RULES: 01-30-19
ITEM: G(2)

Council Policy Prioritization: Priority Response Form

Department	Public Works/Finance	Date	1/29/2019
Department Rep. Name	Matt Cano	Dept. Rep. Ext.	Christopher Hickey, Public Works, (408)-535-8481
Policy/Ord. Subject	Update to the San Jose Wage Theft Prevention Ordinance	Council Member(s) Sponsorship	Perelez, Jones, Carrasco and Jimenez
			01/29/19 Rules - Item G(2)

Staff Recommendation

☐ GREEN The Administration can implement this Nominated Idea under its current workplan.

☐ UNDERWAY (This item is already underway.) ☐ REFER TO COUNCIL FOR ACTION OR ADDITION TO DEPT. WORKPLAN

☑ YELLOW The Administration recommends Council send this Nominated Idea to the Priority Setting Process.

☐ RED The Administration recommends Council not adopt this Nominated Idea

☐ NEEDS CLARIFICATION OR MORE TIME TO EVALUATE.

Criteria (Priority Setting Checklist)

1. Is the recommendation related to work already in the existing department workplan?

☐ YES ☑ NO

2. Staff time required (including research and policy/ordinance development and implementation).

☑ >40 hours ☐ <40 hours

3. What is the magnitude of effort involved?

☐ Small ☐ Medium ☑ Large

4. When will the department have capacity to address the recommendation?

☐ Now-6 months ☑ 6-12 months out ☐ Future fiscal year

Analysis

Explain the rationale for Staff recommendation, including any mitigating factors that need to be considered (recent legislative action, significant workplan changes, etc). Please address the following as well:

GREEN LIGHT: The Administration can implement this Nominated Idea under its current workplan. Item should be sent to Council to add to Department workplan. Explain how the Idea will be approached.

YELLOW LIGHT: The Administration recommends Council send this Nominated Idea to the Priority Setting Process due to [describe cost implications, workload impacts, or other factors].

The proposed policy change appears to be extremely significant as it would place the wage theft policy on a wide variety of private development projects.

Staff has not had the time to thoroughly evaluate the proposed new ordinance/policy and determine (1) Potential Impacts to development and PW projects

(2) Administrative effort required to implement and then maintain ordinance; (3) any potential legal issues

RED LIGHT: The Administration recommends Council not adopt this Nominated Idea due to [describe reason implementation would be difficult if not impossible – conflict with other laws, etc].

For questions, please contact Gloria Schmanek, at (408) 535-8104.