current Petaluma Muni code. We look forward to discussing this with City Staff on Thu July 30 at 9:30 am.
I have expressed no matter of mere concern but solely matters of substance, fact and law.
Signed this 28th day of July, 2020
Lendri Purcell

Hines, Heather

From: Hines, Heather
Sent: Wednesday, July 29, 2020 7:05 AM
To: patrickstreeter@gmail.com; Scott Alonso; heidibauer2000@gmail.com; Sandi Potter; Richard@lacehouselinen.com; McDonnell, Kevin; Blake Hooper
Cc: Ellis, Evelyn; Bendix, Brittany
Subject: Fw: I had trouble getting into the Planning Commission Meeting tonight, but here was my testimony. can you please pass to planning commission members?

Chair Streeter and Commissioners,

Please see the public comment letter below from a member of the public that was not able to join last night's meeting for general public comment.

Heather

From: lendri purcell <lendrip@gmail.com>
Sent: Tuesday, July 28, 2020 8:07 PM
To: Hines, Heather <hhines@cityofpetaluma.org>; -- City Clerk <CityClerk@cityofpetaluma.org>; -- City Clerk <CityClerk@cityofpetaluma.org>
Subject: I had trouble getting into the Planning Commission Meeting tonight, but here was my testimony. can you please pass to planning commission members?

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Signed this 28th day of July, 2020
Lendri Purcell

Hines, Heather

From: Hines, Heather
Sent: Tuesday, July 28, 2020 8:49 PM
To: Barrett,Teresa
Cc: Galten, Brendan; Carter, Patrick
Subject: Re: Unable to get the zoom link to work to for public comment at the Planning Commission tonight

We realized early in the meeting and were able to trouble shoot and get revised login info out quickly.

Helen was able to join the meeting and provide public comment.

Heather

Sent from my iPhone

> On Jul 28, 2020, at 8:45 PM, Barrett,Teresa <tbarrett@cityofpetaluma.org> wrote:
>
> FYI
> Teresa Barrett
> Mayor of Petaluma
> 707.953.0846
>
> ---
>
> **From:** Helen Grieco <helengrieco@comcast.net>
> **Sent:** Tuesday, July 28, 2020 7:20 PM
> **To:** Barrett,Teresa
> **Subject:** Re: Unable to get the zoom link to work to for public comment at the Planning Commission tonight
>
> ---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
> never mind- -Heather answered her email and I got the correct zoom link
> and Evelyn just called from the city too— whew…
>
> Helen Grieco
> 415 531 1774
> helengrieco@comcast.net
>
> > On Jul 28, 2020, at 7:11 PM, Helen Grieco <helengrieco@comcast.net> wrote:
> >
> > Greetings Madam Mayor,

I'm bringing this to your attention:

The link for the Zoom Planning Commission meeting tonight is out of date https://petaluma.granicus.com/GeneratedAgendaViewer.php?view_id=31&event_id=44964

I took it from the agenda. In addition, it did not have an ID code for the meeting.

The best I could figure to do was to call the number for disability assistance. I left a message.

Here are my comments for tonight. May I ask that you help me get them entered into the meeting minutes under public comment?

Good evening Planning Commissioners,

My name is Helen Grieco, a resident of Petaluma.

I attest and affirm that the following statements are true, accurate, and within my personal knowledge.

We have a federal national emergency (COVID-19) Outbreak -- and a local county order that specifies that only the **work necessary to the operations and maintenance** of telecommunications services is essential.

This Does Not Cover the Building of New Wireless Telecommunications Facilities

Petaluma can and should join Simi Valley, CA, Easton, CT and Keene Nh and take full advantage of this set of circumstances to legally declare a moratorium -- a legal temporary delay on the processing of applications, placement, construction or operations of Wireless Telecommunications Facilities of any size and any G -- **until the federal national emergency has been declared over**. This point was expressly stated in FCC Orders

I am testifying tonight to request that Petaluma place a moratorium on any new telecommunications ---we only need to maintain what we have.

The City will have the benefit of receiving two Ninth Circuit Court of Appeals Ruling i on Feb 10, 2020 in Pasadena:

- **a.** Case No. 18-72689, the City of Portland et al v. FCC re: the repeal of FCC Order 18-133, the FCC's Small Cell Streamline Deployment Order

- **b.** Case No. 19-70490, American Electric Power v. FCC re: the repeal of FCC Order 18-111, The Self-Help, One-Touch/Make Ready order

I suggest you pass “Ordinance M, the Local Telecom Moratoria” order. By doing so, the city will have time to pass other important wireless ordinances to improve its wireless code. My I also suggest including an ordinance to regulate power output.

Our organization My Street, My Choice, (https://mystreetmychoice.com) request an “Ordinance M” to be put onto the agenda for the next meetings of the Planning Commission and/or City Council, if executed as an Urgency Ordinance.

I have expressed no matter of mere concern but solely matters of substance, fact and law. I accept your oath of office.

Signed this 28th day of July, 2020

<Signature .pdf>

Helen Grieco

Helen Grieco
415 531 1774
helengrieco@comcast.net

Hines, Heather

From: lendri purcell <lendrip@gmail.com>
Sent: Tuesday, July 28, 2020 8:07 PM
To: Hines, Heather; -- City Clerk; -- City Clerk
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Signed this 28th day of July, 2020

Lendri Purcell

Hines, Heather

From: Hines, Heather
Sent: Tuesday, July 28, 2020 6:18 PM
To: patrickstreeter@gmail.com; heidibauer2000@gmail.com; Scott Alonso; Blake Hooper; Richard@lacehouselinen.com; Sandi Potter; McDonnell, Kevin
Cc: Bendix, Brittany
Subject: Verizon Telecommunication Application Status
Attachments: Verizon Letter - Landmark Status.pdf

Chair Streeter and Commissioners,

At the last Planning Commission meeting there was public comment about the status of the Verizon Telecommunication project.
Since that time staff has evaluated the information submitted and communicated with the applicant regarding staff's findings.
The attached letter was sent to Verizon last week and may be helpful to update the Planning Commission on the status of the project.

Please let myself or Brittany know if you have any questions.

Heather

Hines, Heather

From: Scott Springhorn <sspringhorn@gmail.com>
Sent: Friday, July 24, 2020 10:13 AM
To: Bendix, Brittany; Hines, Heather
Subject: Checking in for an update on proposed cell tower at Petaluma Creamery

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Brittany & Heather,

I hope that you both are doing well. I wanted to check back in with you regarding a status update with what has been happening with this proposed telecommunications tower project at the Petaluma Creamery as of late. I know that you had sent us an email on Monday of this week and informed us that you would get back to us mid week with an update.

I also wanted to follow up specifically about the historical information regarding the Petaluma Creamery. I was in touch with Bryan Much at the Northwestern Information Center (CHRIS information center that is part of the OHP) and he sent me multiple documents that showed the Petaluma Creamery on the California Register (in the OTIS-OHP tracking system) with other important information regarding its recognition/designation. I am not sure if you have had a chance to talk with Bryan, if not I can get you those documents or have Bryan send them over to you if you would like.

I also noticed that there are only 3 meetings left with the Planning commission before the September 1st Shot clock / tolling agreement date runs out. I am not sure if you are planning on extending the shot clock or if you are planning on making your judgement before that time.

I know that you are both very busy on this project as well as many others and I know that offices are not open on Fridays. It would be great to hear any updates on these items even if the update is that you are still working on it or that you are still unsure of what you are planning to do. Thank you for all of the hard work that you both do and I look forward to hearing from you soon. Thanks and have a great weekend.

Scott Springhorn

From: Scott Springhorn <sspringhorn@gmail.com>
Sent: Thursday, July 2, 2020 3:33 PM
To: Flynn, Peggy <PFlynn@cityofpetaluma.org>; Barrett,Teresa <tbarrett@cityofpetaluma.org>
Subject: Historic Recognition of the Petaluma Creamery

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
To Teresa Barrett & Peggy Lynn,

I am writing to you in response to the 16 antenna "major" antenna farm that is being proposed on top of the petaluma creamery. I live on Western Avenue and oppose this proposal. There are many issues with this project from not having drive test data that can actually show that there is no significant gap in telecommunications coverage in this area as well as many parts of Verizon's applications and paperwork that are not complete. In addition, I am sure that you both know about the issues that the creamery has with it being out of code with it's ammonia cooling system and that it is also out of code by the bay area air quality management district with its respects to emissions and its equipment. I know that all of this is being looked at by our planners. I also wanted to share with you some other information that should make this situation at the creamery change immediately from a major wireless facility to a minor wireless facility farm based on the following code and evidence.

Per the City of Petaluma municipal code **14.44.020 (S.4.I)** it defines a telecommunication facility minor **IF** "telecommunication facilities are on a structure recognized as a historic landmark." Below is a list of evidence from multiple City of Petaluma resources, websites, and other local resources including the Petaluma creamery in which **ALL recognize** that the Petaluma creamery is a Historic site.

1. City of Petaluma Heritage Sites: https://petalumamap.com/categories/heritage-sites On the tab that shows the creamery on this website it states **"Historic Petaluma Creamery".** It goes on to state "The venerable Petaluma Creamery , established in 1913 by a group of dairy farmers has dutifully anchored the west side of downtown Petaluma for the last century..."

2. Petaluma Creamery Website https://www.springhillcheese.com/our-story/ It states in an article on their website about their story references itself as a **"landmark creamery"** and **" The creamery not only has historical significance to our community but has been an essential component of our local economy as well."** In addition there are multiple signs on the creamery that read **"historically delicious"**

3. State Office Of Historic Preservation Letters #1 & 2 (located in SHPO materials to Petaluma (p.163 & p. 3) In both of these letters Julianne Polanco, state historic preservation officer states multiple times and designates that the Petaluma creamery is **eligible for the national historical register under criterion A & C.**

4. On the City of Petaluma Historical and Cultural Preservation Committee's website the only picture, and first thing that you see is the Petaluma creamery. On the website it states that their mission is **"To promote preservation of historic sites, landmarks, documents, paintings and objects associated with the City of Petaluma".** https://cityofpetaluma.org/committees-historic-cultural-preservation/#:~:text=Duties%20and%20powers%20of%20the,or%20acquired%20by%20the%20City.

5. On the City of Petaluma Historical and Cultural Preservation Committee website on the bottom of the page, it guides you to Authority specifically as outlined in Section 15.020 of the Implementing Zoning Ordinance. If you click on this it takes you to chapter 15 Preservation of the cultural and historic environment. If you refer to 15.040A -Designation of landmarks and historic districts by ordinance it states **"Landmarks shall be defined as buildings or sites listed on the state office of historic preservation directory of historic properties, or designated by the city as a local landmark.....**

6. On the Visit Petaluma website under the Western district it says **" Just a few blocks from downtown and located in an 100 year old landmark, Petaluma Creamery"**https://www.visitpetaluma.com/petaluma-california/

After looking at all of the above city websites, local & state agencies, and even the creameries website it is very evident that this site is recognized and well known for its historical significance in Petaluma. It should also be known that the creamery and the city of Petaluma is benefiting from it being recognized as a historical site on all of these websites as well as other places. Per the municipal code and based on this evidence then this project should immediately go back to its original status when the application started: i.e change it back from a major wireless facility (its current status) to a minor wireless facility (the original and correct status).

I am requesting that you provide some further guidance on this issue as it appears that this can change this situation immediately. Thank you for your time and I look forward to hearing from you both soon.

Thanks,

Scott Springhorn

Hines, Heather

From: Petaluma West-VHP! <petaluma@unsafeatanyg.com>
Sent: Monday, July 20, 2020 5:34 PM
To: Bendix, Brittany
Cc: Hines, Heather; sspringhorn@gmail.com; Flynn, Peggy; Cochran, Brian
Subject: Follow up questions

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Dear Brittany,

We have a few follow up questions, below, and all of these from over a month ago --> https://www.unsafeatanyg.com/petaluma/creamery/#latest

>>> Bendix, Brittany wrote on 7/20/2020 5:22 PM:

> Hello Paul,
>
> Thank you for your voicemail today. My meeting with Verizon last week focused primarily on the lack of information that they've provided to enable moving forward and acknowledging that the August 11 hearing date is not possible. So we will not be moving forward on that date.
>
> With that said, per Heather's e-mail from earlier this evening and Friday, we're still gathering information relative to the minor v. major distinction and will follow up once a decision has been made.
>
> **Brittany Bendix, Deputy Planning Manager**
>
> M-Group Consulting Planner

Thank you for that information.

1. Did the City of Petaluma then negotiate a new shot clock agreement or is September 1, 2020 **still the mutually-agreeable end-date** for a decision on the application?

2. Did the City of Petaluma tell the applicant that since the Petaluma Municipal Code says the following, the applicant would have to resubmit designs that comply with local code?

> ## 14.44.090 Minor facilities — Basic requirements.
>
> Minor facilities as defined in Section 14.44.020 of this chapter may be installed, erected, maintained and/or operated in any commercial or industrial zoning district where such antennas are permitted under this title, upon the issuance of a minor conditional use permit, so long as all the following conditions are met:
>
> A. The minor antenna use involved is accessory to the primary use of the property which is not a telecommunications facility.

B. The combined effective radiated power radiated by all the antenna present on the parcel is less than one thousand five hundred watts.

. . . and that they would have to redesign their Wireless Telecommunications Facilities (WTFs) to adhere to this because the Petaluma Creamery is recognized by the State of CA as a historic landmark property, and as such meets two criteria as a minor wireless facility

14.44.020 Definitions.

For the purpose of this chapter, the following words and phrases shall have the meaning respectively ascribed to them in this section:

4. **Telecommunications facility – minor** means any of the following:

. . .

e. More than three antennas, satellite dishes (greater than three feet in diameter), panel antennas, or combination thereof, are proposed to be placed on the commercial or industrial parcel, including existing facilities.

i. Telecommunication facilities located on a structure recognized as a historic landmark

--
Regards,

Petaluma West-VHP!
https://unsafeatanyg.com/petaluma

Hines, Heather

From: Petaluma West-VHP! <petaluma@unsafeatanyg.com>
Sent: Friday, July 17, 2020 1:46 PM
To: Hines, Heather; Bendix, Brittany; Justin Shiu
Cc: Flynn, Peggy; Cochran, Brian; Terry, Suzanne; Teresa Barret; Fischer, D'Lynda; Gabe Kearney; King, Dave; Kevin McDonnell; Miller, Kathy; Cooper, Claire; Sandi Potter; Patrick Streeter; Richard Marzo; Scott Alonso; Heidi Bauer; McDonnell, Kevin; sspringhorn@gmail.com; stevebleasdell@gmail.com
Subject: Petaluma West-VHP Needs Professional, Thorough Answers to Unaddressed Questions for PLMA-20-0003/PLUP-19-000

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
July 17, 2020

Heather Hines
Contract Planning Manager
Brittany Bendix, Justin Shiu
Employees of m-group/Contract Planners
City of Petaluma
11 English Street
Petaluma, CA 94952
707-778-4316

cc:
Peggy Flynn <pflynn@cityofpetaluma.org>, City Manger
Brian Cochran <bcochran@cityofpetaluma.org>, Assistant City Manger
Suzanne Terry <sterry@cityofpetaluma.org>, Executive Assistant to the City Manager
Teresa Barret <tbarett@cityofpetaluma.org> Mayor
Mike Healy <mhealy@cityofpetaluma.org>, Council Member
D'Lynda Fischer <dfischer@cityofpetaluma.org> , Vice Mayor
Gabe Kearney <gkearney @cityofpetaluma.org>
Dave King <dking@cityofpetaluma.org>
Kevin McDonnell <kmcdonnell @cityofpetaluma.org>
Kathy Miller <kmiller@cityofpetaluma.org>
Claire Cooper <ccooper@cityofpetaluma.org> and CityClerk@cityofpetaluma.org
Sandi Potter <sandi.lee.potter@gmail.com> Planning Commissioner
Patrick Streeter <patrickstreeter@gmail.com> Planning Commissioner
Richard Marzo <richard@lacehouselinen.com> Planning Commissioner Diana Gomez
dianaegomez@gmail.com, Planning Commissioner
Scott Alonso <alonsoplanningpet@gmail.com> Planning Commissioner
Heidi Bauer <heidibauer2000@gmail.com> Planning Commissioner
Kevin McDonnell <kmcdonnell@cityofpetaluma.org> Council Member

[City Clerk Cooper, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets

printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through Aug 4 be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners. Thank you for doing so.]

Re: Petaluma West-VHP Needs Professional, Thorough Answers to Unaddressed Questions for PLMA-20-0003/PLUP-19-000

Dear Ms. Hines et al.,

Thank you for your email response today.

Unfortunately, we do not consider what you emailed today, quoted below, to be a sufficient update. In fact, it only says, the m-group is choosing to take more time. I have asked you, Heather, to return my call, but you do not. Will you please call me today at 707-981-5522? We have only spoken once in the last month, despite many voicemails left for you. Will you also please answer the questions denoted with **Q:**, below? Thank you for doing so.

>>> Hines, Heather wrote on 7/17/2020 10:33 AM:

> Paul,
>
> Thank you for your voicemail.
> I know that Brittany spoke with you earlier this week and indicated that she would provide a status update today.
> This email serves as that update.
> Staff is reviewing the information that you provided this week.
> I anticipate that staff will be able to complete their review of this information by the middle of next week and Brittany will follow up with both the applicant and interested community members regarding our findings for processing Verizon's application.
>
> Heather
>
> Heather Hines
> Planning Manager
> City of Petaluma

Your 7/17/2020 email is a problem for the public because the Petaluma Creamery Cell Tower is a time-sensitive application. It is time-sensitive mostly because the **m-group chose to not discuss** this project with the public from Aug 2019 until June 2020. Now that the public has analyzed the files and established that there are **significant errors and omissions in the application**, we are unclear what steps, if any, that the m-group has taken to **declare the application incomplete** (which it is) and what, if any, new shot clock tolling agreement has been negotiated with the applicant. We shared the facts establishing application incompleteness on June 12, 2020 directly with the m-group and asked the m-group then to please write a letter detailing to the applicant what items remain incomplete.

Questions:

- **Q:** What has the m-group done in response?

- **Q:** Will the m-group please forward to me today any correspondence via email, letter or text that the m-group has sent to the applicant from June 1, 2020 through July 17, 2020?

Petaluma West-VHP simply cannot wait until the middle of next week for transparency on these items. Doing so is unreasonable, given the timelines of this project. Petaluma West-VHP will be reporting to the City Council on July 20, 2020 whatever information we get/or do not get from the m-group by then.

Please also note that the public got its first notifications of the Petaluma Creamery project sometime in late-May/early-June 2020, which resulted in the following informative Nextdoor.com posts/threads/discussions and a popular petition (**nearly 5,000 signatures** at https://www.change.org/p/planning-department-of-petaluma-stop-the-major-telecommunication-facility-at-the-petaluma-creamery AND https://unsafeatanyg.com/signup

1. PETALUMA CREAMERY CELL TOWER (June 5, 2020) --> https://nextdoor.com/news_feed/?post=150660413

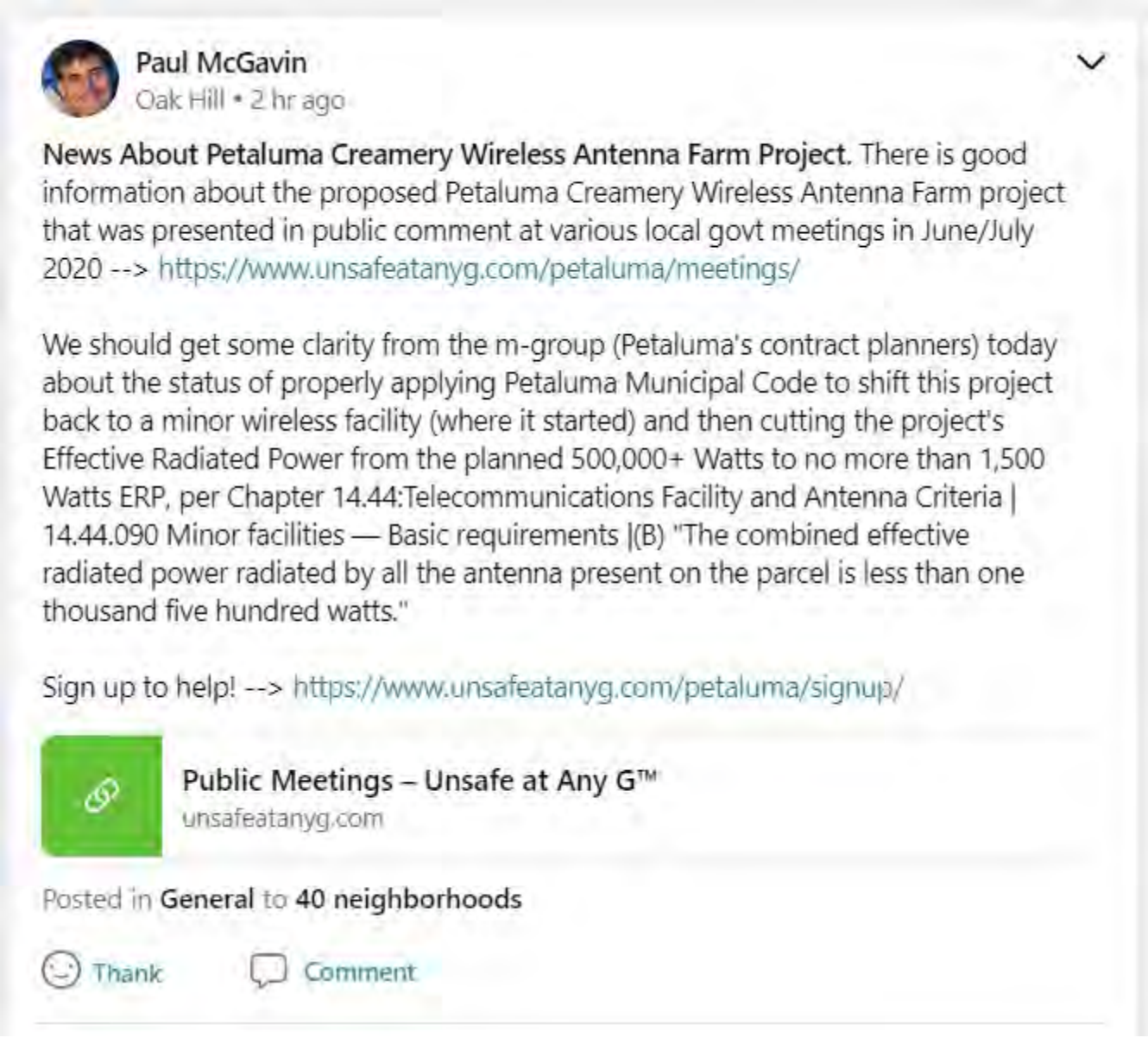
Hello neighbors, I'd like to to talk to our community about the Petaluma Creamery allowing Verizon to install a cell tower on top of one of their buildings. We feel that this is not beneficial to our neighborhood/community and may be geared more towards financial gain for the creamery owner.

2. Verizon is proposing to put a cell antenna farm atop Petaluma Creamery (July 8, 2020) --> https://nextdoor.com/news_feed/?post=154246879

Verizon is proposing to install an antenna farm capable of continuously emitting 530,000+ watts of effective radiated power into our neighborhoods. That puts 16 macro cell tower antennas 75-100 feet from people's homes. Planning committee meets at City Hall on August 11 to decide whether to accept Verizon's application. Get more information at https://www.unsafeatanyg.com/petaluma.

3. News About Petaluma Creamery Wireless Antenna Farm Project. (July 17, 2020) -->

There is good information about the proposed Petaluma Creamery Wireless Antenna Farm project that was presented in public comment at various local govt meetings in June/July 2020 --> https://www.unsafeatanyg.com/petaluma/meetings/



In my voicemails that I have left for you, Heather, I have asked for professional responses to a number of open questions, which you continue to not address.

I am placing these reasonable, yet still unanswered, questions into the public record via this email and, by doing so, am establishing that these questions remain unaddressed as of July 17, 2020. I am also establishing the fact that the public deserves answers to these reasonable and informed questions. **When can we expect answers from the m-group to the following questions?**

A. Unaddressed Questions from https://unsafeatanyg.com/petaluma/creamery:

- **Q: From June 10, 2020:** Does the m-group recognize the corrections made (via **S4WT Comment:**) to the mistake-ridden **email from Justin Shiu to gpantiquus on June 8, 2020 at 3:36:28 PM**? If so, will please confirm your agreement in writing. If not, will please provide the evidence, citations and reasoned decision-making for the m-group's disagreement with the following corrections/comments?

  S4WT Comment: It is inappropriate to refer to the FCC pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) exposure guideline as a safety standard; it is only a

commercial guideline. There is no basis to conclude that the guideline is protective or provides safety. Read more here https://scientists4wiredtech.com/wireless-industry-false-claims-that-regulatory-compliance-means-safety/

S4WT Comment: This is the highest level of RF-EMR exposure in any project that I have seen. I have been reviewing Wireless Telecommunications Facilities (WTFs) projects since 2017. Exposures would be higher at second- and third-story windows (often bedrooms). This level of Effective Radiated Power is hazardous, as you can learn here at these links:

- http://mystreetmychoice.com/docs/RF-EMR-Exposures-v5.pdf
- https://scientists4wiredtech.com/wireless-industry-false-claims-that-regulatory-compliance-means-safety/
- https://scientists4wiredtech.com/sebastopol#death

S4WT Comment: once again, compliance does not mean safety.
https://scientists4wiredtech.com/regulation/rf-microwave-exposure-guidelines/

S4WT Comment: Justin, this is a serious error on your part. Please read the following and tell me on what are you basing your false statement that the city cannot consider the "alleged health effects" or "alleged negative health impacts" of Wireless Telecommunications Facilities (WTFs) projects. In short, "quo warranto", Mr. Shiu?

- **Q: From June 11, 2020:** Will the m-group please get the following missing information from the applicant to make the PLMA-20-0003/PLUP-19-000 application complete?

Specifically, we are interested in the following information:

- Manufacturer, Model No. and Specifications for each piece of equipment being installed (this is still missing)
- A Power consumption analysis to project electricity consumption projected by day, month and year (this is still missing)
- Any analysis about the level of Effective Radiated Power that is actually needed to close an alleged significant gap in telecommunications coverage (the only lawful basis for any preemption of local authority the Wireless applicant may have under the 1996-TCA) (this is still missing)
- Any NEPA review, since according to Erica Rosenberg, the FCC NEPA attorney, "Every single Wireless Telecommunication Facilities applications must do a NEPA review –> https://scientists4wiredtech.com/action/nepa-strategies/ (this is still missing)

We also need **a full accounting** (this is still missing) of the 150-day CA State shot clock (from 2015's CA AB.57) for this Major Wireless Telecommunications Facility (WTF) project and to read the terms of the tolling agreements that you said were in place (the last being signed around June 2, 2020):

- Date of application
- Dates of any letters declaring the applications incomplete
- Dates of letters accepting the application
- Dates of 150-day shot clock running out? (if so, this is a real problem that needs to be immediately addressed)
- Dates of the tolling agreement with the applicant or its agent and the mutually agreed-to end date

- **Q: From June 16, 2020:** Whether or not the City of Petaluma will order a **Written Evidence -- Wireless Antenna Need Test in Telecommunications** ("WE-WANT-IT") for PLMA-20-0003/PLUP-19-000, which an industry-standard drive test of carrier-specific signal strength (in dBm) to establish if any significant gap in Verizon telecommunications coverage actually exists anywhere in the three-mile radius from the Petaluma Creamery so the Planning Commission can deliberate with reliable, objective data regarding actual Verizon frequency-specific signal strength data — the raw data of which will be placed in the public record for all to read, verify and analyze. (we have been discussing the **critical need for the WE-WANT-IT test** for a month, but have not learned of any final decision or even who is the final decision-maker; we instead see inaction, stonewalling and willful avoidance by the City of Petaluma. This issue is being ignored and **needs to be addressed by the Petaluma City Manager**)

- **Q: From June 16, 2020:** Whether or not, with full knowledge that the PLMA-20-0003/PLUP-19-000 application **is significantly incomplete** and is missing its FCC-required NEPA review, will the m-group proceed with the ~~June 23~~ [Aug 11] deliberation at the Petaluma Planning Commission meeting? (updated date due to applicant request; there are no decisions on this matter)

- **Q: From June 16, 2020:** Whether or not, given the obvious problems with doing critically important business with the City of Petaluma during COVID-19 shut down, the City of Petaluma will decide to hold off on considering such massive changes to the residential character of many West Petaluma neighborhoods and **postpone considering this item until after COVID-19 shutdown is over**. (this issue is also being ignored and **needs to be addressed by the Petaluma City Manager**)

- **Q: From June 17 2020:** Will the m-group please get from the applicant the following missing information, which is needed to make the application complete because the application for PLMA-20-0003/PLUP-19-000 **has remained substantially incomplete in the following significant ways for over a month**?

    1. Application is missing details for radios and power generation equipment (specs cannot be verified): "Manufacturer, Model No. and Specifications for each piece of equipment being installed" (note we only have verified the antenna manufacturer and model number, all radio and power generation detail is missing)

    2. Application is missing a power consumption analysis: A Power Consumption Analysis to project Electricity consumption projected by day, month and year (power consumption cannot be verified)

    3. Application is missing verifiable analysis about the minimum level of Effective Radiated Power that is actually needed to close an alleged significant gap in Title II telecommunications coverage (the only lawful basis for any preemption of local authority the Wireless applicant may have under the 1996-TCA in 2020) (this is still missing)

    4. Application is missing its FCC-required NEPA Review: Any NEPA review, since according to Erica Rosenberg, the FCC NEPA attorney, "Every single Wireless Telecommunication Facilities application must undergo NEPA review → see https://scientists4wiredtech.com/action/nepa-strategies/. (this is still missing)

- **Q: From June 17 2020:** Will the City of Petaluma is take the common sense, no-cost step of first ordering an industry-standard Drive Test of signal strength **before** considering this item at the Planning Commission. It was the Drive Test data that made all the difference in Monterey, CA in March, 2018 → http://mystreetmychoice.com/monterey.html, when they denied Wireless Telecommunications Facilities (WTFs) and did not get sued.

- **Q: From June 17 2020:** Does the City of Petaluma recognize that the August 9, 2019 Ruling in United Keetoowah v FCC does apply to the Ninth Circuit?

    - The August 9. 2019 Ruling in United Keetoowah v FCC was decided by the circuit court of appeals in Washington, D.C., and does apply in California, which is overseen by the Ninth U.S. Circuit Court of Appeals.

    - As you can see on this map, after the U.S. Supreme Court, the D.C. Circuit is usually considered the most prestigious of American courts because its jurisdiction contains the U.S. Congress and many of the U.S. government agencies, and therefore it is the main appellate court for many issues of American administrative law and constitutional law. **Its Rulings apply to the entire United States**, as admitted at 3:34:55 in the public record video by Verizon outside counsel Paul Albritton at the San Francisco Board of Appeals on Nov 20, 2019. "My colleague, Melanie Sangupta, reminded me that NEPA does apply nationwide."

- **Q: From June 17 2020:** Finally, we are reporting to you that the public **has had significant problems doing critically important business with the City of Petaluma during COVID-19 shut down**. Why is City of Petaluma not deciding to hold off on considering such massive changes to the residential character of many West Petaluma neighborhoods and postpone considering this item until after COVID-19 shutdown is over? Other cities across the country have already done this, including Simi Valley, CA, Easton, CT and Keened, NH. Why is the City of Petaluma choosing to hear this item during COVID-19 lockdown when it doesn't have to?

- **Q: From June 18 2020:** Directed to the City Clerk, with no response: What are the proper process and procedures for noticing the public and for informing the City of Petaluma Planning Commissioners and the public about a very large project that would forever change the residential character of many West Petaluma neighborhoods: PLMA-20-0003/PLUP-19-000 — 611 WESTERN AVENUE – VERIZON WIRELESS TELECOMMUNICATIONS FACILITY (WTF) 611 WESTERN AVENUE – VERIZON TELECOMMUNICATIONS FACILITY ("Antenna Farm"), a project that would install 16 six-foot antennas, with the capability of outputting over 533,440 Watts of Effective Radiated Power 24/7/365 on the roof of a building at the Petaluma Creamery?

- **Q: From June 18 2020:** Directed to the City Clerk, with no response: Where on the City web site or would you be able to forward to me the documents that detail the procedures that the Petaluma Planning Dept must follow to notify the public about a large project, such as the application for PLMA-20-0003/PLUP-19-000 and how they must respond to inquiries about the project? In what radius must notices be mailed and what evidence is there that such mailings occurred to everyone who required such notice?

- **Q: From June 18 2020:** Directed to the City Clerk, with no response: Where on the City web site or would you be able to forward to me the documents that describe the deadlines for and proper vehicles for public notice for items being considered on the ~~June 23~~ [Aug 11], 2020 Planning Commission meeting?

- **Q: From June 18 2020:** Directed to the City Clerk, with no response: Where on the City web site or would you be able to forward to me the documents that detail the duties of the Planning Department to provide complete information to the Planning Commissioners. Since as we have already provided substantial written evidence in the public record that proves that **application PLMA-20-0003/PLUP-19-000 still lacks the following critically important information, it seems improper that this application is proceeding for Planning Commission deliberations on ~~June 23~~, [Aug 11] 2020**.

A. Unaddressed Questions from voicemails left for Heather Hines/Brittany Bendix the week of July 13, 2020

- **Q: From July 15, 2020:** Petaluma VHP reported to Heather Hines and Brittany Bendix that residents of West Petaluma have experienced in the last few weeks that their Verizon service has degraded. I communicated that this is a common practice that has been observed by many communities facing an impending vote on an upcoming Verizon antenna project. It appears that Verizon has every incentive to degrade service (by manipulating the power output from their antennas) just before a vote to "manufacture the belief" that more Verizon wireless antennas are needed to address this **fake problem**. I pointed out that this is an act of bad faith by the applicant and is a **reason to dismiss the application** and start over. Instead of a he-said/she-said stream of hearsay and unverifiable claims, I strongly recommend that the City of Petaluma do what the number one Telecom attorney in the nation, Andrew Camapanelli, recommends doing: require a 12-month analysis of anonymized Verizon call records for the three-mile radius around the Creamery that will **verfiably show** the prevalence of completed and/or dropped calls in the area and therefore would be an **objective measure of the NEED for the project**. This would **no cost to the City of Petaluma** and is necessitated by the bad-faith actions recently taken by the applicant. Feel free to call Andrew Campanelli at 516-746-1600, if you have any questions. For more examples of bad faith and evidence of duplicity by Verizon and its contractors, feel free to consult the Petaluma public record for evidence reported in two 2019 San Francisco Appeals

    - **See June 16, 2020 email** re; Relevant Details for PLMA-20-0003/PLUP-19-000 About Hammett & Edison and Mackenzie and Albritton Actions that Were Subject to Appeal in San Francisco --> https://unsafeatanyg.com/petaluma/creamery

    - **See 1650 Baker St. Appeal** of Permit 16WR-0123 --> https://scientists4wiredtech.com/sanfrancisco/sf-appeal-16wr-0123/

    - **See 2298 Pacific St. Appeal** of Permit 18WR-0296 --> https://scientists4wiredtech.com/sanfrancisco/sf-appeal-18wr-0296/

- **Q: From July 16, 2020:** What did the m-group communicate to applicant in the June 15 meeting with the applicant?

- **Q: From July 17, 2020:** Since the State of CA has recognized the Petaluma Creamery at 611 Western Ave, as a historic landmark via criteria A and C, as detailed in public testimony here --> https://www.unsafeatanyg.com/petaluma/meetings/ (it is in queue to be added to the State database), and the applicant's consultant showed bad faith in not addressing the questions asked by the State historian, what will the m-group do to properly apply Petaluma Municipal Code to shift PLMA-20-0003/PLUP-19- **back to a minor wireless facility** (where it started) and then **enforce the Municipal code to reduce** the project's Effective Radiated Power from the planned 500,000+ Watts to **no more than 1,500 Watts ERP**, per Chapter 14.44:Telecommunications Facility and Antenna Criteria | 14.44.090 Minor facilities — Basic requirements | (B) "The combined effective radiated power radiated by all the antenna present on the parcel is less than one thousand five hundred watts."

Thank you for answering these important questions by 4:00 pm on Mon July 20, 2020. We will report to the City Council at 6:30 pm on Mon July 20, 2020 the m-group's answers to these questions.

--
Regards,

Petaluma West-VHP!
https://unsafeatanyg.com/petaluma

Hines, Heather

From: Ann Desheart <ann11desheart@gmail.com>
Sent: Wednesday, July 15, 2020 11:33 AM
To: sandi.lee.potter@gmail.com; patrickstreeter@gmail.com; richard@lacehouselinen.com; dianaegomez@gmail.com; alonsoplanningpet@gmail.com; heidibauer2000@gmail.com; Bendix, Brittany; Hines, Heather; jshiu@m-group.us
Subject: PLMA-20-0003/PLUP-19-000: Oppose Permit for Verizon Towers at Petaluma Creamery

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Dear Ms Bendix, Mr Shui, and Planning Commissioners,

My name is Ann Desheart, I live on Bodega Avenue, north of the Petaluma Creamery. I am extremely concerned about the proposal by Verizon Wireless to install wireless radar frequency antennas in our residential neighborhood, just feet from people's homes and their children.

Simply put, this wireless frequency array is completely unwarranted and unnecessary. Verizon Wireless does not stand above the needs of our citizens and I believe that you as City Planning Staff and Commissioners have the authority and the responsibility to reject the permit based on the large degree of community opposition, especially those that live directly adjacent to the Creamery.

I am requesting that you reject the permit of the grounds of incomplete health and safety analysis (although there is ample evidence to reject on these grounds), required federal NEPA compliance, poor neighborhood aesthetics, impacts on Historical conditions of the Creamery, and impacts to home values within the radius of the antennas.

I am urging your staff and planning commision to Please Reject the permit from Verizon Wireless and their subsidiary company.

Thank you for keeping the citizens within your best interest, stand up to Verizon and reject this atrocity.

Sincerely,

Ann Desheart

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Tuesday, July 14, 2020 9:22 AM
To: Bendix, Brittany
Cc: sspringhorn@gmail.com; Hines, Heather
Subject: Re: Confirming . . . Agenda and which plan for 9:30 am this morning. . .

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi, Brittany.

You calling Scott at 9:30 am will not work for us, for the technical reasons, above.

Scott and I are working together on Go to Meeting Right now. It would be easy for you to sign on.

Scott only has a mobile line. I have a rock-solid wired VOIP line that can handle 3-way calling like a dream.

As you are unhelpfully choosing **Plan D**, I will get Scott on the phone at 9:28 am and will call you at 9:30 am.

We look forward covering the agenda as well as possible,

You choosing **Plan D** we will not afford us visuals to for our presentation/information transfer to you.

I therefore, direct you to the following links that we will be discussing:

- https://unsafeatanyg.com/survival
- https://www.unsafeatanyg.com/petaluma/creamery/
- https://scientists4wiredtech.com/thousandoaks/
- https://scientists4wiredtech.com/sebastopol/

4,820 signatures here
https://www.change.org/p/planning-department-of-petaluma-stop-the-major-telecommunication-facility-at-the-petaluma-creamery

17 signatures here
https://www.change.org/p/citizens-a-new-cell-tower-in-petaluma

Bendix, Brittany wrote on 7/14/2020 8:53 AM:

> Paul,

Per my e-mails yesterday, I will be calling Scott at 9:30AM.

Thank you,

Brittany

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Tuesday, July 14, 2020 8:40 AM
To: Bendix, Brittany <bbendix@cityofpetaluma.org>; sspringhorn@gmail.com
Cc: Hines, Heather <hhines@cityofpetaluma.org>
Subject: Confirming . . . Agenda and which plan for 9:30 am this morning. . .

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Hi, Brittany and Scott.

Proposed Meeting Agenda

1. First 5 mins -- Quick update by Brittany . . . what has happened in last 18 days; does Aug 11, 2020 still look likely for PLMA-20-0003/PLUP-19-000 to be heard at Planning Commission meeting? Deadlines for submission for packet?
2. First 10 minutes or so -- Scott presents evidence for Petaluma Creamery Historical Recognition and review of relevant Petaluma Municipal Code
3. Next 10 minutes or so -- Paul gets answers from Brittany re: open questions since June 18 and earlier letters/emails (see https://www.unsafeatanyg.com/petaluma/creamery/) and gets decisions on completing a Wireless Antenna Need Test completed by Aug 1, 2020 (for three-mile radius centered at Petaluma Creamery)
4. Last 5 mins --Close and next steps

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Tuesday, July 14, 2020 8:40 AM
To: Bendix, Brittany; sspringhorn@gmail.com
Cc: Hines, Heather
Subject: Confirming . . . Agenda and which plan for 9:30 am this morning. . .

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi, Brittany and Scott.

Proposed Meeting Agenda

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4. Last 5 mins --Close and next steps

I will fire up **Plan B** Go-To-Meeting at around 9:20 am, and be ready to execute **Plan D,** right at 9:30 am, if necessary.

- **Plan A:** If you would like to meet tomorrow at 9:30 am in City Hall, Scott and I can show up with masks on and will socially distance, much as Shad and I did on June 12, 2020.

- **Plan B:** The video conference meeting, that you offered to me at the end of our phone call today. You recall saying that you would send Scott and I a Zoom link, don't you?
  (I can offer the following service)
  Go To Meeting Video Conference Link for Tue July 13 from 9:30 am to 10:00 am, PT

  The invitation / access credentials follow.
  You can join the meeting from your computer, tablet or smartphone from most (but not all browers/platforms).
  https://www.gotomeet.me/rfemr
  Access Code: 487-012-725

  It is far preferable to **download and install the desktop software** here -->
  https://global.gotomeeting.com/install/487012725

- **Plan C:** A conference call via a reliable conference call service (I can offer this service: Call-in number: (712) 451-0249 Access code: 601707#)

- **Plan D:** A three-way call initiated by one of the three of our phone lines (I have the ability via my VOIP number 707-981-5522)

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Monday, July 13, 2020 11:26 PM
To: Bendix, Brittany
Cc: Hines, Heather; sspringhorn@gmail.com
Subject: Go To Meeting Video Conference Link for Tue July 13 from 9:30 am to 10:00 am, PT

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi, Brittany.

I already acknowledged your voicemail message to me from 6/10/2020. See my 6/11/2020 email, quoted email below. I don't have any records of you calling my number on June 10, 2020, other than the one voicemail message that I received on my cell number. Therefore my written statements are supported by the record and what I wrote to you earlier is correct.

The facts are that we did not speak until June 11, after I did the following:

Recall, that the very first phone call I had with you on or around June 11, 2020 was executed as follows:

- I called Justin telling him I had never heard from you and we had been reaching out for at least two days. I had left you my office number 707-981-5522, but received no calls back to that number.
- I then asked Justin to call you and I would remain on the line for ever how long it would take for you to be located
- I remained on hold while he tracked you down
- We finally spoke and you, thankfully, agreed to come to Petaluma City Hall on Fri June 12, 2020, open up the conference room and give us our first look at the paper file for PLMA-20-0003/PLUP-19-000.

With regards to tomorrow's meeting, we have the need to explain visual evidence, that is why we feel it is important to have a video conference.

If Petaluma were not in Covid-19 shelter in place restrictions, then we would have the opportunity to meet you in person at City Hall. We see the following options as most preferred to least preferred

- **Plan A:** If you would like to meet tomorrow at 9:30 am in City Hall, Scott and I can show up with masks on and will socially distance, much as Shad and I did on June 12, 2020.
- **Plan B:** The video conference meeting, that you offered to me at the end of our phone call today. You recall saying that you would send Scott and I a Zoom link, don't you?
  (I can offer the following service)

Go To Meeting Video Conference Link for Tue July 13 from 9:30 am to 10:00 am, PT

The invitation / access credentials follow.

You can join the meeting from your computer, tablet or smartphone from most (but not all browers/platforms).
https://www.gotomeet.me/rfemr

Access Code: 487-012-725

It is far preferable to **download and install the desktop software** here -->
https://global.gotomeeting.com/install/487012725

- **Plan C:** A conference call via a reliable conference call service (I can offer this service: Call-in number: (712) 451-0249 Access code: 601707#)

- **Plan D:** A three-way call initiated by one of the three of our phone lines (I have the ability via my VOIP number 707-981-5522)

Brittany, will you please be able to accommodate our needs via **Plan A or B?** See my other responses below.

>>> Paul McGavin wrote on 6/11/2020 1:38 PM:

We also need a full accounting of the 150-day CA State shot clock (from 2015's CA AB.57) for this Major Wireless Telecommunications Facility (WTF) project and to read the terms of the tolling agreements that you said were in place (the last being signed around June 2, 2020:

- Date of application
- Dates of any letters declaring the applications incomplete
- Dates of letters accepting the application
- Dates of 150-day shot clock running out? (if so, this is a real problem that needs to be immediately addressed)
- Dates of the tolling agreement with the applicant or its agent and the mutually agreed-to end date

The shot clock problem that is well-described and solved in Sonoma, CA in August, 2019 -->
https://youtu.be/Tjkrw_xPqRE?t=143
In my extensive experience in reviewing applications for Wireless Telecommunications Facilities (WTFs), I invariably find missing information on applications; information that must be complete before the item can be considered by the Planning Commission. We have yet had an opportunity to inspect these public records. We will give you a list and ask you to send a letter to the applicant deeming their application incomplete. Waiting for additional information from the applicant may delay the planned June 23, 2020 Planning Commission hearing.

We tried to inspect the records yesterday, but were unable to do so, despite our efforts. I received your message from 858-336-5069 to my cell number at 3:45 pm yesterday; well after I had to leave City Hall. Please, in the future, return calls to my Sonic.net landline (707-981-5522 -- service that is tel + 1,000 Mbps down/1,000 Mbps up for $50/month). My cell phone is off 99% of the time.

>>> Bendix, Brittany wrote on 7/13/2020 9:29 PM:

Paul,

> Per my e-mails with Scott earlier this evening, which you were also cc'd on despite your complete lack of acknowledgment below, we have a phone call scheduled at 9:30AM tomorrow morning. As arranged with Scott, I will call him and he can add you in from there.
>
> Further, your record of calls below is incorrect.
>
> Please correct to account for the multiple times that I tried to return your call on June 10, including those within an hour or two on the same day that you first contacted me. I believe you've previously acknowledged that you did receive my voicemail. And yes, the following morning Justin called me and I agreed to join your call as I had actively tried to reach you the afternoon/evening before with no success.

I have a record of one call at 3:45 pm. That is all I have. Do you have any other records?

> With regard to Justin, I spoke to him this afternoon about a message he had received from you today and told him I would call you back. If there are calls or emails to Justin that have gone without a response from either him or me, please share.

I have called Justin multiple times without a return call. If you need me to pull my phone records, I can.

> To be absolutely clear, I do not take issue with your desire to speak with the City Manager or City Attorney.

Good.

> I do however take issue with the fact that the need to speak with them is predicated on a lack of response from Planning and access to physical records.

We got access to some physical records on June 12, 2020. From our last Zoom meeting, you offered some communication that the City Attorney/City Manager was not supporting the ordering of a Drive Test. We have been seeking who is the ultimate decision-maker on this issue, but have gotten no response from anyone about this. We will need clarification about this tomorrow.

> You'll recall we've had this conversation previously with regard to a voicemail you left for Lisa Tennanbaum. As we've discussed, that message was forwarded to me as its contents revolved around a lack of response from Planning. I've forwarded this message to you previously, but can re-send.

Feel free to re-send if you wish. I may have it.

> Incidentally, you made that call the morning of June 12, the same day I personally opened the office to you - within a day of you responding to my calls and which was done so that you could view the physical files and any available emails between staff and the applicant (which I have continued to forward to you). Please also recall that this service was expedited beyond the standard turn-around time for a formal records request.

Please recall that we thanked your for coming to Petaluma to open up City Hall on June 12 and give us access to those files. They were critical to our meeting an already compressed timeline since Petaluma Planning decided to negotiate with Complete Wireless/Verizon on the project without including the public from at least Aug 2019 through May, 2020. The public, the residents of Petaluma, are as important stakeholders as any other party in this process. Our upcoming CA Public Records Act Request should uncover the whole process.

> Beyond this, at your request I also had Planning staff wait in person for you on June 18, after hours, so that you could submit materials for the Planning Commission hearing.

We were set to do so, but then heard from you that the applicant requested a continuance.

> Materials which you ultimately decided to provide electronically, and which although having been requested a number of times previously, have yet to be received by me, Justin or the Planning office.

We will send our records forward in time for the Planning Commission packet for whatever meeting eventually gets scheduled.

> Brittany

Hines, Heather

From: paul@msmc_junk <paul@mystreetmychoice.com>
Sent: Monday, July 13, 2020 10:51 PM
To: Hines, Heather
Cc: sspringhorn@gmail.com; Bendix, Brittany
Subject: Thank you for your response. See my replies, below.

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi, Heather.

Thank you for your response. See my replies, below.

>>> On Monday, July 13, 2020 9:13 pm, Heather Hines wrote:

> Hines, Heather
>
> Monday, July 13, 2020 9:13 PM
>
> **Heather:** I am not able to join tomorrow's meeting, but Brittany will be in attendance and able to provide a status update on the Verizon project.

pmg: OK, I am sorry you cannot participate tomorrow.

> **Heather:** As I previously mentioned, if you have documentation that the creamery was previously designated a local landmark by ordinance approved by the City Council please forward it to me. However, I do not find documentation that the creamery is a designated landmark.

pmg: As I previously emailed, We have evidence of historical recognition of the Petaluma Creamery, which is sufficient to require a change to the status of the PLMA-20-0003/PLUP-19-000 **from a Major Wireless Facility back to a Minor Wireless Facility**, per Petaluma Municipal Code. This will necessitate a redesign of the Wireless Telecommunications Facilities (WTFs) -- if this project is to go forward, at all.

> **Heather:** Yes, both Brittany and I work for M-Group and are not employees of the City of Petaluma.
> Similar to nearly all departments at City Hall, the Planning Division is working remotely during the COVID-19 shelter in place orders with periodic time onsite as needed to maintain essential services during this time.

pmg: We are experiencing difficulty in conducting business with the City of Petaluma as a result of decreased responsiveness to the public during the COVID-19 shelter in place orders and have the evidence to substantiate such difficulties.

> **Heather:** I would be happy to answer any additional questions you might have that are not able to be covered with Brittany in your meeting tomorrow. However, I am in nearly back to back meetings tomorrow, so may not be able to call you tomorrow as requested.

pmg: Good. We have five top priorities that we are seeking City of Petaluma decisions regarding PLMA-20-0003/PLUP-19-000; if we do not get satisfactory answers to the following questions/priorities from Brittany tomorrow, we will be going up the chain of command seeking reasoned decision-making based on the evidence placed in the Petaluma public record.

1. Ordering/conducting a **Wireless Antenna Need Test** for the portion of Petaluma that is within a three-mile radius of the Petaluma Creamery
2. Placing the raw data (dBm readings of carrier-specific signal strength) from the Wireless Antenna Need Test in the Petaluma public record **prior** to any Planning Commission review
3. Passing the Written Evidence — Wireless Antenna Need Test In Telecommunications (**WE-WANT-IT**) Ordinance
4. Per Petaluma Muni code, scaling the project back from a major wireless facility to a minor wireless facility because the Petaluma Creamery **has already been** recognized as an historical property
5. Declaring the application incomplete until there is substantial written evidence of NEPA review placed in the file and in the Petaluma public record. **Does the City of Petaluma have any such substantial written evidence as of 7/13/2020 for PLMA-20-0003/PLUP-19-000?**

Hines, Heather

From: Hines, Heather
Sent: Monday, July 13, 2020 12:31 PM
To: Vanessa Johansson
Cc: Justin Shiu; Bendix, Brittany; Ellis, Evelyn
Subject: Re: Oppose Verizon Antenna Farm

Vanessa,

Thank you for your public comment regarding the Verizon project.
I am forwarding to Justin Shiu and Brittany Bendix who are the planners working directly on this project should you have any questions regarding the status or next steps with this project.

Your public comment will be included in the public record for the project.

Heather

Heather Hines
Planning Manager
City of Petaluma

From: Vanessa Johansson <vanessasjohansson@gmail.com>
Sent: Monday, July 13, 2020 9:43 AM
To: Hines, Heather <hhines@cityofpetaluma.org>
Subject: Oppose Verizon Antenna Farm

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hello Ms. Hines,

My name is Vanessa, I live a few blocks from the Petaluma Creamery with my husband and two young children. I'm writing today to voice our opposition of the Verizon Antenna Farm that is proposed to be installed at the creamery.

As Petaluma residents, we are requesting that this Wireless Telecommunications Facility (WTF) not be installed in our residential neighborhood. We demand that Petaluma only approve new WTFs that are needed to close a proven significant gap in telecommunications coverage, as proven by an Industry-standard,
Comprehensive RF and Microwave Signal Strength (CRAM-SS) Need Test for carrier-specific telecommunications frequencies.
This major league, extremely powerful Verizon/Complete Wireless Antenna Farm, will also negatively impact our property values. With such a WTF so close to our homes, it would make it difficult to rent or sell, and we would have to disclose this information to potential renters or buyers.

As residents in close proximity to this WTF, we will be bombarded with this RF-EMR (700-2360 MHz) in our homes — day and night. Denying our ability to choose the best broadband service without invasive RF-EMR exposures and to protect our loved ones is both wrong and un-American.

Let's stop this ill-advised, major Wireless Telecommunications Facility now.

Our loved ones and neighbors are depending on us to protect their future.

We do not consent to the placement, construction or operation of the 16-antenna WTF Antenna Farm at the Petaluma Creamery.

Sincerely,

Vanessa Johansson
Mother, Aunt, Wife, Neighbor and Fierce Friend
--
Vanessa Johansson
vanessasjohansson@gmail.com
612.209.0395

From: Heather Muir
Sent: Sunday, June 14, 2020 2:34 PM
To: kitschlich@gmail.com <kitschlich@gmail.com>; bill@johnsonrinehart.com <bill@johnsonrinehart.com>; brknmad@yahoo.com <brknmad@yahoo.com>; terry@kozyhomes.net <terry@kozyhomes.net>; tukuto@yahoo.com <tukuto@yahoo.com>
Subject: Proposed Major Verizon Wireless Facility on top of Petaluma Creamery

Dear Members of the Historic & Cultural Preservation Committee,

Hope this note finds you all well.

Just in the past 10 days, many of us in the community have learned about a major wireless telecommunication facility that's being proposed on top of the Petaluma Creamery.

Over the last week, a number of us in the neighborhood have started to review the documents in an attempt to understand how a project of this magnitude is coming to the Planning Commission this month, and we're only just learning of it.

Given that the project is out of character with our residential neighborhood, and with the historical nature of the surrounding area, this site seems an extremely poor choice for a major wireless facility.

We're keen to understand if the Petaluma Historic and Cultural Preservation Committee has been consulted and had the opportunity to review and take any action on this project?

Given your important role in our community, we're hoping that you have some oversight on this project.

In looking through the project paperwork, we can see that based on requirements, the applicant reached out to the Office of Historic Preservation at the State Department of Parks and Recreations (see attached) and the County Sonoma Permit & Resource Department (see attached). However, we're not seeing any engagement with your Committee. We did notice that the Sonoma County Permit letter advises the applicant to you as the review body.

Look forward to hearing if your Commitee has been part of the review process, and actively involved in studying the impacts of this proposed project.

My very best,
Heather Muir

Address: 526 Western Avenue

Home: 707-769-1694
Cell: 707-934-7355

Hines, Heather

From: Petaluma West-VHP! <petaluma@unsafeatanyg.com>
Sent: Thursday, June 18, 2020 5:41 PM
To: Bendix, Brittany
Cc: Hines, Heather; sspringhorn@gmail.com; Shad Cloney; dmozersky@gmail.com; stevebleasdell@gmail.com
Subject: Re: We Need Answer to Questions re: Evidence of Proper Procedures That Need to be Followed in Processing Application PLMA-20-0003/PLUP-19-000

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Hi, Brittany.

OK, I guess that changes what Eric just told me.

Eric told me that there was an admin person coming in tomorrow to somehow compile a bunch of pdfs to "make the packet". Is that true or not?

I asked Eric if he was part of the document production team, or if it was just you. He said that an admin person was coming in tomorrow to "make the packets" and then print them.

I am honestly confused, since you two are saying two different things.

I am not sure what to do at this point.

Why don't you call me at 707-981-5522 so I can choose do the best thing.

We wish to educate but we don't want to make any busy work for anyone.

We could also get some of those open questions answered from my earlier emails and voicemail messages.

Bendix, Brittany wrote on 6/18/2020 5:32 PM:

> Paul,
>
> That is not correct, since the Commission has met during Shelter in Place, packets have been sent electronically. Please feel free to upload your documents.
>
> Brittany

Hines, Heather

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From: Petaluma West-VHP! <petaluma@unsafeatanyg.com>
Sent: Thursday, June 18, 2020 5:30 PM
To: Bendix, Brittany <bbendix@cityofpetaluma.org>
Cc: Hines, Heather <hhines@cityofpetaluma.org>; sspringhorn@gmail.com; Shad Cloney <shad@cloneyrealestate.com>; dmozersky@gmail.com; stevebleasdell@gmail.com
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Hi, Brittany.

I just confirmed the following with Eric Roberts:

Unlike most cities that deliver PDFS to Planning Commissioners to their laptops or tablets, Petaluma is still an old-school paper binder kind of town: one binder for every Commissioner.

Understanding that this is the deliverable, it changes my plans of what I was about to do.

Instead of dumping my treasure trove of PDFs evidence (thousands of pages) into Dropbox on your unsuspecting admin person who will be putting the paper binders together tomorrow, I will be more judicious in my selections.

I will add two appendices to **my 5-page letter**:

- **Appendix A:** a list of the few pdfs that I wish printed and included in the packet (I will include a descriptive paragraph for each item in the list on the Appendix)
- **Appendix B:** a list of the other pdfs that I do **not** wish printed (I will include a descriptive paragraph for each item on the list) and a **link to the web page** that will have host the documents
- The web page will be https://unsafeatanyg.com/petaluma/record.

That plan, I believe, will be most respectful to everyone's time.

How does that sound?

Bendix, Brittany wrote on 6/18/2020 3:25 PM:

> Eric said he just spoke with you and that you said you'd try the link first.
>
> I don't know if it asks for a dropbox account, if you'd prefer to use the onedrive account that's fine.

Hines, Heather

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I just left a message with Eric and I am awaiting his call.

In see the DropBox link; is that all I need? I don't subscribe to DropBox myself. In a pinch, If I have the space, I could send you a link to the Public Folder on my basic OneDrive Account. That is the only cloud service that I use.

What about Erica Rosenberg at the FCC? . . . did you talk to her? I did. I can tell you all about it, if you wish.

Petaluma West-VHP! wrote on 6/18/2020 3:05 PM:

> >>> Bendix, Brittany wrote on 6/18/2020 2:41 PM:
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> Hi Paul,
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> Here is a dropbox link that you can use to submit materials:
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> I've also sent an e-mail through dropbox inviting you to upload files. If you'd prefer to drop off the thumbdrive, Eric Roberts is currently in the office and can receive it. He is expecting your call at 707-778-4317.
>
> Finally, I was just on the phone with the company referred to by Sara Dick, which happened to be the same company I reached out to last week. They do not do project specific drive tests, but instead provide drive tests for the entire City that

address the four major carriers. I've requested additional materials for review, should that be something the City wishes to pursue.

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Hi, Brittany.

[City Clerk Cooper, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through June 16 be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners. Thank you for doing so.]

I will call Eric Roberts right away.

Drive tests for the four major carriers **is what you want**. You can make each carrier pay for this cost on a pro rata share basis, as discussed below.

I am sure Drive Test contractro can do that for West Petaluma, only, if youa all you want is that subset.

Please recall all that I shared early in my first email to you regarding Drive Tests:

> One common sense proposal is for Petaluma to establish policies and procedures for placing, constructing, modifying and operating only Wireless Telecommunications Facilities (WTFs) that are determined to be needed to close a significant gap in telecommunications service coverage. Need Tests would be in the form of industry-standard Drive Tests of carrier-specific telecommunications frequencies conducted every six months by a neutral, third-party, licensed RF Engineer selected, hired and supervised by Petaluma — but paid for by Wireless Cos. on a pro rata share, based on an market share analysis of the maximum antenna Effective Radiated Power output capability of existing antennas operating in San Francisco.
>
> Industry-standard Drive Tests can easily measure actual signal strength for all antennas currently installed and operating in Petaluma. The Drive Tests would log, second-by-second, the existing signal strengths in decibel-milliWatts (dBM) for each frequency transmitted from antennas that reach the streets of Petaluma. The raw data and report would be entered into the public record every six months, so the results can be verified by any member of the public.
>
> Importantly, the dates of the Drive Tests would need to be kept secret from all Wireless Telecommunications carriers and their agents, so such parties would have no opportunity to power down antennas under their control during the Drive Tests — to **prevent these parties from artificially creating a temporary**

significant gap in telecommunications service coverage in an attempt to game the results of the Drive Tests.

The results of the Drive Tests would provide verifiable, objective data to determine if a particular proposed WTF would be legally necessary to be installed in the public rights-of-way within the City of Petaluma's jurisdiction and legal authority. The raw data would then be used to establish if any carrier-specific significant gaps in telecommunications service coverage actually exist, considering results from all frequencies in the aggregate. Any new WTF would only be licensed by Petalumaif there is a proven significant gap in telecommunications service corrected by the antenna in the application, consistent with the ideas of "significant gap in coverage" and "least intrusive means" in the 2005 Ninth Circuit Ruling, Metro PCS v San Francisco.

Other requirements for WTF applications, added to Article 25 should include the following for each WTF application:

- A determination if the WTF application provides public benefits, consistent with the preservation of the integrity, safe usage, ambiance, and visual qualities of San Francisco's public rights-of-way.
- Substantial written evidence of NEPA review (a requirement of every WTF application, per FCC NEPA Attorney Erica Rosenberg. NEPA requirements:
  see https://scientists4wiredtech.com/action/nepastrategies/
- Proper liability insurance that protects the county from claims of injuries, illnesses and/or deaths from pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) exposures: see https://scientists4wiredtech.com/thisworks
- A listing of the names of the board of directors toward positive identification of the applicant, and the assets of the entity actually signing the MLA and other licensing agreements and WTF applications: see https://scientists4wiredtech.com/davis

Therefore, Petalumaneeds to significantly amend Article 25, which currently primarily fulfills the business goals of Wireless Telecommunications Carriers, at the expense of San Francisco residents — this is an unjust "taking" of property values to enrich private companies who are operating in the public rights-of-way, without sufficient public benefit, such as sharing access to Fiber Optic cables installed in the public rights-of-way. Changes to Petaluma's Wireless Ordinance are needed to bring it in accordance with the 1996 Telecommunications Act (1996-TCA), which governs Title II-regulated telecommunications service, and which leaves all four above-cited activities related to wireless infrastructure — in the lands of the the Petaluma. A regulatory obligation must be fulfilled and not avoided by omission.

The authority to properly regulate the maximum Effective Radiated Power of any antenna installed in the public rights-of-way is established in the 1996-TCA and it conference report:
From https://scientists4wiredtech.com/compare

> *"**This page** is one of three legs of the stool that establishes local control over the operations of Wireless Telecommunications Facilities (WTFs); the other two are the US House/Senate **Conference Report** for the 1996 Telecommunications Act ("1996-Act") and the **stated purpose** of the 1996-Act: 'to promote the safety of life and property'."*

From the 1996-TCA Conference Report

> *"The conferees also **intend** that the phrase ''unreasonably discriminate among providers of functionally equivalent services'' will provide localities with the flexibility to treat facilities that create different visual, aesthetic, or safety concerns differently to the extent permitted under generally applicable zoning requirements even if those facilities*

*provide functionally equivalent services. For example, the conferees **do not intend** that if a State or local government grants a permit in a commercial district, it must also grant a permit for a competitor's **50-foot tower in a residential district**."*

. . .

*"If a request for placement of a personal wireless service facility involves a zoning variance or a public hearing or comment process, the time period for rendering a decision will be the usual period under such circumstances. **It is not the intent** of this provision **to give preferential treatment to the personal wireless service in***

>>> Bendix, Brittany wrote on 6/18/2020 2:41 PM:

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Here is a dropbox link that you can use to submit materials:
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Brittany

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Cc: -- City Clerk; -- City Clerk; Flynn, Peggy; Teresa Barret; Danly, Eric; -- City Attorney; Sandi Potter; Patrick Streeter; Richard Marzo; Diana Gomez; Scott Alonso; Heidi Bauer; Kevin McDonnell; Hines, Heather; stevebleasdell@gmail.com; Shad Cloney; sspringhorn@gmail.com; lendri purcell; Helen Grieco; dmozersky@gmail.com; Heather Muir
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file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through June 16 be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners. Thank you for doing so.]

Thank you for your response at response at 1:37 pm on Thu June 18.

Are you still going forward on June 23? If so, **will you pleaes provide the rationale** for doing so, as we refuted whatever reasons you provided on Wed June 16 at 10:00 am?

- the DC Circuit rulings **do** apply to the Ninth Circui.
- the application remains **substantially incomplete** and
- there are **ten weeks** between now and Sept 1, 2020, the current (and negotiable) mutually-agreed-to end date.

Also, we have not heard anything specific enough from you about the Drive Tests to know if you have taken any real steps on this.

- Which people did you contact and when?
- Did you speak to Sara Dick at Waterford Consultants about Dave Cotton, the gentlemen from Redding that could complete the Drive Test?
- When can such a Drive Test be completed?
- Will the City of Petaluma **delay** the consideration PLMA-20-0003/PLUP-19-000 until **after** the Drive Test is completed, **as it should?**

If not, then **what is the rationale** for not completing this Drive Test before deliberating on this item as the Planning Commission?

We have many materials. Please see my question of the City Clerk earlier today -- we are awaiting a response:

> "As we have a very large delivery of files for the Planning Commissioners review for this project, these documents will be too large to email. We would prefer to put all of the files into the same USB stick that Brittany Bendix gave to us on June 12, 2020. **Which person from the Petaluma staff** can meet us at the Petaluma City Hall **today** to accept this USB stick so our information **can be included in the packet** that goes to the Planning Commissioners? Please advise of the procedures the City of Petaluma has in place to address this important need during the COVID-19-induced period of "essential services only operational model" that we are being forced to endure in Petaluma's government. Many of the City of Petaluma's proceesses look pretty ill-defined, insufficient and broken to us, at this point."

Who can meet us at City Hall today?

> Bendix, Brittany
>
> Thursday, June 18, 2020 1:37 PM
>
> Paul,
>
> Thank you for your e-mails. We are working diligently to respond to the items you've raised; however, do not have a complete response prepared at this moment. You have provided a number of helpful resources, which I appreciate, and we are continuing to review those internally.

When we spoke yesterday morning, I had asked that you provide all materials you wished to incorporate into the staff report by the end of yesterday so that we could address your submittal in its entirety. Please let me know if you have any further items to submit for consideration and inclusion.

Brittany

ting these failures in proper process into the public record today in this email.

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Cc: -- City Clerk; Pascoe, Samantha; Sandi Potter; Patrick Streeter; Richard Marzo; Diana Gomez; Scott Alonso; Heidi Bauer; McDonnell, Kevin
Subject: Re: We Need Answer to Questions re: Evidence of Proper Procedures That Need to be Followed in Processing Application PLMA-20-0003/PLUP-19-000

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi Brittany, Heather et al.

Brittany Bendix wrote: Please let me know if you have any further items to submit for consideration and inclusion.

Answer: Certainly, all of the correspondence that islisted on this web page --> https://unsafeatanyg.com/petaluma/creamery/

and we have many documents saved to a USB stick

. . . we are awaiting a response to our earlier questions to you and to this one from the City Clerk . . .

"As we have a very large delivery of files for the Planning Commissioners review for this project, these documents will be too large to email. We would prefer to put all of the files into the same USB stick that Brittany Bendix gave to us on June 12, 2020. **Which person from the Petaluma staff** can meet us at the Petaluma City Hall **today** to accept this USB stick so our information **can be included in the packet** that goes to the Planning Commissioners? Please advise of the procedures the City of Petaluma has in place to address this important need during the COVID-19-induced period of "essential services only operational model" that we are being forced to endure in Petaluma's government. Many of the City of Petaluma's processes look pretty ill-defined, insufficient and broken to us, at this point."

--
Regards,

Petaluma West-VHP!
https://unsafeatanyg.com/petaluma

Hines, Heather

From: Petaluma West-VHP! <petaluma@unsafeatanyg.com>
Sent: Thursday, June 18, 2020 2:22 PM
To: Bendix, Brittany
Cc: -- City Clerk; -- City Clerk; Flynn, Peggy; Teresa Barret; Danly, Eric; -- City Attorney; Sandi Potter; Patrick Streeter; Richard Marzo; Diana Gomez; Scott Alonso; Heidi Bauer; Kevin McDonnell; Hines, Heather; stevebleasdell@gmail.com; Shad Cloney; sspringhorn@gmail.com; lendri purcell; Helen Grieco; dmozersky@gmail.com; Heather Muir
Subject: Re: We Need Answer to Questions re: Evidence of Proper Procedures That Need to be Followed in Processing Application PLMA-20-0003/PLUP-19-000

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi, Brittany et al.

[City Clerk Cooper, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through June 16 be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners. Thank you for doing so.]

Thank you for your response at response at 1:37 pm on Thu June 18.

Are you still going forward on June 23? If so, **will you pleaes provide the rationale** for doing so, as we refuted whatever reasons you provided on Wed June 16 at 10:00 am?

- the DC Circuit rulings **do** apply to the Ninth Circui.
- the application remains **substantially incomplete** and
- there are **ten weeks** between now and Sept 1, 2020, the current (and negotiable) mutually-agreed-to end date.

Also, we have not heard anything specific enough from you about the Drive Tests to know if you have taken any real steps on this.

- Which people did you contact and when?
- Did you speak to Sara Dick at Waterford Consultants about Dave Cotton, the gentlemen from Redding that could complete the Drive Test?
- When can such a Drive Test be completed?
- Will the City of Petaluma **delay** the consideration PLMA-20-0003/PLUP-19-000 until **after** the Drive Test is completed, **as it should?**

If not, then **what is the rationale** for not completing this Drive Test before deliberating on this item as the Planning Commission?

We have many materials. Please see my question of the City Clerk earlier today -- we are awaiting a response:

"As we have a very large delivery of files for the Planning Commissioners review for this project, these documents will be too large to email. We would prefer to put all of the files into the same USB stick that Brittany Bendix gave to us on June 12, 2020. **Which person from the Petaluma staff** can meet us at the Petaluma City Hall **today** to accept this USB stick so our information **can be included in the packet** that goes to the Planning Commissioners? Please advise of the procedures the City of Petaluma has in place to address this important need during the COVID-19-induced period of "essential services only operational model" that we are being forced to endure in Petaluma's government. Many of the City of Petaluma's proceesses look pretty ill-defined, insufficient and broken to us, at this point."

Who can meet us at City Hall today?

Bendix, Brittany

Thursday, June 18, 2020 1:37 PM

Paul,

Thank you for your e-mails. We are working diligently to respond to the items you've raised; however, do not have a complete response prepared at this moment. You have provided a number of helpful resources, which I appreciate, and we are continuing to review those internally.

When we spoke yesterday morning, I had asked that you provide all materials you wished to incorporate into the staff report by the end of yesterday so that we could address your submittal in its entirety. Please let me know if you have any further items to submit for consideration and inclusion.

Brittany

ting these failures in proper process into the public record today in this email.

Hines, Heather

From: Petaluma West-VHP! <petaluma@unsafeatanyg.com>
Sent: Thursday, June 18, 2020 1:15 PM
To: cityclerky@cityofpetaluma.org
Cc: Flynn, Peggy; Teresa Barret; Danly, Eric; -- City Attorney; Sandi Potter; Patrick Streeter; Richard Marzo; Diana Gomez; Scott Alonso; Heidi Bauer; Kevin McDonnell; Hines, Heather; Bendix, Brittany; stevebleasdell@gmail.com; Shad Cloney; sspringhorn@gmail.com; lendri purcell; Helen Grieco; dmozersky@gmail.com; Heather Muir
Subject: We Need Answer to Questions re: Evidence of Proper Procedures That Need to be Followed in Processing Application PLMA-20-0003/PLUP-19-000

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
June 18, 2020

To:
Ms. Claire Cooper, City Clerk
Ms. Samantha Pascoe, Deputy City Clerk
Deputy Contract Planning Manager
City of Petaluma
11 English St.
Petaluma, 94952
cityclerky@cityofpetaluma.org
707-778-4360
<edanly@cityofpetaluma.org>

cc:
Peggy Flynn <pflynn@cityofpetaluma.org>, City Manager
Teresa Barret <tbarett@cityofpetaluma.org>, Mayor
Eric Danly <edanly@cityofpetaluma.org> City Attorney and <cityattorney@cityofpetaluma.org>
Claire Cooper <ccooper@cityofpetaluma.org> and <CityClerk@cityofpetaluma.org>
Sandi Potter <sandi.lee.potter@gmail.com>, Planning Commissioner
Patrick Streeter <patrickstreeter@gmail.com>, Planning Commissioner
Richard Marzo <richard@lacehouselinen.com>, Planning Commissioner
Diana Gomez <dianaegomez@gmail.com>, Planning Commissioner
Scott Alonso <alonsoplanningpet@gmail.com> Planning Commissioner
Heidi Bauer <heidibauer2000@gmail.com> Planning Commissioner
Kevin McDonnell <kmcdonnell@cityofpetaluma.org> Council Member
Heather Hines <hhines@ci.petaluma.ca.us>
Brittany Bendix <bbendix@cityofpetaluma.org>

We Need Answer to Questions re: Evidence of Proper Procedures That Need to be Followed in Processing Application PLMA-20-0003/PLUP-19-000

Dear Ms. Cooper and Ms. Pascoe,

I am writing to get clarification about the proper process and procedures for noticing the public and for informing the City of Petaluma Planning Commissioners and the public about a very large project that would forever change

the residential character of many West Petaluma neighborhoods: **PLMA-20-0003/PLUP-19-000** -- 611 WESTERN AVENUE – VERIZON WIRELESS TELECOMMUNICATIONS FACILITY (WTF) 611 WESTERN AVENUE – VERIZON TELECOMMUNICATIONS FACILITY ("Antenna Farm"), a project that would install 16 six-foot antennas, with the capability of outputting over 533,440 Watts of Effective Radiated Power 24/7/365 on the roof of a building at the Petaluma Creamery.

We were able to gain access to the conference room on Fri June 12. 2020 for 90-minutes to inspect the project's paper file and take photos of key documents. We also received on that day two USB thumb drives of various pdfs with communications and other supporting documents. From our review of these files, we have determined that the application for PLMA-20-0003/PLUP-19-000 **remains substantially incomplete**

We have communicated to Petaluma Planning, the City Manager and to the City Attorney that it would be inappropriate to consider application PLMA-20-0003/PLUP-19-000 on June 23, 2020, particularly given that the City of Petaluma clearly admits that it is operating at only "reduced" levels and cannot give the public ready access to City Hall and even prompt answers via email or by phone.

When calling City Manager Peggy Lynch on June 17 and June 18:

> "Hello and thank you for phoning the offices of the City Manager and the Mayor of the City of Petaluma. To limit the spread of the Coronavirus, the City of Petaluma has moved to an essential services only operational model, effective March 17th. During this time, **all City Buildings including City Hall will be closed to the public**. All City Departments will be working at reduced staffing levels and will be providing those essential services primarily through email and phone . . ."

When calling City Clerk Claire Cooper on June 17 and June 18:

> "Hello, you've reached Samantha Pascoe, Deputy City Clerk of the City of Petaluma. Our office is **currently closed to the public**, but remains available for limited services. Please leave a message or email us at cityclerky@cityofpetaluma.org."

I am writing to clarify if Petaluma Planning staff is following proper procedure in processing PLMA-20-0003/PLUP-19-000.

We Need Answer the Following Questions.

1. Where on the City web site or would you be able to forward to me the documents that detail the procedures that the Petaluma Planning Dept must follow to notify the public about a large project, such as the application for PLMA-20-0003/PLUP-19-000 and how they must respond to inquiries about the project? IIn what radius must notices be mailed and what evidence is there that such mailings occurred to everyone who required such notice?
2. Where on the City web site or would you be able to forward to me the documents that describe the deadlines for and proper vehicles for public notice for items being considered on the June 23, 2020 Planning Commission meeting?
3. Where on the City web site or would you be able to forward to me the documents that detail the duties of the Planning Department to provide complete information to the Planning Commissioners, Since as we have already provided substantial written evidence in the public record that proves that **application PLMA-20-0003/PLUP-19-000 still lacks the following critically important information, it seems improper that this application is proceeding for Planning Commission deliberations on June 23, 2020.**
4. As we have a very large delivery of files for the Planning Commissioners review for this project, these documents will be too large to email. We would prefer to put all of the files into the same USB stick that

Brittany Bendix gave to us on June 12, 2020. **Which person from the Petaluma staff** can meet us at the Petaluma City Hall **today** to accept this USB stick so our information **can be included in the packet** that goes to the Planning Commissioners? Please advise of the procedures the City of Petaluma has in place to address this important need during the COVID-19-induced period of "essential services only operational model" that we are being forced to endure in Petaluma's government. Many of the City of Petaluma's proceesses look pretty ill-defined, insufficient and broken to us, at this point.

Still Missing from Application PLMA-20-0003/PLUP-19-000 (items that have been repeatedly communicated to Petaluma staff)

- Objective data about current Verizon telecommunications signal strength that the public or any third party could view, analyze and verify (any proprietary data, would not qualify)
- Results from a Need Test (an industry-standard Drive Test) that would provide this needed objective signal strength data
- FCC-required NEPA review; in fact while typing this email, I **received a return phone call from FCC NEPA Attorney Erica Rosenberg ()** with whom I left a message yesterday. Erica confirmed, once again, that the City of Petaluma can require substantial written evidence of NEPA review for this or any other wireless project, that NEPA review is separate from CEQA review, that NEPA requirements are between the FCC (the creators and implementers of the rules) and the wireless applicants. What more do you need to know? Why doesn't the City of Petaluma require this of the PLMA-20-0003/PLUP-19-000 applicant by letter today?
- Equipment model numbers and specifications
- A full date-by-date analysis of how Petaluma City staff managed the 150-day State Shot Clock for considering Wireless Telecommunications Facilities (WTFs) applications per CA AB.57
- Complete historical analysis for the Petaluma Creamery, a recognized Historical site in Petaluma
- Many other details we will place into the public record

In short, we have established — with substantial written evidence placed in the Petaluma public record — that application PLMA-20-0003/PLUP-19-000 is still **incomplete in significant ways** and, therefore, should not be considered by the Planning Commission on June 23, 2020, as is the current plan.

Following a 20-minute Video conference via Zoom on June 17, multiple calls to Brittany Bendix, Heather Hines, Peggy Flynn and Eric Danly have not been returned yesterday and today. I have also received no response to the June 17, 2020 3:00 pm email to Ms. Flynn and Mr. Danly sent by Petaluma West-VHP. The City clerk has a copy of that email because I asked you to place it in the public record attached to application PLMA-20-0003/PLUP-19-000.

The public is suffering at the hands of a COVID-19 "essential services only operational model" and we are not getting neither the answers nor the responsiveness that we need in order to defend our own lives and homes in the midst of arbitrary and capricious decisions being made by City of Petaluma staff, decisions that are contra-indicated by the evidence already in the public record.

We are asking for the rationale of why Petaluma City staff are proceeding on the June 23, 2020, given this evidence, but we can get no timely responses.

We are reporting these failures in proper process into the public record today in this email.

--
Regards,

Petaluma West-VHP!
https://unsafeatanyg.com/petaluma

Hines, Heather

From: Paul McGavin <paul.mcgavin@scientists4wiredtech.com>
Sent: Wednesday, June 17, 2020 3:14 PM
To: Terry, Suzanne
Cc: Flynn, Peggy; Danly, Eric; Bendix, Brittany; Hines, Heather
Subject: Request for Meeting e: PLMA-20-0003/PLUP-19-000 Proposed Petaluma Creamery Antenna Farm (16 Antennas Capable of outputing 530,000 Watts of Effective Radiated Power)

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Date: June 17, 2020

To: Suzanne Terry <sterry@cityofpetaluma.org>

Hi, Suzanne.

Nice to speak with you.

This response from Mr. Danly is what you and I were just discussing. The City of Petaluma is **not** doing business-as-usual with the public, and therefore, should **wait** on this item PLMA-20-0003/PLUP-19-000) until after COVID-19 shutdown is over.

This is a very serious matter and I am a nationwide subject matter expert on this topic that happens to live in Petaluma. I worked on the team to get the veto of SB.649, lobbied for and got two federal bills against FCC Order 18-133 and consulted for the attorneys suing and winning against the FCC in Federal Courts of Appeal.

I know my subject matter and I have great information to help Petaluma.

Will you please get back to me soon?

Thank you.

Regards,

Paul McGavin
Scientists For Wired Technology
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

> **From:** Danly, Eric <EDanly@cityofpetaluma.org>
> **Date:** Wednesday, June 17, 2020 3:01 PM
> **To:** Petaluma West-VHP! <petaluma@unsafeatanyg.com>
> **Subject:** Automatic reply: Request for Meeting e: PLMA-20-0003/PLUP-19-000 Proposed

Petaluma Creamery Antenna Farm (16 Antennas Capable of outputing 530,000 Watts of Effective Radiated Power)

Thank you for your email.

To limit the spread of the coronavirus, City facilities are closed. I am working remotely and responding to emails and phone messages. I will make every effort to respond within 24 hours. The County's health order does not specify an end date to the shelter in place requirements. Therefore we currently do not know when we expect to be working onsite and during regular working hours. You may email the City Attorney's Office at cityatty@cityofpetaluma.org or call at (707) 778-4362. Please see our website, https://cityofpetaluma.org/ for more information and regular updates.

Sincerely,

Eric W. Danly
City Attorney, City of Petaluma
11 English Street, Petaluma, CA 94952
Phone: (707) 778-4362 Facsimile: (707) 206-6040
City Business Hours: M-Th 8am-5pm, closed Fridays

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From: Petaluma West-VHP! <petaluma@unsafeatanyg.com>
Date: Wednesday, June 17, 2020 3:01 PM
To: Peggy Flynn <pflynn@ci.petaluma.ca.us>, Eric Danly <edanly@ci.petaluma.ca.us>
CC: Heather Hines <hhines@ci.petaluma.ca.us>, Brittany Bendix <bbendix@cityofpetaluma.org>, Claire Cooper <cityclerk@ci.petaluma.ca.us>, Justin Shiu <jshiu@m-group.us>, Shad Cloney <shad@cloneyrealestate.com>, "sspringhorn@gmail.com" <sspringhorn@gmail.com>, "stevebleasdell@gmail.com" <stevebleasdell@gmail.com>, "dmozersky@gmail.com" <dmozersky@gmail.com>, Ben Gettleman <bgettleman@kearnswest.com>
Subject: Request for Meeting e: PLMA-20-0003/PLUP-19-000 Proposed Petaluma Creamery Antenna Farm (16 Antennas Capable of outputing 530,000 Watts of Effective Radiated Power)

June 17, 2020

To:
Ms. Peggy Flynn, City Manager
Mr. Eric Danly, City Attorney

City of Petaluma

cc:
Ms. Heather Hines, m-group
Ms. Brittany Bendix ,m-group
Justin Shiu, m-group
Claire Cooper, City Clerk
Petaluma West-VHP

RE: Request for Meeting e: PLMA-20-0003/PLUP-19-000 Proposed Petaluma Creamery Antenna Farm (16 Antennas Capable of outputing 530,000 Watts of Effective Radiated Power)

Dear Mr. Flynn and Mr. Danly,

[City Clerk Cooper, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through June 16 be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners. Thank you for doing so.]

Members of Petaluma West-VHP appreciated meeting with Brittany Bendix at 10:00 am today for 20 minutes via Zoom re: **PLMA-20-0003/PLUP-19-000**

I am following up to see if we can talk with City Manager Lynch and City Attorney Danly, either by Go-To-Meetring (see my access credentials, listed below) about why the m-group, the contract Planners for the City of Petaluma, is getting direction (from one or both of you) to continue to publish the Planning Department packet tomorrow for PLMA-20-0003/PLUP-19-000 in preparation of holding a Planning Commission Hearing on the project on June 23, 2017.

I am certain at this time you are both aware of the substantial written evidence we have already placed in the City of Petaluma public record that proves that the application for PLMA-20-0003/PLUP-19-000 **remains substantially incomplete** in the following significant ways:

1. **STATUS: Application is missing details for radios and power generation equipment** (specs cannot be verified): "Manufacturer, Model No. and Specifications for each piece of equipment being installed" (note we only have verified the antenna manufacturer and model number, all radio and power generation detail is missing)
2. **STATUS: Application is missing a power consumption analysis:** A Power Consumption Analysis to project Electricity consumption projected by day, month and year (power consumption cannot be verified)
3. **STATUS: Application is missing verifiable analysis** about the minimum level of Effective Radiated Power that is actually needed to close an alleged significant gap in

Title II telecommunications coverage (the only lawful basis for any preemption of local authority the Wireless applicant may have under the 1996-TCA in 2020)

4. **STATUS: Application is missing its FCC-required NEPA Review**: Any NEPA review, since according to Erica Rosenberg, the FCC NEPA attorney, "Every single Wireless Telecommunication Facilities applications must do a NEPA review –> <https://scientists4wiredtech.com/action/nepa-strategies/

We gave to Ms Bendix the phone number and email address for FCC NEPA Attorney Erica Rosenberg <Erica.Rosenberg@fcc.gov>202-418-1343 to verify her statement that every single Wireless Telecommunications Facilities (WTFs) must undergo NEPA review, as documented here --> https://scientists4wiredtech.com/action/nepa-strategies/

We do not understand why the City of Petaluma is not taking the common sense, no-cost step of **first** ordering an industry-standard Drive Test of signal strength **before considering this item** at the Planning Commission. It was the Drive Test data that made all the difference in Monterey, CA in March, 2018 → http://mystreetmychoice.com/monterey.html, when they denied Wireless Telecommunications Facilities (WTFs) and did not get sued.

Finally, we were surprised that Ms. Bendix was informed that *August 9. 2019 Ruling in United Keetoowah* v FCC did not apply to the Ninth Circuit. That is false.

- *The August 9. 2019 Ruling in United Keetoowah* v FCC was decided by the circuit court of appeals in Washington, D.C., and **does apply** in California, which is overseen by the Ninth U.S. Circuit Court of Appeals.

- As you can see on this map, after the U.S. Supreme Court, the D.C. Circuit is usually considered the most prestigious of American courts because its jurisdiction contains the U.S. Congress and many of the U.S. government agencies, and therefore it is the main appellate court for many issues of American administrative law and constitutional law. **Its Rulings apply to the entire United States**, as admitted at 3:34:55 in the public record video by Verizon outside counsel Paul Albritton at the San Francisco Board of Appeals on Nov 20, 2019. "My colleague, Melanie Sangupta, reminded me that NEPA does apply nationwide."

We spoke to Sara Dick saradick@waterfordconsultants.com at Waterford Consultants (949-212-5075) this morning and it appears that they have a gentleman from Redding, CA, Dave Cotton, that could use calibrated Narda equipment to log the signals strength data that would serve as accurate objective data, upon which the Planning Commission can base its decisions. We have a lot of experience with the unreliability and unverifiability of the Verizon-generated and Hammett & Edison-generated RF reports. These reports are based only on "proprietary data" and therefore the calculations and conclusions cannot be verified by the public. Placing Waterford Consultants data in the public record solves that problem and protects the city from facing a frivolous law suit from the applicant.

In addition, we reached out to Rusty Monroe and Bob Ross (619-318-7589) for Drive Test contractor recommendations. They first recommended Hammett & Edison, but, of course, that could not be a choice because H&E is already representing Verizon's interests in the application: **PLMA-20-0003/PLUP-19-000** and we provided evidence in the record yesterday that establishes H&E is **not** an objective third party. We also found this site which says this firm does work in CA: http://m.emfservices.com/cell-towers.htm

The goal is to get second-by-second logs of data on Petaluma's streets in a the three mile radius around the Petaluma creamery (and bill this to the applicant) in order to place in the public record verified data that can show if an actual significant gap in telecommunications coverage exists in the targeted area. Trust me, it is in Petaluma's advantage to complete this Need Test prior to sending the item to the Planning Commission. The raw data needs to be placed in the public record for all to read, verify and analyze.

Finally, we are reporting to you that the public has had significant problems doing critically important business with the City of Petaluma during COVID-19 shut down. Why the City of Petaluma does not decide to hold off on considering such massive changes to the residential character of many West Petaluma neighborhoods and postpone considering this item until after COVID-19 shutdown is over, is hard to fathom.Other cities across the country have already done this, including Simi Valley, CA, Easton, CT and Keened, NH. **Why rush this through when you don't have to?**

These are the items we wish to discuss before the close of business today on June 17, 2020.

Thank you for your prompt attention to this important matter.

A. Proposed Video Conference for June 17, 2020 . . . at any time up to 6:00 pm today

> The invitation / access credentials are here Call me at 707-591-5522, if you have any questions.
>
> **Please join my meeting from your computer, tablet or smartphone.**
> https://www.gotomeet.me/rfemr
>
> **You can also dial in using your phone.**
> United States: +1 (646) 749-3112
>
> **Access Code:** 487-012-725
>
> **New to GoToMeeting?** Get the app now and be ready when your first meeting starts:
> https://global.gotomeeting.com/install/487012725

B. Other open missing issues for PLMA-20-0003/PLUP-19-000

>>> Paul McGavin wrote on 6/11/2020

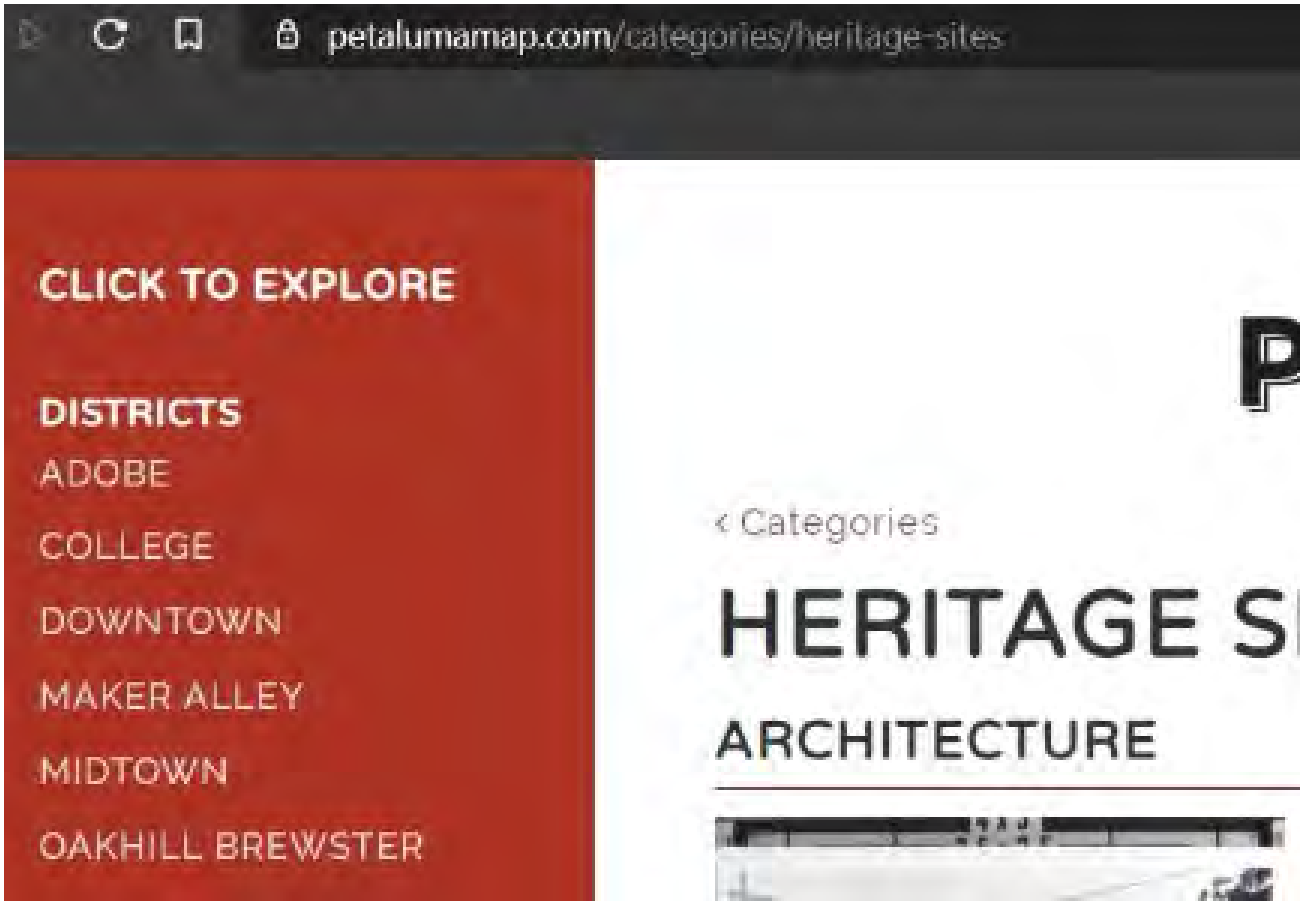
> We will also need [on 6/12/2020]:, but still do not have . . .
> . . . a full accounting of the 150-day CA State shot clock (from 2015's CA AB.57) for this Major Wireless Telecommunications Facility (WTF) project and to read the terms of the tolling agreements that you said were in place (the last being signed around June 2, 2020:
>
> - Date of application
> - Dates of any letters declaring the applications incomplete
> - Dates of letters accepting the application
> - Dates of 150-day shot clock running out? (if so, this is a real problem that needs to be immediately addressed)

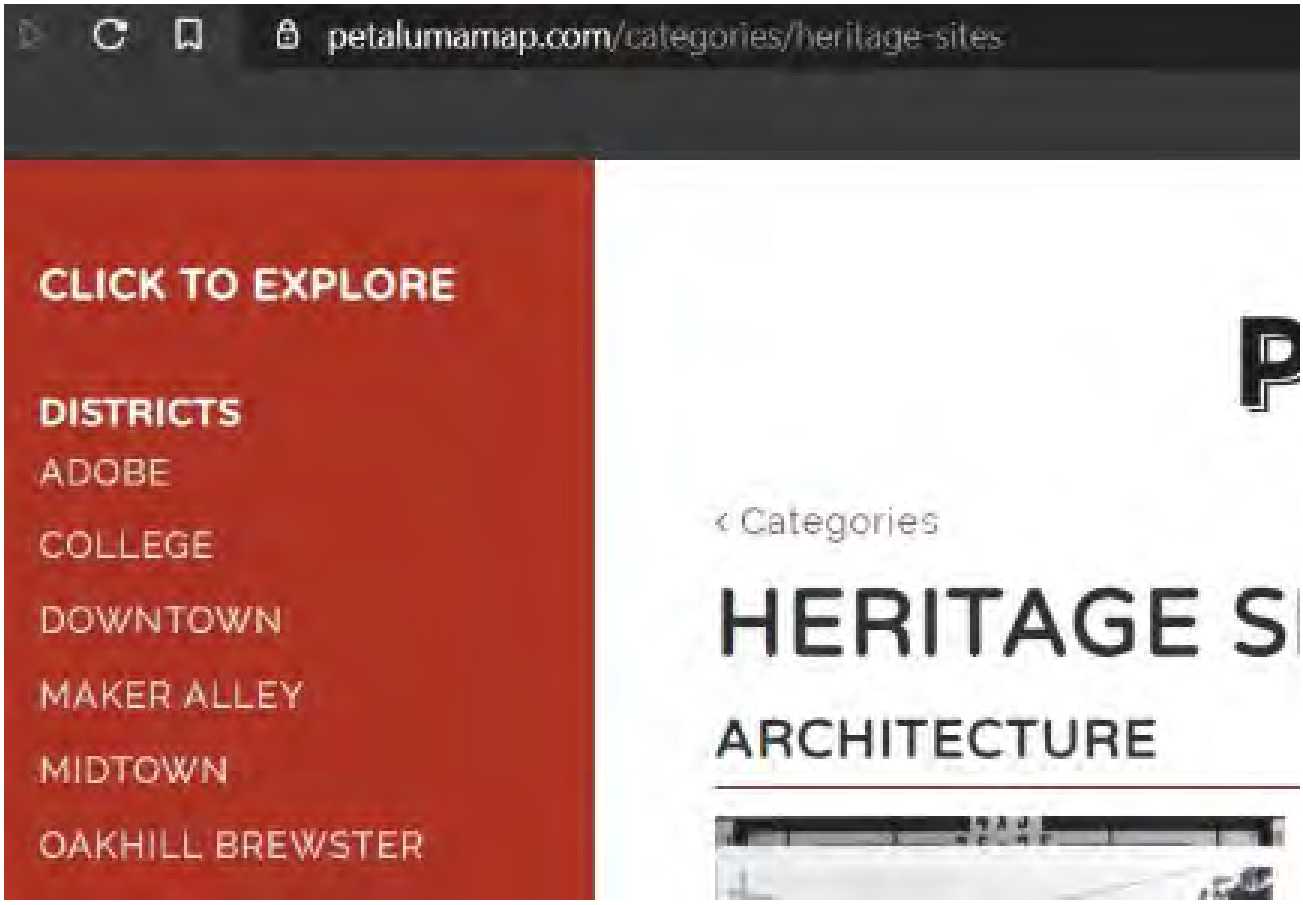
- Dates of the tolling agreement with the applicant or its agent and the mutually agreed-to end date

We will forward a separate CA public records act request after we receive and evaluate the information, specified above.

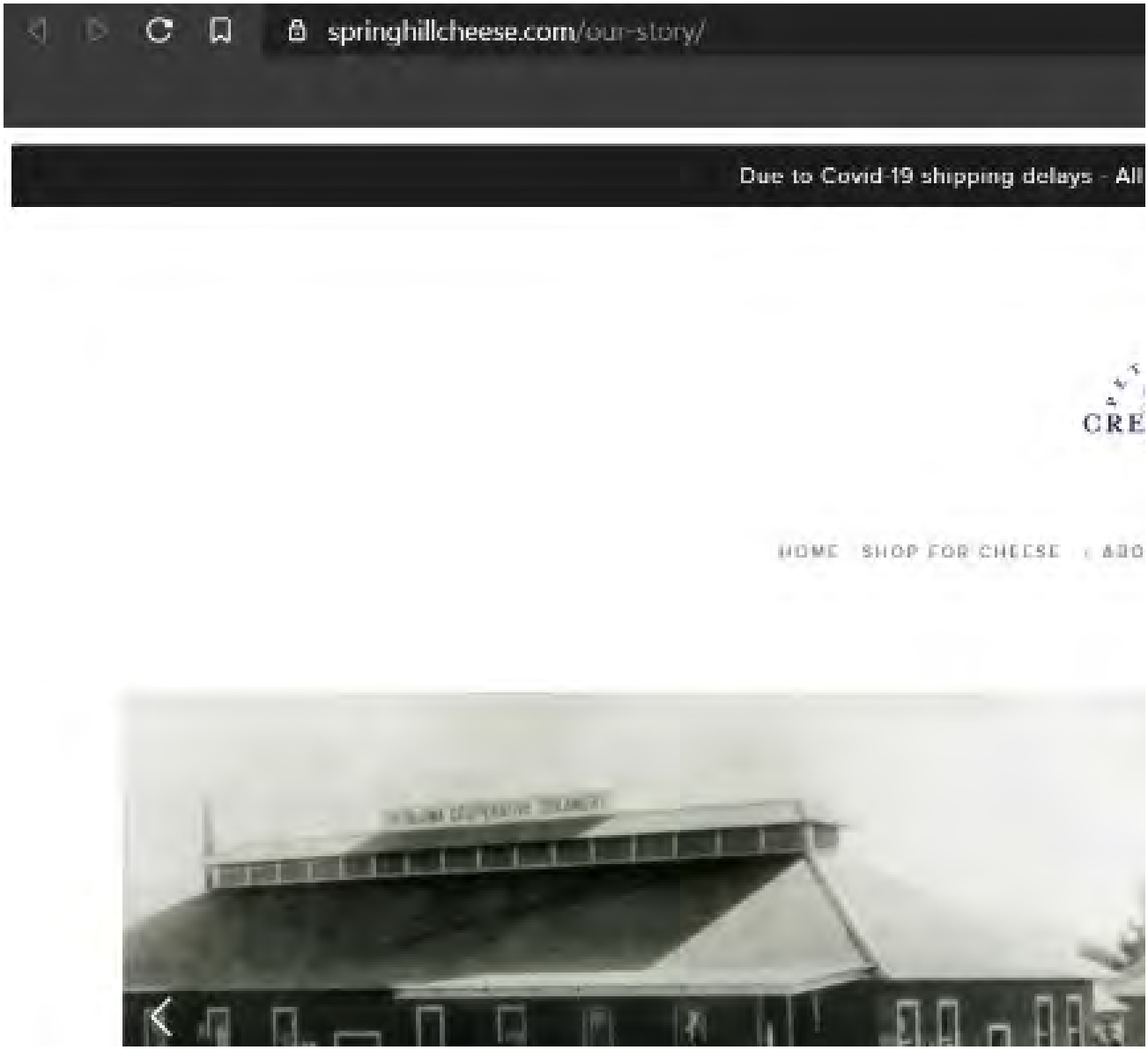
C. Petaluma Creamery is Recognized as Historical Site --> Needs to be a Minor Wireless Facility

https://petalumamap.com/categories/heritage-sites





https://www.springhillcheese.com/our-story/



From: Bill Rinehart <bill@johnsonrinehart.com>
Date: June 15, 2020 at 4:44:38 PM PDT
To: Heather Muir <heathermuir@msn.com>, Justin Shiu <JShiu@m-group.us>
Subject: FW: Proposed Major Verizon Wireless Facility on top of Petaluma Creamery

Hello Heather,

Thanks for sending your thoughts to the committee, though I believe the wrong attachment was included (It was something about SRJC Updates). I'm forwarding this to Justin Shiu, the City Planner in charge. He can tell you whether this is subject to review by the HCPC, and whether it is slated for a future agenda. If it were, I personally would have to abstain, because I live in the neighborhood.

Thanks again, and best wishes,
Bill Rinehart

>>> Heather Muir wrote on 6/16/2020 9:54 AM re: Petaluma Historical & Cultural Society:

From: Justin Shiu <JShiu@m-group.us>
Sent: Tuesday, June 16, 2020 8:54 AM
To: Bill Rinehart <bill@johnsonrinehart.com>; Heather Muir <heathermuir@msn.com>
Subject: RE: Proposed Major Verizon Wireless Facility on top of Petaluma Creamery

Hi Heather,

The project is not subject to review by the HCPC, however, it does require approval of Site Plan and Architectural Review (SPAR) by the Planning Commission. Through the SPAR request, Planning Commission can consider design and compatibility.

Best,

JUSTIN SHIU, AICP | SENIOR PLANNER
M-GROUP *A NEW DESIGN ON URBAN PLANNING*
POLICY · DESIGN · ENVIRONMENTAL · HISTORIC · ENGAGEMENT · STAFFING
HAYWARD | CAMPBELL | SANTA ROSA | NAPA
22561 MAIN ST. SUITE 200 | HAYWARD | CA | 94541 | 510.634.8443 ext. 143
***M-LAB**: A THINK TANK FOR CITIES: **JOIN** THE CONVERSATION!*

--

Hines, Heather

From: Petaluma West-VHP! <petaluma@unsafeatanyg.com>
Sent: Wednesday, June 17, 2020 3:01 PM
To: Flynn, Peggy; Danly, Eric
Cc: Hines, Heather; Bendix, Brittany; -- City Clerk; Justin Shiu; Shad Cloney; sspringhorn@gmail.com; stevebleasdell@gmail.com; dmozersky@gmail.com; Ben Gettleman
Subject: Request for Meeting e: PLMA-20-0003/PLUP-19-000 Proposed Petaluma Creamery Antenna Farm (16 Antennas Capable of outputing 530,000 Watts of Effective Radiated Power)

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
June 17, 2020

To:
Ms. Peggy Flynn, City Manager
Mr. Eric Danly, City Attorney
City of Petaluma

cc:
Ms. Heather Hines, m-group
Ms. Brittany Bendix ,m-group
Justin Shiu, m-group
Claire Cooper, City Clerk
Petaluma West-VHP

RE: Request for Meeting e: PLMA-20-0003/PLUP-19-000 Proposed Petaluma Creamery Antenna Farm (16 Antennas Capable of outputing 530,000 Watts of Effective Radiated Power)

Dear Mr. Flynn and Mr. Danly,

[City Clerk Cooper, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through June 16 be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners. Thank you for doing so.]

Members of Petaluma West-VHP appreciated meeting with Brittany Bendix at 10:00 am today for 20 minutes via Zoom re: **PLMA-20-0003/PLUP-19-000**

I am following up to see if we can talk with City Manager Lynch and City Attorney Danly, either by Go-To-Meetring (see my access credentials, listed below) about why the m-group, the contract Planners for the City of Petaluma, is getting direction (from one or both of you) to continue to publish the Planning Department packet tomorrow for PLMA-20-0003/PLUP-19-000 in preparation of holding a Planning Commission Hearing on the project on June 23, 2017.

I am certain at this time you are both aware of the substantial written evidence we have already placed in the City of Petaluma public record that proves that the application for PLMA-20-0003/PLUP-19-000 **remains substantially incomplete** in the following significant ways:

1. **STATUS: Application is missing details for radios and power generation equipment** (specs cannot be verified): "Manufacturer, Model No. and Specifications for each piece of equipment being installed" (note we only have verified the antenna manufacturer and model number, all radio and power generation detail is missing)
2. **STATUS: Application is missing a power consumption analysis:** A Power Consumption Analysis to project Electricity consumption projected by day, month and year (power consumption cannot be verified)
3. **STATUS: Application is missing verifiable analysis** about the minimum level of Effective Radiated Power that is actually needed to close an alleged significant gap in Title II telecommunications coverage (the only lawful basis for any preemption of local authority the Wireless applicant may have under the 1996-TCA in 2020)
4. **STATUS: Application is missing its FCC-required NEPA Review**: Any NEPA review, since according to Erica Rosenberg, the FCC NEPA attorney, "Every single Wireless Telecommunication Facilities applications must do a NEPA review –> <https://scientists4wiredtech.com/action/nepa-strategies/

We gave to Ms Bendix the phone number and email address for FCC NEPA Attorney Erica Rosenberg <Erica.Rosenberg@fcc.gov>202-418-1343 to verify her statement that every single Wireless Telecommunications Facilities (WTFs) must undergo NEPA review, as documented here --> https://scientists4wiredtech.com/action/nepa-strategies/

We do not understand why the City of Petaluma is not taking the common sense, no-cost step of **first** ordering an industry-standard Drive Test of signal strength **before considering this item** at the Planning Commission. It was the Drive Test data that made all the difference in Monterey, CA in March, 2018 → http://mystreetmychoice.com/monterey.html, when they denied Wireless Telecommunications Facilities (WTFs) and did not get sued.

Finally, we were surprised that Ms. Bendix was informed that *August 9. 2019 Ruling in United Keetoowah* v FCC did not apply to the Ninth Circuit. That is false.

- *The August 9. 2019 Ruling in United Keetoowah* v FCC was decided by the circuit court of appeals in Washington, D.C., and **does apply** in California, which is overseen by the Ninth U.S. Circuit Court of Appeals.

- As you can see on this map, after the U.S. Supreme Court, the D.C. Circuit is usually considered the most prestigious of American courts because its jurisdiction contains the U.S. Congress and many of the U.S. government agencies, and therefore it is the main appellate court for many issues of American administrative law and constitutional law. **Its Rulings apply to the entire United States**, as admitted at 3:34:55 in the public record video by Verizon outside counsel Paul Albritton at the San Francisco Board of Appeals on Nov 20, 2019. "My colleague, Melanie Sangupta, reminded me that NEPA does apply nationwide."

We spoke to Sara Dick saradick@waterfordconsultants.com at Waterford Consultants (949-212-5075) this morning and it appears that they have a gentleman from Redding, CA, Dave Cotton, that could use calibrated Narda equipment to log the signals strength data that would serve as accurate objective data, upon which the Planning Commission can base its decisions. We have a lot of experience with the unreliability and unverifiability of the Verizon-generated and Hammett & Edison-generated RF reports. These reports are based only on "proprietary data" and therefore the calculations and conclusions cannot be verified by the public. Placing Waterford Consultants data in the public record solves that problem and protects the city from facing a frivolous law suit from the applicant.

In addition, we reached out to Rusty Monroe and Bob Ross (619-318-7589) for Drive Test contractor recommendations. They first recommended Hammett & Edison, but, of course, that could not be a choice because H&E is already representing Verizon's interests in the application: **PLMA-20-0003/PLUP-19-000** and we provided evidence in the record yesterday that establishes H&E is **not** an objective third party. We also found this site which says this firm does work in CA: http://m.emfservices.com/cell-towers.htm

The goal is to get second-by-second logs of data on Petaluma's streets in a the three mile radius around the Petaluma creamery (and bill this to the applicant) in order to place in the public record verified data that can show if an actual significant gap in telecommunications coverage exists in the targeted area. Trust me, it is in Petaluma's advantage to complete this Need Test prior to sending the item to the Planning Commission. The raw data needs to be placed in the public record for all to read, verify and analyze.

Finally, we are reporting to you that the public has had significant problems doing critically important business with the City of Petaluma during COVID-19 shut down. Why the City of Petaluma does not decide to hold off on considering such massive changes to the residential character of many West Petaluma neighborhoods and postpone considering this item until after COVID-19 shutdown is over, is hard to fathom.Other cities across the country have already done this, including Simi Valley, CA, Easton, CT and Keened, NH. **Why rush this through when you don't have to?**

These are the items we wish to discuss before the close of business today on June 17, 2020.

Thank you for your prompt attention to this important matter.

A. Proposed Video Conference for June 17, 2020 . . . at any time up to 6:00 pm today

> The invitation / access credentials are here Call me at 707-591-5522, if you have any questions.
>
> **Please join my meeting from your computer, tablet or smartphone.**
> https://www.gotomeet.me/rfemr
>
> **You can also dial in using your phone.**
> United States: +1 (646) 749-3112
>
> **Access Code:** 487-012-725
>
> **New to GoToMeeting?** Get the app now and be ready when your first meeting starts:
> https://global.gotomeeting.com/install/487012725

B. Other open missing issues for PLMA-20-0003/PLUP-19-000

>>> Paul McGavin wrote on 6/11/2020

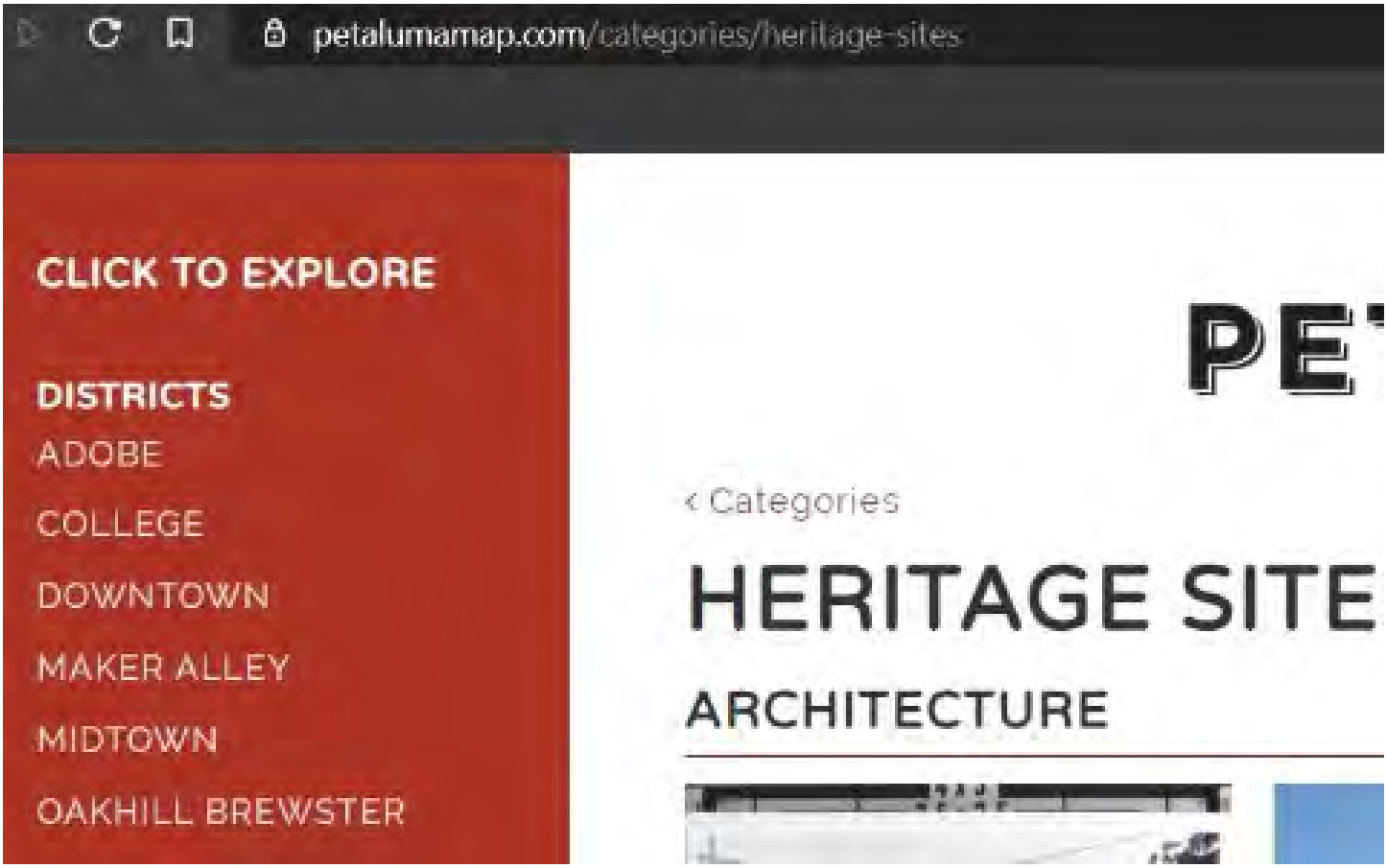
> We will also need [on 6/12/2020]:, but still do not have . . .
> . . . a full accounting of the 150-day CA State shot clock (from 2015's CA AB.57) for this Major Wireless Telecommunications Facility (WTF) project and to read the terms of the tolling agreements that you said were in place (the last being signed around June 2, 2020:
> - Date of application
> - Dates of any letters declaring the applications incomplete
> - Dates of letters accepting the application

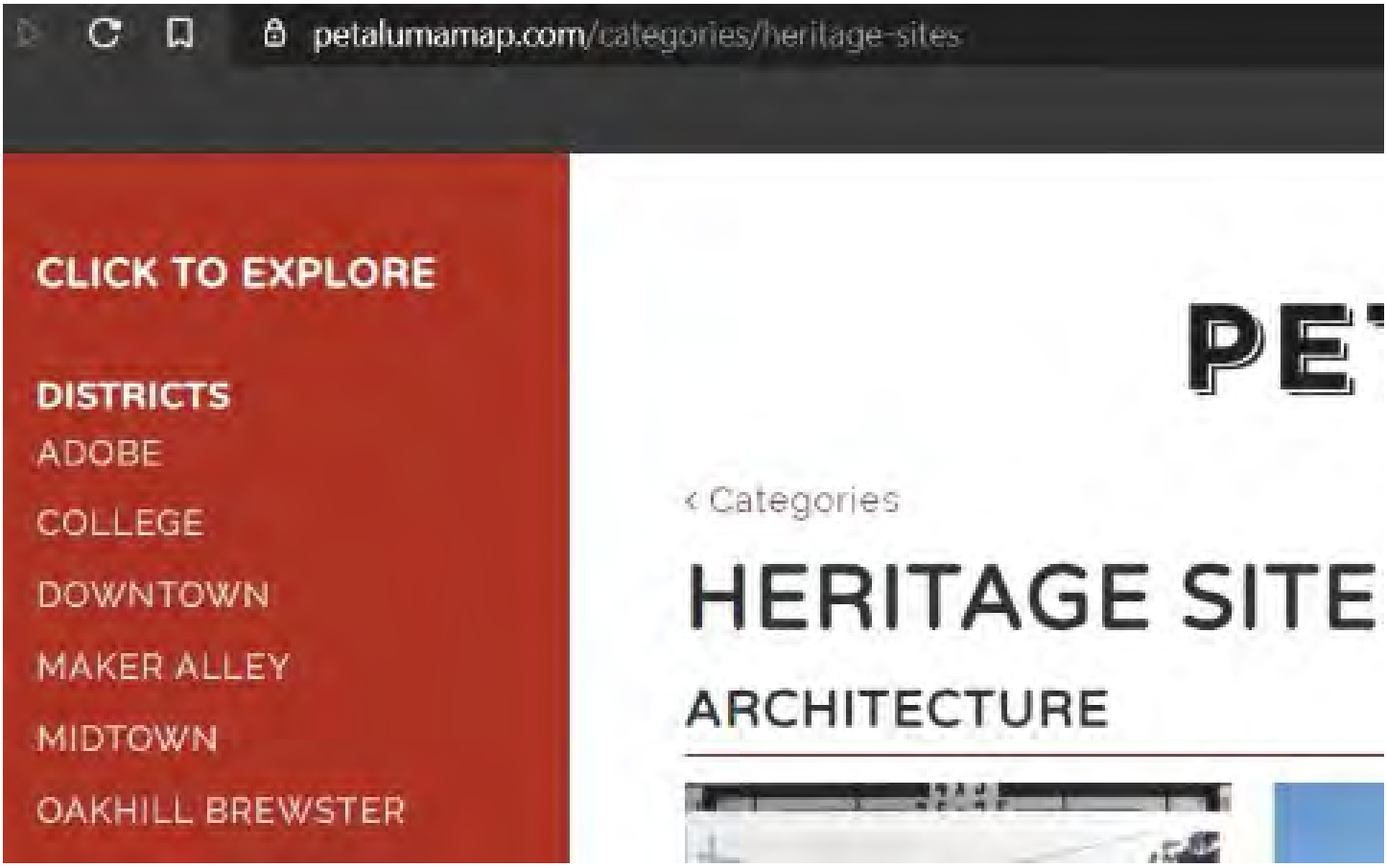
- Dates of 150-day shot clock running out? (if so, this is a real problem that needs to be immediately addressed)
- Dates of the tolling agreement with the applicant or its agent and the mutually agreed-to end date

We will forward a separate CA public records act request after we receive and evaluate the information, specified above.

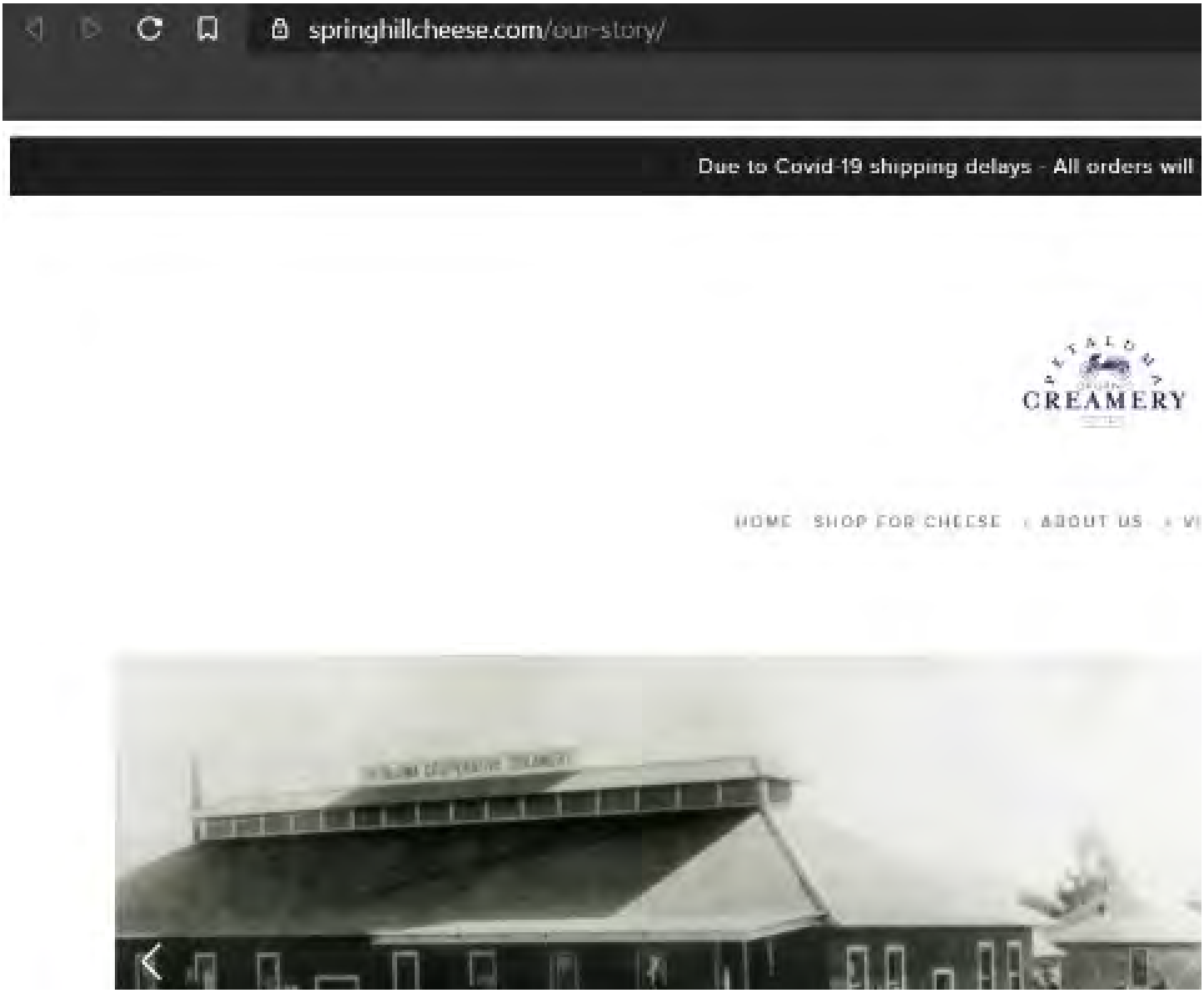
C. Petaluma Creamery is Recognized as Historical Site --> Needs to be a Minor Wireless Facility

https://petalumamap.com/categories/heritage-sites





https://www.springhillcheese.com/our-story/



From: Bill Rinehart <bill@johnsonrinehart.com>
Date: June 15, 2020 at 4:44:38 PM PDT
To: Heather Muir <heathermuir@msn.com>, Justin Shiu <JShiu@m-group.us>
Subject: FW: Proposed Major Verizon Wireless Facility on top of Petaluma Creamery

Hello Heather,

Thanks for sending your thoughts to the committee, though I believe the wrong attachment was included (It was something about SRJC Updates). I'm forwarding this to Justin Shiu, the City Planner in charge. He can tell you whether this is subject to review by the HCPC, and whether it is slated for a future agenda. If it were, I personally would have to abstain, because I live in the neighborhood.

Thanks again, and best wishes,
Bill Rinehart

>>> Heather Muir wrote on 6/16/2020 9:54 AM re: Petaluma Historical & Cultural Society:

From: Justin Shiu <JShiu@m-group.us>
Sent: Tuesday, June 16, 2020 8:54 AM
To: Bill Rinehart <bill@johnsonrinehart.com>; Heather Muir <heathermuir@msn.com>
Subject: RE: Proposed Major Verizon Wireless Facility on top of Petaluma Creamery

Hi Heather,

The project is not subject to review by the HCPC, however, it does require approval of Site Plan and Architectural Review (SPAR) by the Planning Commission. Through the SPAR request, Planning Commission can consider design and compatibility.

Best,

JUSTIN SHIU, AICP | SENIOR PLANNER
M-GROUP *A NEW DESIGN ON URBAN PLANNING*
POLICY · DESIGN · ENVIRONMENTAL · HISTORIC · ENGAGEMENT · STAFFING
HAYWARD | CAMPBELL | SANTA ROSA | NAPA
22561 MAIN ST. SUITE 200 | HAYWARD | CA | 94541 | 510.634.8443 ext. 143
M-LAB*: A THINK TANK FOR CITIES:* ***JOIN*** *THE CONVERSATION!*

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Friday, June 12, 2020 12:06 PM
To: Bendix, Brittany
Cc: Hines, Heather; Tennenbaum, Lisa
Subject: Message from Paul McGavin (7079815522)

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Hi, Brittany.

I left two message today, one for Lisa Tennenbaum and one for Heather Hines.

Why is anyone forwarding you messages that I left for other people?

Do you have the full tolling agreements for us today or not?

Bendix, Brittany wrote on 6/12/2020 11:54 AM:

> Paul,
>
> Again, Heather did not forward me the voicemail. The legal office did. If you listen to the voicemail, you are addressing it to Lisa Tennanbaum.
>
> Brittany

--
Regards,

Paul McGavin
My Street, My Choice

email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Friday, June 12, 2020 12:04 PM
To: Bendix, Brittany
Cc: Hines, Heather; Shad Cloney
Subject: Who in Heather's absence will order the critically-important Need Test for PLMA-20-0003/PLUP-19-000?

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
Cool. I will then expect a call from Heather Hines on Monday morning, May 15, because the packet is currently scheduled to go to the Planning Commissioners on May 16.

Now, who in Heather's absence will order the critically-important **Need Test** for PLMA-20-0003/PLUP-19-000?

This is a simple industry-standard Drive Test, of which you must be aware, right?

If not, please visit this page to learn about it -->
http://mystreetmychoice.com/monterey.html

Key Monterey Documents for Mar 15, 2018

- 2017-1220-CTC-Monterey-Drive-Test.pdf
- 2018-0314-Monterey-Extenet-Update.pdf
- Link to Meeting Agenda
- Link to Meeting packet
- Link to Meeting minutes
- 2018-0324-Planning-Commission-resolution.pdf

Bendix, Brittany wrote on 6/12/2020 11:52 AM:

> That is correct.

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Friday, June 12, 2020 11:50 AM
To: Bendix, Brittany <bbendix@cityofpetaluma.org>
Cc: Shad Cloney <shad@cloneyrealestate.com>
Subject: Re: FW: Message from Unknown sender (7079815522)

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

You are being responsive, Brittany.

Heather needs to be responsive, as well. Are you telling me that Heather is on vacation this week?

Bendix, Brittany wrote on 6/12/2020 11:41 AM:

> Paul,
>
> Heather is out of the office this week and calls are forwarded to me as her Deputy. Again, please let me know how I have not been responsive.
>
> The message I forwarded to you was not to Heather, but was directed to Lisa Tennenbaum. Lisa is on leave. If you wish to contact the City Attorney's office I suggest you call Eric Danley – 707-778-4362.
>
> Brittany

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Hines, Heather

From: Paul McGavin <paul@mystreetmychoice.com>
Sent: Friday, June 12, 2020 11:48 AM
To: Hines, Heather
Cc: Bendix, Brittany
Subject: Message from Paul McGavin (7079815522)

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
FGYI, Heather.

Instead of forwarding voicemail messages, I invite you at 707-981-5522.

Thank you.

From: Paul McGavin <paul@mystreetmychoice.com>
Date: Friday, June 12, 2020 11:23 AM
To: "Bendix, Brittany" <bbendix@cityofpetaluma.org>
CC: Shad Cloney <shad@cloneyrealestate.com>
Subject: FW: Message from Unknown sender (7079815522)

Hi, Brittany.

I will look forward to meeting with you at 12:30 pm at City Hall.

My message this morning was to Heather Hines. I stand by every word.

She needs to be a full player in this transaction, as well. The Commissioners defer to her judgement and recommendations. We are expecting a return call from her, as well.

How many conversations have Big Red and their agents had with Heather Hines since Aug 2019?

The public needs equal time and equal access to all of the decision-makers about this joint-venture partnership between the applicants and the City of Petaluma.

Bendix, Brittany wrote on 6/12/2020 10:56 AM:

From: Bendix, Brittany <bbendix@cityofpetaluma.org>
Date: Friday, June 12, 2020 10:56 AM
To: "paul@mystreetmychoice.com" <paul@mystreetmychoice.com>
CC: Shad Cloney <shad@cloneyrealestate.com>
Subject: FW: Message from Unknown sender (7079815522)

Paul,

I was forwarded this voice message. I'm concerned at your portrayal this morning that Planning staff does not return phone calls. You acknowledged in your e-mail yesterday that you had a message from me on Wednesday and we spoke on Thursday, as well as e-mailed. Please let me know if I've missed any other communication or if you are not hearing from other staff.

Brittany

Hines, Heather

From:	Paul McGavin <paul@mystreetmychoice.com>
Sent:	Thursday, June 11, 2020 4:38 PM
To:	Bendix, Brittany
Cc:	Justin Shiu; Hines, Heather; -- City Clerk; City Clerk; Shad Cloney; Samantha Buller; lendri purcell; Teresa Barrett
Subject:	Public Records for PLMA-20-0003/PLUP-19-000 Antenna Farm: 16 Antennas Capable of Outputting > 530,000 Watts of Effective Radiated Power

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
June 11, 2020

Ms. Brittany Bendix
Deputy Contract Planning Manager
Employee of m-group
City of Petaluma
11 English St.
Petaluma, 94952

cc:
Teresa Barrett
Heather Hines
Justin Shiu
Claire Cooper

Re: Public Records for PLMA-20-0003/PLUP-19-000 Antenna Farm: 16 Antennas Capable of Outputting > 530,000 Watts of Effective Radiated Power

Hi, Brittany.

[City Clerk Cooper, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through June 16 be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners. Thank you for doing so.]

Just to clarify . . .

We will need tomorrow all of your and Justin Shiu's communications with the applicant(s) regarding PLMA-20-0003/PLUP-19-000. Justin already committed to providing his communications to us on June 9. He told me that he had forwarded them already to you.

We will also need tomorrow what I emailed to you previously today:

- Manufacturer, Model No. and Specifications for each piece of equipment being installed
- A Power Consumption Analysis to project Electricity consumption projected by day, month and year
- Any analysis about the level of Effective Radiated Power that is actually needed to close an alleged significant gap in telecommunications coverage (the only lawful basis for any preemption of local authority the Wireless applicant may have under the 1996-TCA)
- All communications between Verizon and its agents and the m-group/Petaluma staff from Jan 1, 2019 through June 12, 2020.
- Any NEPA review, since according to Erica Rosenberg, the FCC NEPA attorney, "Every single Wireless Telecommunication Facilities applications must do a NEPA review –> <https://scientists4wiredtech.com/action/nepa-strategies/

. . . AND a full accounting of the 150-day CA State shot clock (from 2015's CA AB.57) for this Major Wireless Telecommunications Facility (WTF) project and to read the terms of the tolling agreements that you said were in place (the last being signed around June 2, 2020:

- Date of application
- Dates of any letters declaring the applications incomplete
- Dates of letters accepting the application
- Dates of 150-day shot clock running out? (if so, this is a real problem that needs to be immediately addressed)
- Dates of the tolling agreement with the applicant or its agent and the mutually agreed-to end date

We will forward a separate CA public records act request **after** we receive and evaluate the information, specified above.

I believe Shad already confirmed that we will be available at 11:00 am, but if you need

more time to prepare, we could delay until 12:30 pm.

Thank you.

Bendix, Brittany wrote on 6/11/2020 3:38 PM:

> Trying this again…
>
> ---
>
> **From:** Bendix, Brittany
> **Sent:** Thursday, June 11, 2020 12:41 PM
> **To:** Shad Cloney <shad@cloneyrealestate.com>; paul@mystreetmydevice.com
> **Subject:** 611 Verizon - Telecommunications Proposal
>
> Hello Gentlemen,
>
> I've cleared being at City Hall tomorrow and have given the Clerk's Office a heads up that we've chatted, but you'll likely still be submitting a records request. Given the lag time on e-mail records, I'd encourage you to submit that sooner than later. https://cityofpetaluma.org/request-for-public-records/
>
> In the meantime I'll pull what I have in my record.
>
> As for meeting tomorrow, I have availability between 11AM to 2PM and after 3PM.
>
> **Brittany Bendix, Deputy Planning Manager**
>
> M-Group Consulting Planner
>
> Serving the City of Petaluma
>
> 11 English Street, Petaluma, CA 94952
>
> Phone: (707) 778-4314
>
> Hours: Monday-Thursday 8am-5pm, closed Fridays

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Hines, Heather

From:	Paul McGavin <paul@mystreetmychoice.com>
Sent:	Thursday, June 11, 2020 1:39 PM
To:	Bendix, Brittany
Cc:	Hines, Heather; Justin Shiu; Cooper, Claire; -- City Clerk; Teresa Barret; Tennenbaum, Lisa; Hines, Heather; Justin Shiu; Sandi Potter; Patrick Streeter; Richard Marzo; Diana Gomez; Scott Alonso; Heidi Bauer; McDonnell, Kevin; Shad Cloney; lendri purcell; Samantha Buller
Subject:	Need to Inspect Complete Public Records of Communications between City of Petaluma and Applicant(s) For PLMA-20-0003/PLUP-19-000

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---
June 11, 2020

Ms. Brittany Bendix <bbendix@cityofpetaluma.org>
Deputy Contract Planning Manager
Employee of m-group
City of Petaluma
11 English St.
Petaluma, 94952
707-778-4314

cc:
Teresa Barret <tbarett@cityofpetaluma.org>, Mayor
Lisa Tennenbaum <ltennenbaum@ci.petaluma.ca.us> Assistant City Attorney
Heather Hines <hhines@cityofpetaluma.org>, Contract Planning Manager, m-group
Justin Shiu <jshiu@m-group.us>, Senior Planner 510-634-8443 ext.143
Claire Cooper <ccooper@cityofpetaluma.org> and <CityClerk@cityofpetaluma.org>
Sandi Potter <sandi.lee.potter@gmail.com>, Planning Commissioner
Patrick Streeter <patrickstreeter@gmail.com>, Planning Commissioner
Richard Marzo <richard@lacehouselinen.com>, Planning Commissioner
Diana Gomez <dianaegomez@gmail.com>, Planning Commissioner
Scott Alonso <alonsoplanningpet@gmail.com> Planning Commissioner
Heidi Bauer <heidibauer2000@gmail.com> Planning Commissioner
Kevin McDonnell <kmcdonnell@cityofpetaluma.org> Council Member

Re: Need to Inspect Complete Public Records of Communications between City of Petaluma and Applicant(s) For PLMA-20-0003/PLUP-19-000:

611 WESTERN AVENUE – VERIZON WIRELESS TELECOMMUNICATIONS FACILITY (WTF)
611 WESTERN AVENUE – VERIZON TELECOMMUNICATIONS FACILITY

[City Clerk Cooper, will you please add this email/letter to the Petaluma Public record for PLMA-20-0003/PLUP-19-000 a WTF antenna farm that has the capability of outputting 533,440 Watts of Effective Radiated Power from 611 Western Ave. Petaluma, CA? Will you please also ensure that this email/letter gets printed and placed into the paper file for this project? We are requesting that this email/letter and all communications and other substantial written evidence that we place in the Public Record from June 11 through June 16 be added to the agenda packet that will be distributed to the Petaluma Planning Commissioners. Thank you for doing so.]

Dear Ms. Bendix et al.,

At 11:50 am on Thu June 11, I got off the phone with you and appreciated you listening to the substantial evidence that we discussed in how to establish a reliable Needs Test for any Wireless Telecommunications Facilities (WTFs) of any size (Major, minor or "small" WTF) and of any G, described in **Appendix A**, below and here --> https://unsafeatanyg.com/glenellyn/improved-ordinance/

We need your assistance in completing our due diligence on the proposed major wireless facility for the West Side of Petaluma -- PLMA-20-0003/PLUP-19-000 --- a project that proposes installation of an antenna farm and associated equipment (**16 seven-foot antennas**, with the capability of **outputting over 533,440 Watts of Effective Radiated Power 24/7/365**) on the roof of the Petaluma Creamery. All antennas and equipment to be screened and painted to match the existing building. --> https://unsafeatanyg.com/petaluma/creamery/

Shad Cloney and I are looking forward to meeting you on Fri June 11, 2020 at the Petaluma City Hall to inspect the records you can pull together for us. Please let Shad and I know what time works best for you. We are fine making a CA public records act request for any additional records that we cannot inspect tomorrow, but hope we don't have to wait for the traditional 10-day waiting period, because we share the same deadline as you: the June 16, 2020 agenda packet distribution to the Planning Commissioners.

Our need for tomorrow is to spend about 90 minutes inspecting the file and taking photos of anything we deem to be relevant. We will bring a camera and tripod to complete this process. We have no need for any copies and are open to receiving files in digital format, if that is easier for you.

Specifically, we are interested in the following information:

- Manufacturer, Model No. and Specifications for each piece of equipment being installed
- A Power Consumption Analysis to project Electricity consumption projected by day, month and year
- Any analysis about the level of Effective Radiated Power that is actually needed to close an alleged significant gap in telecommunications coverage (the only lawful basis for any preemption of local authority the Wireless applicant may have under the 1996-TCA)
- All communications between Verizon and its agents and the m-group/Petaluma staff from Jan 1, 2019 through June 12, 2020.
- Any NEPA review, since according to Erica Rosenberg, the FCC NEPA attorney, "Every single Wireless Telecommunication Facilities applications must do a NEPA review --> https://scientists4wiredtech.com/action/nepa-strategies/

We also need a full accounting of the 150-day CA State shot clock (from 2015's CA AB.57) for this Major Wireless Telecommunications Facility (WTF) project and to read the terms of the tolling agreements that you said were in place (the last being signed around June 2, 2020:

- Date of application
- Dates of any letters declaring the applications incomplete
- Dates of letters accepting the application
- Dates of 150-day shot clock running out? (if so, this is a real problem that needs to be immediately addressed)
- Dates of the tolling agreement with the applicant or its agent and the mutually agreed-to end date

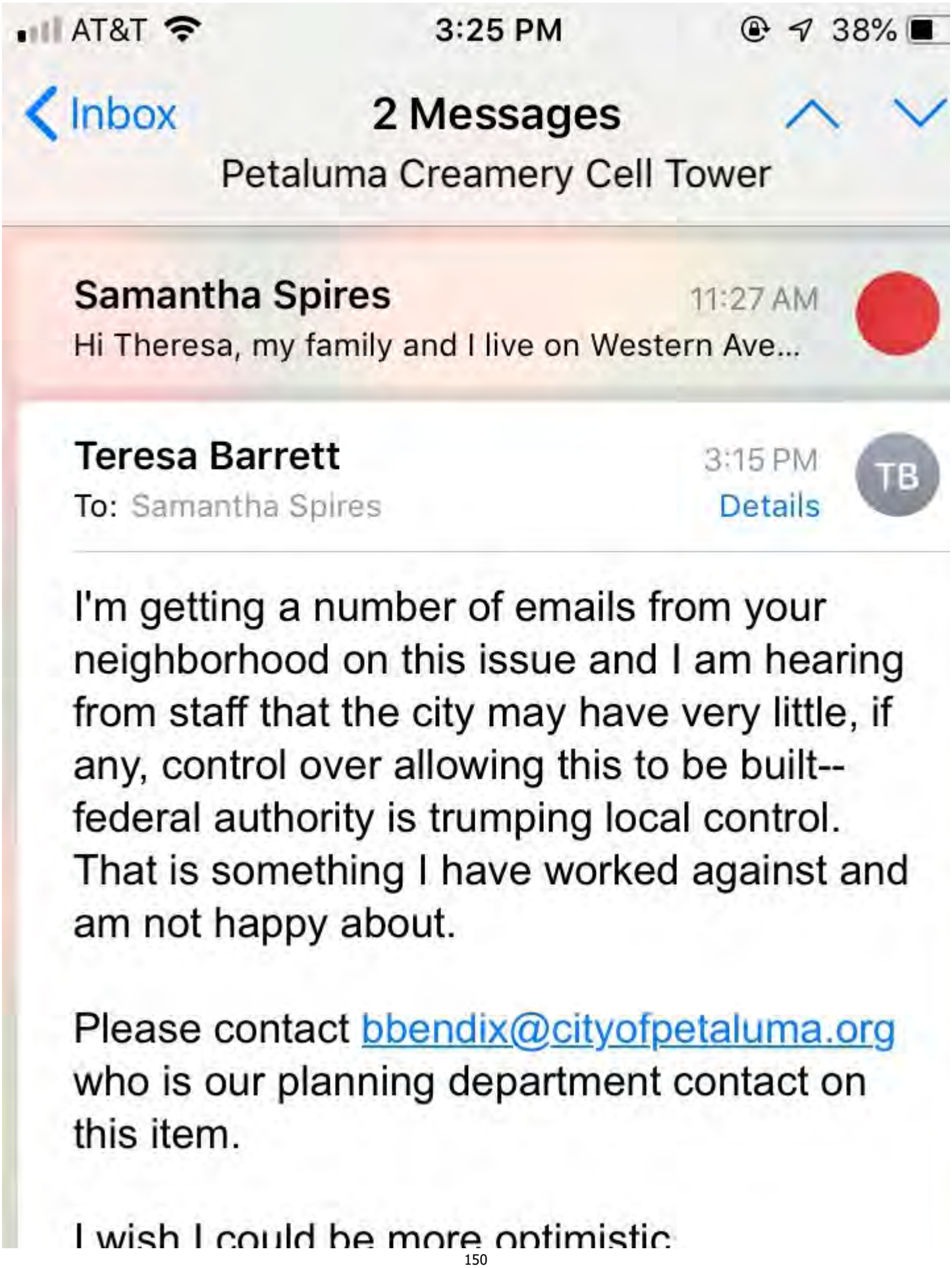
The shot clock problem that is well-described and solved in Sonoma, CA in August, 2019 --> https://youtu.be/Tjkrw_xPqRE?t=143
In my extensive experience in reviewing applications for Wireless Telecommunications Facilities (WTFs), I invariably find missing information on applications; information that must be complete before the item can be considered by the Planning Commission. We have yet had an opportunity to inspect these public records. We will give you a list and ask you to send a letter to the applicant deeming their application incomplete. Waiting for additional information from the applicant may delay the planned June 23, 2020 Planning Commission hearing.

We tried to inspect the records yesterday, but were unable to do so, despite our efforts. I received your message from 858-336-5069 to my cell number at 3:45 pm yesterday; well after I had to leave City Hall. Please, in the future, return calls to my Sonic.net landline (707-981-5522 -- service that is tel + 1,000 Mbps down/1,000 Mbps up for $50/month). My cell phone is off 99% of the time.

I had one substantive conversation with Justin Shiu in late morning on June 10, 2020. Justin told me that he was forwarding all of his communications between Verizon and its agents and the m-group/Petaluma staff to Brittany Bendix Petaluma and he was going to check with both Brittany and Heather regarding the process by which then public can inspect all relevant public records for this project in a timely manner, which means that a traditional CA public records act request (with a ten day response delay) would not be timely enough to affect the June 16, 2020 agenda packet deadline.

These communications could be extremely critical evidence for the Petaluma Planning Commissioners to review for their deliberations. We need to inspect these records to assess that.

The public is playing catch up in order to achieve even some modicum of "equal time" from Petaluma Planning staff/m-group to lobby against this project. The applicant and their agents have had months of time to spread their marketing message to everyone, leading to this rather surprising response:


AT&T
3:25 PM
38%
Inbox
2 Messages
Petaluma Creamery Cell Tower
Samantha Spires
11:27 AM
Hi Theresa, my family and I live on Western Ave...
Teresa Barrett
3:15 PM
To: Samantha Spires
Details
TB
I'm getting a number of emails from your neighborhood on this issue and I am hearing from staff that the city may have very little, if any, control over allowing this to be built--federal authority is trumping local control. That is something I have worked against and am not happy about.
Please contact bbendix@cityofpetaluma.org who is our planning department contact on this item.
I wish I could be more optimistic

I will look forward to meeting you tomorrow because not getting to inspect these records tomorrow would seriously hinder the public's ability to analyze this project and lobby for a proper balancing of the needs of the natural persons and stakeholders (Petaluma residents) and the artificial persons (the Wireless applicants, the Petaluma Creamery and the City of Petaluma).

Thank you.

--
Regards,

Paul McGavin
My Street, My Choice
email: paul@mystreetmychoice.com
work: 707-981-5522
text: 707-939-5549
skype: paulmcgavin

Appendix A: Wireless Industy-Standard Drive Tests of Carrier Specific Signal Strengths Every Six Months

Industry-standard *Drive Tests* can easily measure actual signal strength for all antennas currently installed and operating in Petaluma. The *Drive Tests* would log, second-by-second, the existing signal strengths in decibel-milliWatts (dBm) for each frequency transmitted from antennas that reach the streets of Petaluma. The raw data and report would be entered into the public record every six months, so the results can be verified by any member of the public.

Importantly, the dates of the *Drive Tests* would need to be kept secret from all Wireless Telecommunications carriers and their agents, so such parties would have no opportunity to power down antennas under their control during the *Drive Tests* — to prevent these parties from artificially creating a temporary significant gap in telecommunications service coverage in an attempt to game the results of the *Drive Tests*.

The results of the *Drive Tests* would provide verifiable, objective data to determine if a particular proposed WTF would be legally necessary to be installed in the public rights-of-way within Petaluma's jurisdiction and legal authority. The raw data would then be used to establish if any carrier-specific significant gaps in telecommunications service coverage actually exist, considering results from the voice frequencies specific to each carrier. Any new WTF would only be licensed by Petalumaif there is a proven significant gap in telecommunications service that could be corrected placing and constructing a wireless antenna using the "least intrusive means".
Other requirements for WTF applications that could be added to the Petaluma Wireless Ordinance should include the following for each WTF application:

- A determination if the WTF application provides public benefits, consistent with the preservation of the integrity, safe usage, ambiance, and visual qualities of Petaluma's public rights-of-way.
- Requiring proper liability insurance that protects the county from claims of injuries, illnesses and/or deaths from pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) exposures: see https://scientists4wiredtech.com/thisworks
- A listing of the names of the board of directors toward positive identification of the applicant, and the assets of the entity actually signing the MLA and other licensing agreements and WTF applications: see https://scientists4wiredtech.com/davis

Placing and constructing unnecessary so-called "small" Wireless Telecommunications Facilities (sWTFs) is an unjust **taking of property values** to enrich private companies who are operating in the public rights-of-way, without sufficient public benefit, such as sharing access to Fiber Optic cables installed in the public rights-of-way. Changes to the PetalumaWireless Ordinance are needed to bring it in accordance with the 1996 Telecommunications Act (1996-TCA), which governs Title II-regulated telecommunications service, and which leaves all four above-cited activities related to wireless infrastructure — in the jurisdiction of Petaluma. A regulatory obligation must be fulfilled and not avoided by omission.

The authority to properly regulate the maximum Effective Radiated Power of any antenna installed in the public rights-of-way is established in the 1996-TCA and it conference report:

From https://scientists4wiredtech.com/compare

> "This page is one of three legs of the stool that establishes local control over the operations of Wireless Telecommunications Facilities (WTFs); the other two are the US House/Senate Conference Report for the 1996 Telecommunications Act ("1996-Act") and the stated purpose of the 1996-Act: ' to promote the safety of life and property'."

From the 1996-TCA Conference Report

> "The conferees also **intend** that the phrase ''unreasonably discriminate among providers of functionally equivalent services'' will provide localities with the flexibility to treat facilities that create different visual, aesthetic, or safety concerns differently to the extent permitted under generally applicable zoning requirements even if those facilities provide functionally equivalent services. For example, the conferees **do not intend** that if a State or local government grants a permit in a commercial district, it must also grant a permit for a competitor's **50-foot tower in a residential district**."
>
> . . .
>
> "If a request for placement of a personal wireless service facility involves a zoning variance or a public hearing or comment process, the time period for rendering a decision will be the usual period under such circumstances. **It is not the intent** of this provision **to give preferential treatment to the personal wireless service industry** in the processing of requests, or to subject their requests to any but the generally applicable time frames for zoning decision."

Appendix B: Communications

Please see the **S4WT Comments**, below.
———- Forwarded message ———
From: Bendix, Brittany bbendix@cityofpetaluma.org
Date: Wed, Jun 10, 2020 at 10:05 PM
Subject: RE: FW: RE: Verizon Cell Tower Petaluma
To: Shad Cloney shad@cloneyrealestate.com
CC: jshiu@m-group.us jshiu@m-group.us

Hi Shad,

I just finished . . .

[**S4WT Comment:** On June 10, 2020! Big Red started discussing this project with Petaluma Planning/m-group in Aug. 2019 . . .]

posting the materials to a project website (not box, as I had thought originally). It's

available here:

https://cityofpetaluma.org/611-western-avenue-verizon-telecommunications-facility/

Please take a look and let me know if you need anything else.

[**S4WT Comment:** How about every communication: every email, text and letter exchanged between Verizon and its agents and Petaluma City Staff and the m-group from Jan 1, 2019 to June 12, 2020]

I'm hoping to have the final agenda and Commission Packet available next Tuesday, June 16.

[**S4WT Comment:** We have much to add to the Commission packet . . .]

Most of the supplemental materials that will be in the packet are now posted on the website.

Thank you!

Brittany

From: Justin Shiu JShiu@m-group.us
Date: June 8, 2020 at 3:36:28 PM PDT
To: gpantiquus

Subject: Verizon Materials for Petaluma Creamery

Hi Gretchen,

It was nice to speak with you on the phone. Attached are some materials from the application that are available for review. The packet of materials that will be reviewed by Planning Commission should be available on the City's website a few days before the meeting, which contains a report, conditions of approval (should the project be approved), project plan set, and other application materials.

The project will be brought to the Planning Commission for approval consideration on

June 23rd. The attached "611 Western PC Notice" describes ways to participate or provide comments. The project is currently in the public noticing period before the meeting. Written comments can be sent during this time, and oral comments can be provided during the meeting.

The applicant, Complete Wireless Consulting on behalf of Verizon, will be at the meeting to present the proposal and answer questions as well.

As comments are often raised about radio-frequency emission, I wanted to note that the project provided a study of projected radio-frequency (RF) emission (attached) to determine whether safety standards

> **S4WT Comment:** It is inappropriate to refer to the FCC pulsed, data-modulated, Radio-frequency Electromagnetic Microwave Radiation (RF-EMR) exposure guideline as a safety standard; it is only a commercial guideline. There is no basis to conclude that the guideline is protective or provides safety. Read more here https://scientists4wiredtech.com/wireless-industry-false-claims-that-regulatory-compliance-means-safety/

. . .would be met. The highest RF level anywhere at the ground or in any nearby building is projected to be approximately 34 %of the Federal Communications Commission (FCC) exposure limit .

> **S4WT Comment:** This is the highest level of RF-EMR exposure in any project that I have seen. I have been reviewing Wireless Telecommunications Facilities (WTFs) projects since 2017. Exposures would be higher at second- and third-story windows (often bedrooms). This level of Effective Radiated Power is hazardous, as you can learn here at these
>
> - http://mystreetmychoice.com/docs/RF-EMR-Exposures-v5.pdf
> - https://scientists4wiredtech.com/wireless-industry-false-claims-that-regulatory-compliance-means-safety/
> - https://scientists4wiredtech.com/sebastopol#death

In other words, the RF emission levels would be about 3 times lower than the level

deemed unsafe for public exposure by the FCC, the federal authority that regulates telecommunication facilities.

> **S4WT Comment:** once again, compliance does not mean safety. https://scientists4wiredtech.com/regulation/rf-microwave-exposure-guidelines/

The City can receive and review all comments, but federal regulations do limit certain actions that cities may take. Under the Telecommunications Act of 1996, the City's considerations of projects based on RF emissions and alleged health effects are limited to determining whether wireless facilities would comply with the FCC public exposure limit. Federal regulations do not allow cities to prohibit installation of wireless facilities on the basis of RF emissions or alleged negative health impacts, if such facilities would comply with FCC standards.

S4WT Comment: Justin, this is a serious error on your part. Please read the following and tell me on what are you basing your false statement that the city cannot consider the "alleged health effects" or "alleged negative health impacts" of Wireless Telecommunications Facilities (WTFs) projects. In short, "quo warranto", Mr. Shiu?

From https://scientists4wiredtech.com/compare

Title 47 USC § 332(c)(7)(B)(iv): "No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions."

Please let us know if you have any questions or have written comments you would like to submit for consideration at the Planning Commission meeting.

> **S4WT Comment:** Given the communication in this email, we will have many detailed questions of the m-group's efforts in providing the Planning Department's functions on behalf of the residents of Petaluma.

Best Regards,

Justin