



All Receive - Agenda Item # 13  
For the Information of the:  
CITY COUNCIL  
Date 4/16/24 CA  CC   
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4/15/2024

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To: Hon. Keith Blackburn and Councilmembers, City of Carlsbad CA  
Ref: Council Agenda Item #13, *Appeal of CUP 2022-0023/CDP 2022-0070/DEV2022-0206*, AT&T

**Dear Mayor Blackburn and Councilmembers:**

Related to MD7 and AT&T's application for a Wireless Communications Facility at Poinsettia Park, Oku Solutions is retained as an RF engineering firm to provide third-party expert review of the application materials, and we respectfully submit this statement of qualifications.

Oku Solutions provides telecommunication engineering consulting services to governments, non-profits, and industry clients. I am Oku Solutions' founder and CEO, an electrical engineer with a B.Sc. from the University of California, with a career focus on wireless systems, communications theory and practice, and radio-frequency theory and practice. I have testified about RF engineering and electromagnetic safety at dozens, if not hundreds, of hearings on wireless communications facilities. I am a:

- Senior Member of the *Institute of Electrical and Electronics Engineers (IEEE)*, an international organization dedicated to advancing innovation and technological excellence for the benefit of humanity, creating standards, and the world's largest technical professional society;
- Member of the IEEE's *International Committee on Electromagnetic Safety (ICES)*, which hosts the TC95 working group that produces the C95 family of standards, from which international regulatory agencies (including the Federal Communications Commission) derive their safety compliance methods for human exposure to electromagnetic energy;
- Member of the IEEE *Committee on Man and Radiation (COMAR)*;
- Life Member of the IEEE *Microwave Theory and Techniques Society (MTT-S)*; and
- Chair of the Deployment Working Group in the IEEE's *Future Networks Technical Community*.

Based on my background and stated qualifications, I ask that you consider me an expert witness on the topic of radiofrequency emission safety, including application of the IEEE C95 family of standards, the FCC's OET Bulletin 65 *Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields*, evaluation of electromagnetic engineering (EME) reports, and related topics including wireless communication facility RF power levels and antenna patterns.

I will attend the Council Meeting in-person on April 17<sup>th</sup> 2024, and will be available to answer any questions from the council and city staff.

Sincerely,

David Witkowski  
CEO & President  
Oku Solutions LLC

## Tammy Cloud-McMinn

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**From:** Council Internet Email  
**Sent:** Tuesday, April 16, 2024 8:54 AM  
**To:** City Clerk  
**Subject:** FW: Regarding AT&T Tower Meeting Tonight

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**From:** Zach Schubert <zschube@gmail.com>  
**Sent:** Tuesday, April 16, 2024 7:47 AM  
**To:** Council Internet Email <council@carlsbadca.gov>  
**Subject:** Fwd: Regarding AT&T Tower Meeting Tonight

----- Forwarded message -----

**From:** Zach Schubert <zschube@gmail.com>  
**Date:** Tue, Apr 16, 2024 at 7:39 AM  
**Subject:** Regarding AT&T Tower Meeting Tonight  
**To:** <priya.bhat-patel@carlsbadca.gov>

Good Morning,

My name is Zach Schubert. I live at 1031 Seahorse Ct, next to Poinsettia Park (The Cove).

I request you vote against the process of allowing an AT&T cell phone tower in Poinsettia Park, near my home. Cell towers do not blend with the numerous neighborhoods, Pacific Rim Elementary, and the thousands of daily visitors seeking green space. They belong in other areas where offices and warehouses are plenty- less visited, and less bothered during the weekends, and are farther isolated from pedestrians, bikers, and families.

I attended the past commission meeting at the City Hall, where I learned the tower at The Crossings was not considered to expand in height because AT&T wanted the most convenient option, even though a taller tower at The Crossings can service residents near Poinsettia Park. The congestion of The Crossings is way less compared to Poinsettia Park- just like business areas on weekends.

For those who work full time and want to enjoy healthy and happy weekends in Carlsbad, I hope you do not support installing the massive tower in Poinsettia Park.

Regards

Zach Schubert

1031 Seahorse Ct

The Cove

7605791712

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## Tammy Cloud-McMinn

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**From:** Nora George <norageorge7@gmail.com>  
**Sent:** Friday, April 12, 2024 3:55 PM  
**To:** Kyle Van Leeuwen  
**Cc:** Eric Lardy  
**Subject:** Poinsettia Park appeal

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hola Kyle,

I think some of the information on the staff report that has been given to the City Council Members merits some clarification and additional information. Is there any way to correct or clarify? Here are my concerns:

1. **Planning Commission hearing:** We didn't say a public park doesn't qualify as a preferred location for WCF, but that it is on opposite ends of the location lists AND that they are listed in order of preference or discouragement — our argument is that the intent of CP64 is to locate them in other places other than parks/open space per the listed hierarchy in CP64.
2. If you are going to state that there were two emails in support of that location, then state how many were received against the Poinsettia Park location — that's only fair.
3. You stated that, "A total of 28 individuals sent emails to city staff with questions and concerns about the project during the months of January and February 2023." You should also state how many were received prior to the Planning Commission meetings in December '23 and January '24, otherwise, it seems like only 28 people TOTAL sent emails.
4. Same with the number of public speakers at the planning commission meetings — please state the totals for BOTH meetings as the speakers were not all the same.

I am happy that we'll be given an opportunity to explain our case and finally have an opportunity for rebuttal as public comment isn't suitable for that. Thank you for all your assistance.

Kind regards,  
Nora George

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## Tammy Cloud-McMinn

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**From:** Nora George <norageorge7@gmail.com>  
**Sent:** Sunday, April 14, 2024 7:57 PM  
**To:** Kyle Van Leeuwen  
**Cc:** Eric Lardy; Jeff Murphy  
**Subject:** another council packet omission

Hello Kyle,

I just discovered that four pages of the Council Policy 64 that was included in City Council's packet/staff report for our item as been mysteriously deleted, not truncated, as it ends with the correct paragraph; although, the ending map has been omitted as well. I am referring to CP 64 pages 19-24, inclusive. This is "E. Application and Review Guidelines #s 17-20" but the document does come back and end with the correct final paragraph, "SEVERABILITY", which is why it is odd. Please provide those missing pages of CP 64 to the City Council prior to Tuesday's meeting and include the map on page 24. Also, as mentioned in my previous email, please clarify/correct the number of speakers at BOTH meetings (remember some of us spoke for 4 people) and the number of emails received TOTAL for this item, not just for the short period you stated in the staff report. I have heard both planning commissioners and council members say they've received "hundreds". We all want what's best for the city so it is important that City Council is privy to all and complete information. Thanks so much for your assistance.

Kind regards,  
Nora George

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