

FW: AMENDMENT TO TITLE 24

City Clerk <city.clerk@sanjoseca.gov>

Fri 12/8/2023 10:30 AM

To:Agendadesk <Agendadesk@sanjoseca.gov>

From: Johnny Khamis <[REDACTED]>

Sent: Friday, December 8, 2023 10:23 AM

To: Wilcox, Leland <Leland.Wilcox@sanjoseca.gov>; Jennifer.McGuire@sanjoseca.gov; Citycouncil@sanjoseca.gov; City Clerk <city.clerk@sanjoseca.gov>

Subject: AMENDMENT TO TITLE 24

[External Email]

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Dear City manager and City council members,

I am very concerned about the unintended consequences of the upcoming amendment to title 24. As a banker I can tell you that it is already very difficult for private projects to receive funding. Partially because interest rates are high and partially because regulations in San Jose are creating a lot of uncertainty. As you may already know, new housing projects are at a standstill.

This Amendment would add further uncertainty and time delays for new construction projects and could make loans even harder to qualify for. Instead we should be looking for ways to reduce fees and regulations otherwise we will never bring in the housing projects we so desperately need.

--

Sincerely,
Johnny Khamis



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FW: 12.12.23 Council Agenda #3.7 Responsible Construction (Wage Theft) Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Fri 12/8/2023 3:24 PM

To:Agendadesk <Agendadesk@sanjoseca.gov>

From: Patricia Sausedo <[REDACTED]>

Sent: Friday, December 8, 2023 2:53 PM

To: Wilcox, Leland <Leland.Wilcox@sanjoseca.gov>; Jennifer.McGuire@sanjoseca.gov; Citycouncil@sanjoseca.gov

Cc: Dennis Martin <[REDACTED]>; City Clerk <city.clerk@sanjoseca.gov>

Subject: 12.12.23 Council Agenda #3.7 Responsible Construction (Wage Theft) Ordinance

[External Email]

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On behalf of BIA Bay Area I strongly urge deferring the proposed Responsible Construction (kWage Theft) Ordinance from the December 12th Council Agenda in order to provide time to get more industry input and resolve flaws in the current draft that could thwart new economic development in the City of San Jose.

Before action is taken on the proposed Ordinance staff should be directed to conduct outreach with the development community to review the proposed ordinance, respond to questions and provide an opportunity for all to thoroughly understand the proposed ordinance, impacts and any and all actions the proposed ordinance would initiate.

Respectfully,
Patricia Sausedo
Government Affairs
BIA Bay Area

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FW: Amendment to Title 24 of the San José Municipal Code for a Proposed Responsible Construction Ordinance, be deferred to a future date.

City Clerk <city.clerk@sanjoseca.gov>

Fri 12/8/2023 3:25 PM

To:Agendadesk <Agendadesk@sanjoseca.gov>

From: Susan Siegert - [REDACTED]

Sent: Friday, December 8, 2023 1:40 PM

To: City Clerk <city.clerk@sanjoseca.gov>

Subject: Amendment to Title 24 of the San José Municipal Code for a Proposed Responsible Construction Ordinance, be deferred to a future date.

[External Email]

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Honorable Mayor Mahan and City Council,

The Associated Builders and Contractors of Northern California is requesting that Item 3.7 on your December 12, 2023 agenda, Amendment to Title 24 of the San José Municipal Code for a Proposed Responsible Construction Ordinance, be deferred to a future date.

As we have members working in the local business community, we have unfortunately not had any past correspondence on this item, nor have we had the time to sit down with stakeholders. We share very similar concerns with many in our community that wage theft is wrong and legal actions should be pursued for those that short the wages of hard-working residents. Unfortunately, because of the lack of communication from the city, we have not had a proper opportunity to review this policy and further understand its impacts to those investors and developers that build here in San Jose.

We ask that more time is given for local stakeholders to have an opportunity to meet with staff and engage in a fruitful discussion and fully understand the impacts this policy could have on future development.

Sincerely, Susan

Susan Siegert
Government Affairs Program Administrator
ABC NorCal



Founded on the merit shop philosophy, ABC helps members develop people, win work and deliver that work safely, ethically, profitably and for the betterment of the communities in which ABC and its members work

FW: December 12, Item no. 3.7: Responsible Construction Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Mon 12/11/2023 8:36 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Charlotte Quinn <[REDACTED]>
Sent: Friday, December 08, 2023 6:27 PM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: December 12, Item no. 3.7: Responsible Construction Ordinance

[External Email]

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Dear Mayor and Council,

Please vote yes on Tuesday 12/12 to adopt the Responsible Construction Ordinance. Workers have been waiting five years in San Jose for these protections to be implemented to protect working families against wage theft. Any further delays are unacceptable and harmful to the residents and economy of our city.

Thank you for your support.

Charlotte Quinn
[REDACTED]

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FW: December 12, Item no. 3.7: Responsible Construction Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Mon 12/11/2023 8:36 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: L A Kurth <[REDACTED]>
Sent: Saturday, December 09, 2023 7:44 AM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: December 12, Item no. 3.7: Responsible Construction Ordinance

[External Email]

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Dear Mayor and Council, Please vote yes on Tuesday 12/12 to adopt the Responsible Construction Ordinance. This is Lita Kurth from district 6. This ordinance is so important because even after being found guilty, some employers just don't pay up, and many workers can't afford lawyers so they give up.

Workers have been waiting five years in San Jose for these protections to be implemented to protect working families against wage theft. Any further delays are unacceptable and harmful to the residents and economy of our city. Thank you for your support.

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FW: December 12, Item no. 3.7: Responsible Construction Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Mon 12/11/2023 8:36 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Lorraine Zeller <[REDACTED]>

Sent: Saturday, December 09, 2023 7:49 AM

To: City Clerk <city.clerk@sanjoseca.gov>

Subject: December 12, Item no. 3.7: Responsible Construction Ordinance

[External Email]

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Dear Mayor and Council, Please vote yes on Tuesday 12/12 to adopt the Responsible Construction Ordinance. Workers have been waiting five years in San Jose for these protections to be implemented to protect working families against wage theft. Any further delays are unacceptable and harmful to the residents and economy of our city. Thank you for your support.

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FW: December 12, Item no. 3.7: Responsible Construction Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Mon 12/11/2023 8:37 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Deborah St. Julien <[REDACTED]>
Sent: Saturday, December 09, 2023 8:08 AM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: December 12, Item no. 3.7: Responsible Construction Ordinance

[External Email]

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Dear Mayor and Council, Please vote yes on Tuesday 12/12 to adopt the Responsible Construction Ordinance. Workers have been waiting five years in San Jose for these protections to be implemented to protect working families against wage theft. Any further delays are unacceptable and harmful to the residents and economy of our city. Thank you for your support. Deb St Julien 95136

[Sent from AT&T Yahoo Mail on Android](#)

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FW: Opposition —- Wage Theft Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Mon 12/11/2023 8:37 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Jon Ball <[REDACTED]>**Sent:** Saturday, December 09, 2023 8:24 AM**To:** District3 <district3@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; city.manager@sanjoseca.gov; [REDACTED]
[REDACTED]**Subject:** Opposition —- Wage Theft Ordinance

[External Email]

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City Clerk;

Please post this in opposition to the proposed "Wage Theft" Ordinance , coming to a vote Tuesday. This proposed ordinance is unnecessary, as there are already laws in place to enforce the prevention of wage theft. The city already has a wage compliance department in place. Let them do their jobs. This is just the latest attempt by the unions to have the city do their organizing for them. Don't fall for it.

Chris Burton, I am a retired commercial General Contractor, with 40 years of constructing numerous large (and small) projects in San Jose, Washington, Colorado, Texas, Illinois, Indiana, and most states in between.

When we were working in this local San Jose market, we were union signatory, which was 100% our choice. When we constructed projects east of the CA boarder, we were not union signatory, and that was 100% our choice as well.

I never had any experiences with wage theft issues on any project we built, or on any projects that were built by competing contractors, union signatory or otherwise.

A word of caution for you, and the City. You have MANY small businesses, mostly multi-generational and family owned, who choose to not become union signatory. Remember, that is their constitutional right to make that decision. When the City of San Jose decides to favor companies to become union signatory, you are telling these hard-working companies that you don't really care what they think, you (the City) know better what they should do (become union signatory).

Is this really what you want to convey?

It seems to me, and I have seen this happen here in San Jose several times over the past 30 years, the local South Bay Labor Council and the local Building Trades office has influenced the city to do their organizing for them. Organizing union membership is their responsibility, not the City's responsibility.

This will have widespread implications, and I believe you and the City will regret going down this path.

Sincerely,
Jon Ball

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FW: December 12, Item no. 3.7: Responsible Construction Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Mon 12/11/2023 8:37 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

-----Original Message-----

From: [REDACTED] <[REDACTED]>
Sent: Saturday, December 09, 2023 8:57 AM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: December 12, Item no. 3.7: Responsible Construction Ordinance

[External Email]

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Dear Mayor and Council,

I am not a resident of San Jose but if I was I would definitely vote no. I have a question if the union and prevailing wage jobs are exempt why is the Southbay labor Council involved? This has labor unions written all over it!

Tom Hammer

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FW: December 12, Item no. 3.7: Responsible Construction Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Mon 12/11/2023 8:37 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Betsy Hammer Carr <[REDACTED]>
Sent: Saturday, December 09, 2023 10:58 AM
To: City Clerk <city.clerk@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>
Subject: December 12, Item no. 3.7: Responsible Construction Ordinance

[External Email]

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Dear Mayor, Councilmember Davis, and others:

I am unable to attend Tuesday's Council meeting so am emailing this request:

Please vote yes on Tuesday 12 December to adopt the Responsible Construction Ordinance. Workers have been waiting five years in San Jose for these protections to be implemented to protect working families against wage theft. Any further delays are unacceptable and harmful to the residents and economy of our city.

Thank you for your support.

betsy hammer carr
[REDACTED]

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FW: December 12, Item no. 3.7: Responsible Construction Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Mon 12/11/2023 8:37 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Elena Luiz <[REDACTED]>
Sent: Saturday, December 09, 2023 11:58 AM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: December 12, Item no. 3.7: Responsible Construction Ordinance

[External Email]

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Dear Mayor and Council, Please vote yes on Tuesday 12/12 to adopt the Responsible Construction Ordinance. Workers have been waiting five years in San Jose for these protections to be implemented to protect working families against wage theft. Any further delays are unacceptable and harmful to the residents and economy of our city. Thank you for your support.

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FW: December 12,Item No.3.7-Responsible Construction Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Mon 12/11/2023 8:39 AM

To:Agendadesk <Agendadesk@sanjoseca.gov>

From: Aurelia Sanchez <[REDACTED]>
Sent: Sunday, December 10, 2023 6:04 AM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: December 12,Item No.3.7-Responsible Construction Ordinance

[External Email]

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Mayor And Council members,

As a resident of this city, I am asking that this ordinance not be adopted because I strongly feel no one is addressing the current process the state has in place to address wage theft. We have our labor groups that are pushing this agenda and while it is their job to make sure people are protected and paid their wages any complaints of wage theft brought to their organizations need to be handled in the state level. People who file complaints against any company need not have to wait until a project is coming up in our city. I urge the labor unions and Working Partnerships to establish an office in our city where anyone who feels they are owed money be helped immediately.

To have our city hold up a project because anyone can file a complaint against a company does not make sense. The city is also not addressing a time frame for a hearing if a company feels the complaint is invalid. If the city wants to be involved in wage theft then they need a hearing officer to hear the case and act within a certain time frame so that a company or complaining party does not have to wait months for this to be settled. As a city we really need to not add more work to city staff since all departments are so short staffed. Explore the current process the state has in place and urge our state officials to make this process work better for the people who are being cheated and make the companies pay or terminate their license to operate if they fail to operate under our state laws.

Aurelia Sanchez
District 3 resident

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FW: December 12, Item no. 3.7: vote NO!

City Clerk <city.clerk@sanjoseca.gov>

Mon 12/11/2023 8:39 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Menne Becky <[REDACTED]>

Sent: Sunday, December 10, 2023 6:56 AM

To: City Clerk <city.clerk@sanjoseca.gov>

Subject: December 12, Item no. 3.7: vote NO!

[External Email]

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Dear Mayor and Council, Please vote NO on Tuesday 12/12 to REJECT the Responsible Construction Ordinance.

These politically fueled regulations are chasing good people and good companies out of our city and state.

We can't afford to keep this up.

Rebecca Menne

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FW: Opposition —- Wage Theft Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Mon 12/11/2023 8:39 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Jon Ball <[REDACTED]>
Sent: Sunday, December 10, 2023 1:41 PM
To: District3 <district3@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; [REDACTED] Sal Pizarro <[REDACTED]> Webmaster Manager <webmaster.manager@sanjoseca.gov>
Subject: Opposition —- Wage Theft Ordinance

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City Clerk;

Please post this letter in opposition to the proposed "Wage Theft" Ordinance , coming to a vote Tuesday. This is a separate letter, with different issues, from the letter I sent you yesterday, 12/9.

To all City Council members, including the Mayor:

Please consider these questions when deciding to postpone, or hopefully vote against this proposed ordinance:

- 1) How many **documented convictions** of "Wage Theft" has the City encountered in each of the last 3 years? You should be sure to get these numbers from your own Labor Compliance department, not from the South Bay Labor Council or the Building Trades Council.
- 2) How many **documented allegations** of wage theft? You should be sure to get these numbers from your own Labor Compliance department, not from the South Bay Labor Council or the Building Trades Council.
- 3) The City has a department, the Office of Equality Assurance, which is under Public Works, Labor Compliance. Has it been demonstrated that this department is not doing its' job? If yes, then do you need an ordinance, or do you just need to work with this existing department to focus on wage theft (if in fact, you have a wage theft problem. See #1 above).
- 4) As part of your outreach, has anyone talked to Nina Grayson, who did a wonderful job running the Labor Compliance department for many years? Don't you think you should? Again, do you really have a wage theft problem?

- 5) Who composed the draft Wage Theft ordinance? City staff, the Building Trades, or South Bay Labor council?
- 6) Have you considered who benefits the most from this ordinance, if approved? The unions, or the tax payers of San Jose?

Respectfully,
Jon Ball

From: Jon Ball <[REDACTED]>
Sent: Saturday, December 9, 2023 8:24 AM
To: district3@sanjoseca.gov <district3@sanjoseca.gov>; district1@sanjoseca.gov <district1@sanjoseca.gov>; district2@sanjoseca.gov <district2@sanjoseca.gov>; district4@sanjoseca.gov <district4@sanjoseca.gov>; district5@sanjoseca.gov <district5@sanjoseca.gov>; district6@sanjoseca.gov <district6@sanjoseca.gov>; district7@sanjoseca.gov <district7@sanjoseca.gov>; District8 <District8@sanjoseca.gov>; Office of Councilmember Pam Foley <district9@sanjoseca.gov>; San Jose District 10 Council Office <district10@sanjoseca.gov>; Mayor Matt Mahan <mayor@sanjoseca.gov>; city.clerk@sanjoseca.gov <city.clerk@sanjoseca.gov>; city.manager@sanjoseca.gov <city.manager@sanjoseca.gov>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: Opposition -- Wage Theft Ordinance

City Clerk;

Please post this in opposition to the proposed "Wage Theft" Ordinance , coming to a vote Tuesday. This proposed ordinance is unnecessary, as there are already laws in place to enforce the prevention of wage theft. The city already has a wage compliance department in place. Let them do their jobs. This is just the latest attempt by the unions to have the city do their organizing for them. Don't fall for it.

Chris Burton, I am a retired commercial General Contractor, with 40 years of constructing numerous large (and small) projects in San Jose, Washington, Colorado, Texas, Illinois, Indiana, and most states in between.

When we were working in this local San Jose market, we were union signatory, which was 100% our choice. When we constructed projects east of the CA boarder, we were not union signatory, and that was 100% our choice as well.

I never had any experiences with wage theft issues on any project we built, or on any projects that were built by competing contractors, union signatory or otherwise.

A word of caution for you, and the City. You have MANY small businesses, mostly multi-generational and family owned, who choose to not become union signatory. Remember, that is their constitutional right to make that decision. When the City of San Jose decides to favor companies to become union signatory, you are telling these hard-working companies that you don't really care what they think, you (the City) know better what they should do (become union signatory).

Is this really what you want to convey?

It seems to me, and I have seen this happen here in San Jose several times over the past 30 years, the local South Bay Labor Council and the local Building Trades office has influenced the city to do their organizing for them. Organizing union membership is their responsibility, not the City's responsibility.

This will have widespread implications, and I believe you and the City will regret going down this path.

Sincerely,
Jon Ball

FW: December 12, Item no. 3.7: Responsible Construction Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Mon 12/11/2023 8:36 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Pamela Campos <[REDACTED]>
Sent: Monday, December 11, 2023 6:03 AM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: December 12, Item no. 3.7: Responsible Construction Ordinance

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Dear Mayor and Council,

Please vote yes on Tuesday 12/12 to adopt the Responsible Construction Ordinance. Workers have been waiting five years in San Jose for these protections to be implemented to protect working families against wage theft. Any further delays are unacceptable and harmful to the residents and economy of our city.

Thank you for your support.

Kindly, Pamela

--

Pamela Campos (She/Ella)

SJ4ALL Advisory Member | MTC Policy Advisory Council, Vice Chair

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FW: Wage Theft Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Mon 12/11/2023 8:34 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: James Salata <[REDACTED]>**Sent:** Monday, December 11, 2023 7:37 AM**To:** Wilcox, Leland <Leland.Wilcox@sanjoseca.gov>; Jennifer.McGuire@sanjoseca.gov; Citycouncil@sanjoseca.gov; City Clerk <city.clerk@sanjoseca.gov>**Subject:** FW: Wage Theft Ordinance

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From: James Salata**Sent:** Monday, December 11, 2023 7:34 AM**To:** [REDACTED] <[REDACTED]>**Cc:** mayoremail@sanjoseca.gov; Maguire, Jennifer <jennifer.maguire@sanjoseca.gov>**Subject:** Wage Theft Ordinance

Mr. Cohen, Jim Salata here.

If you vote for an ordinance that is apparently written by the Unions common sense should dictate that this is not good for, and against, small business and private developers. Wage Theft is a Union buzz word that has been utilized for years and in some cases has been a lie to put open shop people out of business and MANIPULATE City Councils much like the words "Labor Peace" written into PLA's. The fact that this ordinance was crammed down our throats at the last minute should be another indicator that something isn't right. This should be scrapped altogether or at a minimum delayed.

Please reconsider if you were planning to vote for this waste of time and get on to the tasks at hand cleaning up and making San Jose safe which should be the number one priority.

Thank you, Jim Salata

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FW: Proposed Responsible Construction Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Mon 12/11/2023 8:33 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Rocky Hill <[REDACTED]>**Sent:** Monday, December 11, 2023 7:41 AM**To:** District3 <district3@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; Webmaster Manager <webmaster.manager@sanjoseca.gov>**Subject:** Proposed Responsible Construction Ordinance

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Honorable Mayor Mahan and City Council,

I am writing to you today to request that Item 3.7 on your December 12, 2023 agenda, Amendment to Title 24 of the San José Municipal Code for a Proposed Responsible Construction Ordinance, be deferred to a future date.

We attended the meeting on December 7, 2023. It was very obvious that there was no input from stakeholders and as planning admitted only Labor interests were invited to participate in crafting this ordinance. In fact the City of San Jose only copied Sunnyvales template of a similar rule and modified that one to make San Jose's more restrictive.

We share very similar concerns with many in our community that wage theft is wrong and legal actions should be pursued for those that short the wages of hard-working residents.

Unfortunately, because of the lack of communication from the city, we have not had a proper opportunity to review this policy and further understand its impacts to those investors and developers that build here in San Jose.

We ask that more time is given for local stakeholders to have an opportunity to meet with staff and engage in a fruitful discussion and fully understand the impacts this policy could have on future development.

Sincerely,

--

Rocky Hill

**Premier Recycle**

[Redacted]
Main: [Redacted]
Cell: [Redacted]
Fax: [Redacted]
E-mail: [Redacted]

Visit us on the web at www.premierrecycle.com

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FW: December 12, Item no. 3.7: Responsible Construction Ordinance Vote NO

City Clerk <city.clerk@sanjoseca.gov>

Mon 12/11/2023 3:01 PM

To: Agendadesk <Agendadesk@sanjoseca.gov>

From: Buchholz, David <[REDACTED]>**Sent:** Monday, December 11, 2023 2:39 PM**To:** District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District5 <District5@sanjoseca.gov>**Cc:** City Clerk <city.clerk@sanjoseca.gov>**Subject:** December 12, Item no. 3.7: Responsible Construction Ordinance Vote NO

[External Email]

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Dear Mayor Mahan and Council,

Please **vote NO** on the Responsible Construction Ordinance as it is an ordinance in search of a problem. Workers are already protected by a host of federal and municipal laws including numerous government agencies and NGO's there in support. We do not need additional burdens on development and construction when we have a building and planning department that are already underfunded and understaffed.

Thank you for saying NO!

Sincerely,

David Buchholz

[REDACTED]

San Jose

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FW: In support 3.7 item

City Clerk <city.clerk@sanjoseca.gov>

Tue 12/12/2023 8:55 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

 1 attachments (50 KB)

Day Worker Center letter supporting San Jose Ordinance.doc;

From: Maria Marroquin [REDACTED]

Sent: Tuesday, December 12, 2023 8:30 AM

To: City Clerk <city.clerk@sanjoseca.gov>

Subject: In support 3.7 item

[External Email]

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Honorable Mayor and Council Members,

Regarding the agenda item 3.7, I am requesting that you consider our attached letter supporting the implementation of the responsible construction ordinance.

Respectfully

Maria Marroquin
Executive Director

--

María Marroquín | *Pronouns: She/Her*
Executive Director
Day Worker Center of Mountain View
[REDACTED]



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December 12, 2023

Honorable Council Members,

I write on behalf of the Day Worker Center of Mountain View in support of the Responsible Construction Ordinance, Item 3.7 on the December 12 City Council Agenda as well as Councilmembers Ortiz, Torres, Jimenez, and Davis Memorandum replacing the threshold exemption from the provisions of the Ordinance from "less than 15,000 square feet of new construction or remodeling" to "less than 10,000 square feet of new construction or remodeling" and including a prohibition on retaliation against any person or entity for cooperating with an investigation or making a complaint.

The Day Worker Center of Mountain View was established in 1996 by day workers, communities of faith, elected officials and leaders from local businesses to provide job-matching services for hundreds of local homeowners and businesses. Day workers are often employed on large construction projects or remodeling projects. Wage theft is prevalent among day laborers, and it is difficult for them to collect the wages they are owed even when there is a Labor Commission order and a subsequent court judgment. Retaliation is prevalent too, and it is essential that workers are protected from retaliation when they report violations.

This bill will ensure enforcement and compliance with wage and hour laws and enhance the protection of workers' rights. By requiring contractors and subcontractors to pay judgments before they obtain a certificate of occupancy, the ordinance will ensure that workers can collect the money they earned for their hard work.

We also support the Memorandum by Councilmembers Ortiz, Torres, Jimenez, and Davis because we believe that reducing the exemption from 15,000 square feet to 10,000 square feet is important to expand the number of workers who will collect unpaid judgments. The average number of projects will increase by only 26 per year. The prohibition against retaliation in the Memorandum is also important so that workers are not retaliated against when they report unpaid judgments or cooperate in an investigation.



We urge the Mayor and Councilmembers to support the Responsible Construction Ordinance and the Memorandum because it will provide protection for workers and ensure that wage theft judgments are paid and that workers are compensated for their labor.

Respectfully,

Maria Marroquin
Executive Director

FW: Vote Yes to adopt the Responsible Construction Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Tue 12/12/2023 7:44 AM

To:Agendadesk <Agendadesk@sanjoseca.gov>

From: Bob P [REDACTED]

Sent: Monday, December 11, 2023 9:27 PM

To: City Clerk <city.clerk@sanjoseca.gov>

Subject: Vote Yes to adopt the Responsible Construction Ordinance

[External Email]

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Dear Mayor and Council:

Please vote yes on Tuesday 12/12 to adopt the Responsible Construction Ordinance. Workers have been waiting five years in San Jose for these protections to be implemented to protect working families against wage theft. Any further delays are unacceptable and harmful to the residents and economy of our city.

Thank you for your support.

Bob Prola

San Jose, CA 95139

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FW: December 12, Item no. 3.7: Responsible Construction Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Tue 12/12/2023 10:58 AM

To:Agendadesk <Agendadesk@sanjoseca.gov>

From: Sruthi Vedantham [REDACTED]

Sent: Tuesday, December 12, 2023 10:57 AM

To: City Clerk <city.clerk@sanjoseca.gov>

Subject: December 12, Item no. 3.7: Responsible Construction Ordinance

[External Email]

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Dear Mayor and Council, Please vote yes on Tuesday 12/12 to adopt the Responsible Construction Ordinance. Workers have been waiting five years in San Jose for these protections to be implemented to protect working families against wage theft. Any further delays are unacceptable and harmful to the residents and economy of our city. Thank you for your support.

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