Draft Fairfax Town Council Minutes
Special Meeting re Smart Meters
Fairfax Women's Club
Wednesday, September 15, 2010

The meeting was preceded by a Closed Session special meeting for Conference with Legal Counsel – Initiation of Litigation (one potential case) pursuant to Govt. Code Section 54956.9 (c)

Call to Order/Roll Call:

COUNCILMEMBERS PRESENT: Larry Bragman
Pam Hartwell-Herrero
John Reed
Lew Tremaine
David Weinsoff

STAFF MEMBERS PRESENT: Judy Anderson, Town Clerk

Mayor Tremaine called the meeting to order at 7:15 p.m.

Announcement of Closed Session Action

Mayor Tremaine announced that no action was taken in Closed Session.

Opening remarks and discussion of format of meeting - Mayor Lew Tremaine

Mayor Tremaine introduced the topic of the meeting by reviewing the actions taken to date by the Town regarding Smart Meters and the agreement by PG&E to conduct the meeting to hear questions and concerns from the public regarding the Smart Meter program. He announced that PG&E officials would then answer the questions and concerns raised at another meeting to be held on September 29th. He further stated that, as a member of the Marin Energy Authority and of the Technical Committee of the Marin Energy Authority, he was looking forward to an opportunity to talk to PG&E about Smart Meters and how the program should be rolled out in their shared service area. He further stated that the conversations should be on a larger scale, not city by city.

Vice Mayor Bragman extended thanks to PG&E for attending the meeting; reported that he had attended a San Anselmo Town Council meeting the previous evening where he urged the Council to pass an urgency ordinance banning the installation of Smart Meters similar to the one passed in Fairfax. He explained his objections to the installation of the meters including the impact on privacy rights, billing on a time of use basis, the negative impact on property values, the loss of jobs and the undemocratic way the program had been implemented. He stated that he had never had a problem with PG&E, that the employees in the field should be treated with courtesy as they do their jobs, that he was hoping to change the way the program was deployed; and that the only way to change things was to talk to each other.

Mayor Tremaine introduced the representatives from PG&E; James Morante, Northern Region Public Affairs Manager and Steven Nichols, Northern Region Director of the Sales and Service.

Brief description from PG&E regarding the goals and purpose of the Smart Meters

James Morante described the outreach that had been conducted in Marin County regarding the Smart Meter program. He described the results of a report done at the bequest of the California Public Utilities Commission regarding Smart Meters that had concluded that the meters were accurate and the billing was up to the standards, but that PG&E should have done a better job of reaching out and informing

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customers before the rollout of the Smart Meter program. He acknowledged that meters were on people's home and thus were more personal than other equipment. He stated that PG&E was not the only agency with Smart Meters and that they were being installed or had been installed in other counties and other countries.

Mayor Tremaine introduced Mary Beth Brangan, who made a presentation entitled, "Why an informed public says 'No' to SmartMeters." Some of the statements made in the presentation were: the installation of Smart Meters was not democratic because there was no "opt out" provision and no informed consent; that there had been no environmental review nor human impact studies; that it was a toxic trespass on private property; that it violated property and homeowner rights; that Smart Meters used more materials and more energy; that they did not save ratepayers money; that they were not safer and could cause fires or damage electronics; that there was no education or warnings for people with sensitivities or with medical implants; that wireless meant "hackable;" that meters could be open to data mining; would provide an increase in the 24/7 RF radiation levels; that there was a deceptive time averaging of constant pulsing with tests showing pulsing every 47 seconds; that wireless emissions meant health risks to all, especially electro-sensitive people; was a violation of the Americans with Disabilities Act; that wireless "mesh networks" had not been proven to definitely conform to existing FCC standards, standards which were obsolete; and that the Smart Meter program represented corporate overreach. She stated that the real solutions were to reduce energy consumption and to improve energy efficiency.

Mayor Tremaine opened the discussion to the public.

The following speakers addressed the Council and the PG&E officials:

Joe Odom, Porteous Ave; Yvette Wakefield, Main Court; Sierra Salin by proxy; Shamata Syrah; Mark Bell, Dominga Ave.; Tony Yudice, Forrest Terrace; Judy Hitchcock, Chester; Diane Hoffman, Porteous Ave.; Elizabeth Bell, Dominga Ave.; Sarah Riley, Maple Ave.; Sudi Skull, San Francisco; Janet, Forrest Terrace; Peter McQuay, Rocca Ave.; Jim Rice, Laurel Drive; Hannah Doress, Porteous Ave.; David Glick, Cascade Drive; Barbara George, Fairfax, representing Women Energy Matters; Ann Corwin, Cascade Drive; and Dede Taylor, Frustuck Ave.

Issues raised and questions asked included:

Inconsistent and contradictory information from PG&E about Smart Meters (SM's) including about how often SM's emitted EMF's; whether or not people with electrical sensitivities could opt out or request removal of SM's; why SM's had to be wireless; why couldn't an "opt-out" option be made available; how would privacy be maintained; objections to the loss of jobs for meter readers; that San Bruno was an example of PG&E's lack of priorities; could PG&E prove that the technology was harmless; asked that the old meters being removed be saved for future use; SM's had been installed without permission or warning; where did the SM program originate; why wasn't a health study done ahead of time; medical experiments were being done by PG&E without permission; that the effects were cumulative and there were EMF's everywhere; electro-sensitive people were like canaries in the mines; how would PG&E work with the Marin Energy Authority; that SM's were available for private purchase for about $100; why was PG&E spending $2.2 billion on SM technology; suggestion that energy use be reduced by turning off power strips when not in use; solar clothes dryers would also save energy; SM's could be used as repeaters for other SM's increasing EMF's; the intensity of the average SM pulse was 1000 times more powerful than that of a cell phone; asked for all the repeater and access locations in Fairfax; asked for recommendations for electro-sensitive people; asked if SM's located by bedrooms could be moved upon request; questioned PG&E's claim that SM's met FCC standards for emissions; that regulations for long term effects should be determined after studies were conducted; that the negative effects of SM's could later be revealed as harmful, like tobacco; desire to have the whole town of Fairfax be SM-Free; asked if PG&E would respect the "No SM" signs placed on meters by customers; that there was no measure of EMF levels in homes; urged PG&E to stop and evaluate the human health effects; why couldn't the SM's be fiber optic rather than wireless; that the idea that the SM's would allow consumers to conserve energy

was a hoax; automatic meter reading would save money for PG&E; the SM technology was making people sick; asked for clarification of PG&E's installation plan in Fairfax and when would it be at the point of no return; reports of headaches after the installation of SM's; PG&E was putting itself in the same position as the Colonial East India Company; there was something undemocratic about the installation of SM's without permission; asked if the right to enter private property was a vestige of PG&E as a public company; the SM program seemed like the battle of a large corporation against the health and welfare of the public; who was paying for PG&E to be present at the meeting; how much was PG&E spending on Public Relations regarding SM's; asked how EMF's could be reduced on the grid itself; were there alternatives to SM's; suggestion that the reason for the colony collapse of bees should be determined to eliminate EMF's as a cause; according to Einstein, if honey bees were to die out, humans would follow in five years; that SM's had been installed in Italy and were not wireless.

Mayor Tremaine closed the hearing.

Councilmember Weinsoff stated that there was unanimity in the community across the political spectrum on the issue.

Councilmember Hartwell-Herrero thanked the public for their thoughtful questions; stated that she would like to have all the questions answered in writing with an explanation as to why any questions remained unanswered; that just because the SM's had been installed elsewhere didn't provide an adequate reason for their installation in Fairfax; that it hadn't reduced electricity use in Boulder; and that there were better ways to reduce the use of electricity, like improved insulation.

Vice Mayor Bragman reiterated that it was a conflict of community against corporation and why it crossed the political spectrum; that the rollout of the SM program left people wondering what to do; that it wasn't working; posed the questions, what about property rights and the right to privacy; that there was no legal or regulatory structure to manage it; that we were not ready as a society to collect such data without abuse; that protection was needed before deployment; asked if PG&E was going to remove the antennae installed illegally on poles in Fairfax; stated that he had a digital meter than could be read manually; and that he would like PG&E to allow Fairfax to be exempt from the program.

Councilmember Reed stated that September 29th seemed too soon to have PG&E answer all the questions asked and the concerns raised including bees and colony collapse; privacy and data mining and EMF issues. He further stated that Texas had just hard wired their meters; that a Smart grid would increase efficiency; that he had a time of use meter on his house; that it was ecologically and economically driven; that he sold power back to the grid; that privacy issues could be addressed by using a larger bloc of properties and asked if that possibility had been explored; that SM's weren't necessary to have a time of use meter; and agreed that education and insulation could reduce power use.

Mayor Tremaine suggested to the PG&E representatives that they should feel free to ask for more time to respond. He further stated that other communities like Ross and Belvedere were as concerned as Fairfax about the issue; that it was not a left wing issue; and that he hoped that PG&E would take the time necessary to answer the questions posed. Mayor Tremaine also asked for the timeline for the installation of the meters; for the name of the company doing the actual work for PG&E; about what type of EMF was going to be generated by the mesh network; what happened in an apartment building when the meters were also used as repeaters; and for a definition of a 'Smart Grid.' He thanked PG&E for attending the meeting and stated that he wanted the conversation to continue, a conversation that he stated should have started before the rollout of the meters. He further stated that there should be an alternative to a Smart Meter; asked what PG&E was trying to accomplish; and suggested that something different could be done in the area since it was a shared serviced area with Marin Energy Authority.

Mayor Tremaine led a discussion about how much time should be allowed before PG&E responded to the questions posed. Vice Mayor Bragman suggested that it take longer to allow for better information and that it was better to receive answers rather than simply responses. Councilmember Reed stated that it

should be an ongoing conversation. Councilmember Weinsoff suggested that at least a month be allowed for the answers.

There was a consensus of the Council to conduct the meeting for answers on September 29th as originally planned.

Mayor Tremaine adjourned the meeting at 9:20 p.m. to September 29, 2010 at 7:00 p.m.

Respectfully submitted,

Judy Anderson, Town Clerk