Good Evening, Planning Commissioners, thank you for another opportunity for discussion. I, xxxxx xxxxx, attest and affirm that the following statements are true, accurate, and within my personal knowledge.

The FCC Report and Order is null and void.

The City of xxxxx has power over local jurisdiction.

Constant threat against safety and privacy both digital and personal through surveillance and hacking within private dwellings is criminal and a liability.

Regarding xxxxx’ Sustainability Plans, the AI-IoT-5G smart city grid and cloud is unsustainable. Massive microwaving of our planet IS NOT GREEN.

There have been new developments that impact our city’s wireless ordinance as of last week. The FCC Report and Order 18-30 has been officially repealed and printed in the Federal Register on December 5th, 2019 regarding the small wireless telecommunications facilities exemption. This means there is a lack of sWTF specific rules and this repeal is now in effect since that date.

Included into public records is the exhibit: “Federal Register: Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment”.

The newly submitted draft WTF ordinance does not contain the 47 CFR, that eliminated portions of the FCC’s Report and Order. We should add that to the ordinance.

The DC Court found and called the FCC Report and Order “arbitrary and capricious, and unlawful” for wanting to eliminate any environmental analysis of their planned federal undertaking of deploying 800,000 “small” cell antennas, or close proximity microwave radiation antennas (CPMRA).

Each tower or CPMRA has to now go through a NEPA review. As a result, this also eliminates the need for shot clocks. It also means the City of xxxxx should demand NEPA compliance.

This also eliminates the need for a “Master License Agreement” (MLA) and all ministerial actions.

According to CFR regulation, any public controversy over any project warrants the need to conduct an environmental assessment.

The draft ordinance in its active phase must make announcement and involve the public. There has been no workshop nor any public participation in developing the ordinance. This lack of communication and no response by planning staff is inefficient use of everyone’s time while also hindering the planning commissioners their ability to make informed decisions.

Closed door policy the staff consistently displays prove they are ineffective and more reasons why we cannot allow ministerial actions find its way into the ordinance. It can give legal counsel unfair unilateral decision-making powers over any WTF issues. Legal counsel is not a sworn officer, is a paid employee, and do not live nor represent the city they work for. Therefore, it is dangerous to give unbalanced powers to an employee who is not an elected official.

The ordinance has to state a need for service, that there is a gap in cellular coverage.

The ordinance can also set RF maximum output and make it a value that is enough for cellular service throughout. We call it RF speed limits.

Just because the industry wants the maximum output, we don’t need to give it to them.

We should have speed limits in the residential zone different from the freeway.

Just because the FCC owns a fancy sports car that can go 250 miles, doesn’t mean we will let them drive that speed in the residential zone.

The ordinance can also place surge protectors on any cell tower and CPMRA to protect against RF levels going over the power beyond city determined RF limits.

The indemnification clause for the city, staff and council and commissioners is clearly laid out. But there is nothing in the ordinance to indemnify for residents.

Setback distances within residential zones is not an option for discussion. We do not want any cell towers and CPMRA’s to be placed in residential zones. Therefore, any cell towers should have a setback distance of 1’500 for cell towers and 1,000’ for CPMRA’s. It is proven that CPMRA’s are capable of using macro cells for their antennas which if placed on light or utility poles will far exceed the safety limits of RF exposures.

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