

Clements, Jeff

From: Krista E. Burby <KBurby@drivermcafee.com>
Sent: Monday, February 08, 2021 5:40 PM
To: CCMEETING02092021
Cc: Cyndy K. Trimmer
Subject: Speaker for 2/8/21 City Council meeting (2021-0007 and 2021-0008 - Huemar/545 Eastport Road)

EXTERNAL EMAIL: This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good afternoon,

Please allow this email to serve as notice that Cyndy Trimmer will speak on behalf of the applicant for 2021-0007 and 2021-0008 at tomorrow's City Council meeting.

For the record her address is One Independent Dr., Ste 1200, Jacksonville, FL 32202 (904) 301-1269. She is in support of these applications.

Sincerely,

Krista Burby
Paralegal



Driver, McAfee, Hawthorne & Diebenow, P.L.
One Independent Drive, Suite 1200
Jacksonville, Florida 32202
Direct: (904) 807-8213
Fax: (904) 301-1279
E-Mail: kburby@drivermcafee.com

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Clements, Jeff

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Sent: Monday, February 08, 2021 5:40 PM
To: CCMEETING02092021
Cc: Cyndy K. Trimmer
Subject: Speaker for 2/8/21 City Council meeting (2021-0009 and 2021-0010 - TSG/1033 Edgewood Ave N)

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Good afternoon,

Please allow this email to serve as notice that Cyndy Trimmer will be available for questions only on behalf of the applicant for 2021-0009 and 2021-0010 at tomorrow's City Council meeting.

For the record her address is One Independent Dr., Ste 1200, Jacksonville, FL 32202 (904) 301-1269. She is in support of these applications.

Sincerely,

Krista Burby
Paralegal



Driver, McAfee, Hawthorne & Diebenow, P.L.
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Jacksonville, Florida 32202
Direct: (904) 807-8213
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Clements, Jeff

From: Krista E. Burby <KBurby@drivermcafee.com>
Sent: Monday, February 08, 2021 5:39 PM
To: CCMEETING02092021
Cc: Cyndy K. Trimmer
Subject: Speaker for 2/8/21 City Council meeting (2020-0687 and 2020-0688 - Soderlund/2026 Ashland Street)

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Good afternoon,

Please allow this email to serve as notice that Cyndy Trimmer will be available for questions only on behalf of the applicant for 2020-0687 and 2020-0688 at tomorrow's City Council meeting.

For the record her address is One Independent Dr., Ste 1200, Jacksonville, FL 32202 (904) 301-1269. She is in support of these applications.

Sincerely,

Krista Burby
Paralegal



Driver, McAfee, Hawthorne & Diebenow, P.L.
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Jacksonville, Florida 32202
Direct: (904) 807-8213
Fax: (904) 301-1279
E-Mail: kburby@drivermcafee.com

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Clements, Jeff

From: Krista E. Burby <KBurby@drivermcafee.com>
Sent: Monday, February 08, 2021 5:38 PM
To: CCMEETING02092021
Cc: Cyndy K. Trimmer
Subject: Speaker for 2/8/21 City Council meeting (2021-0014 - Pieria/124 & 134 W 4th Street)

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Good afternoon,

Please allow this email to serve as notice that Cyndy Trimmer will speak on behalf of the applicant for 2021-0014 at tomorrow's City Council meeting.

For the record her address is One Independent Dr., Ste 1200, Jacksonville, FL 32202 (904) 301-1269. She is in support of this application.

Sincerely,

Krista Burby
Paralegal



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Direct: (904) 807-8213
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Clements, Jeff

From: Krista E. Burby <KBurby@drivermcafee.com>
Sent: Monday, February 08, 2021 5:23 PM
To: CCMEETING02092021
Cc: Cyndy K. Trimmer
Subject: Speaker for 2/8/21 City Council meeting (2021-0011 Relentless/Hechscher PUD)

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Good afternoon,

Please allow this email to serve as notice that Cyndy Trimmer will speak on behalf of the applicant for 2021-0011 at tomorrow's City Council meeting.

For the record her address is One Independent Dr., Ste 1200, Jacksonville, FL 32202 (904) 301-1269. She is in support of this application. Please note that we requested a deferral of this item at the Planning Commission meeting so that we can hold a community meeting.

Sincerely,

Krista Burby
Paralegal



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One Independent Drive, Suite 1200
Jacksonville, Florida 32202
Direct: (904) 807-8213
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Clements, Jeff

From: searcy dannheim <peabodymccoy@gmail.com>
Sent: Tuesday, February 02, 2021 10:45 PM
To: searcy dannheim
Cc: Lisa Lovelady
Subject: STOP 5G Jax info for committees

EXTERNAL EMAIL: This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

February 2, 2021

Dear Jacksonville City Council Members,

First I would like to thank you for all you do for the betterment of our wonderful city. With this email I would like to present new information in the interest of restarting a process largely ineffective before the shutdown, At this time I look forward to learning alongside you all how to navigate the 5G (small cell wireless) situation, and helping equip people with accurate and reliable information on the subject of 5G.

During the past six months our STOP 5G Jax group has grown and organized, and with help from expert resources outside Jacksonville I am eager to share the following info with you now:

Kindly note that between 2015 and 2019, both wireline and wireless internet transmissions fell under FCC Title II, regulated as "Telecommunications Services" under the 1996 Telecommunications Act (TCA). However, on October 1, 2019, the D.C. Circuit Court of Appeals in Case No. 18-1051, Mozilla et al. v. FCC, confirmed Internet "Services" to be reclassified by the FCC as Title I, unregulated "Information Services." At present, only wireline and wireless telephone and text transmissions are classified as Title II, regulated "Telecommunications Services." This regulatory distinction means that no federal preemption applies to wireless facility applications purposed for internet transmissions. Title I and Title II applications, therefore, need to be regulated differentially by planning and zoning: for example, with separate file cabinets. Indeed, instead of permitting these, some local governments are supplying public fiber-optics to the premises (FTTP) for internet, which is superior in every way to wireless internet transmissions. Fiber provides the fastest, clearest signal over the greatest distances. Reliable in storms and emergencies, it is not only unhackable, it is extremely energy-efficient, emitting no radiation. A decision for public FTTP can also enrich the local economy while preserving the quiet enjoyment of streets.

Our Jacksonville ordinance, however, stands in opposition to this long and recently confirmed federal distinction. At Chapter 350.81, the language astonishingly folds "communications", "telecommunications" and "information" data into one definition:

350.81 Communications services offered by governmental entities.—(h) "Telecommunications services" means the transmission of signs, signals, writing, images, sounds, messages, data, or other information of the user's choosing, by wire, radio, light waves, or other electromagnetic means, without change in the form or content of the information as sent and received by the user and regardless of the facilities used, including, without limitation, wireless facilities.

And, despite "5", no consideration has been given to public health which, as we've seen per covid, is preeminent, requiring the closure of businesses when threatened.

The private and public costs and benefits of providing the service by a private entity or a governmental entity, including the effect (sic) on existing and future jobs, actual economic development prospects, tax-base growth, education, and public health.

Notwithstanding s. [542.235](#) or any other law, a governmental entity that provides a communications service is subject to the same prohibitions applicable to private providers under ss. [542.18](#) and [542.19](#) as it relates to providing a communications service...

These are a few of the problems rendering our ordinance inconsistent with federal law, resulting in antenna placement, construction and operations the US Congress specifically aimed to prohibit under TCA: residential. See the Congress's Conference Report on TCA, attached. We must halt at once the current deployment with a moratorium and revise our ordinance so it accords with federal laws and their intents.

Thank You,

Searcy C. Dannheim
2118 St. Johns Avenue
Jacksonville, Florida 32204

Sent from my iPad

Clements, Jeff

From: lisadlovelady <lisadlovelady@protonmail.com>
Sent: Tuesday, February 02, 2021 5:44 PM
To: CCMEETING02092021
Subject: 5G comments

EXTERNAL EMAIL: This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Greetings City Council Members:

Kindly note that briefly, from 2015 to 2019, both wireline and wireless internet transmissions fell under FCC Title II, regulated as "Telecommunications Services" under the 1996 Telecommunications Act ("TCA"). However, on October 1, 2019, the D.C. Circuit Court of Appeals in Case No, 18-1051, Mozilla et al. v. FCC, confirmed Internet "Services" to be reclassified by the FCC as Title I, unregulated "Information Services." At present, only wireline and wireless telephone and text transmissions are classified as Title II, regulated "Telecommunications Services." This regulatory distinction means that no federal preemption applies to wireless facility applications purposed for internet transmissions. Title I and Title II applications, therefore, need to be regulated differentially by planning and zoning: for example, with separate file cabinets. Indeed, instead of permitting these, some local governments are supplying public fiber-optics to the premises (FTTP) for internet, which is superior in every way to wireless internet transmissions. Fiber provides the fastest, clearest signal over the greatest distances. Reliable in storms and emergencies, it is not only unhackable, it is extremely energy-efficient, emitting no radiation. A decision for public FTTP can also enrich the local economy while preserving the quiet enjoyment of streets.

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5. The private and public costs and benefits of providing the service by a private entity or a governmental entity, including the affect (sic) on existing and future jobs, actual economic development prospects, tax-base growth, education, and public health.

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Lisa Lovelady

4249 Ortega Place

Jacksonville, Florida 32210

Sent with [ProtonMail](#) Secure Email.

Clements, Jeff

From: lisadlovelady <lisadlovelady@protonmail.com>
Sent: Monday, February 01, 2021 1:56 PM
To: CCMEETING02092021
Subject: 5G comments

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Greetings City Council Members:

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Thank you,

Lisa Lovelady

4249 Ortega Place

Jacksonville, Florida 32210

Sent with [ProtonMail](#) Secure Email.