RULES COMMITTEE: **10/23/2019**
Item: **E**
File ID: **19-397**

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: Honorable Mayor & City Council

FROM: Toni J. Taber, CMC City Clerk

SUBJECT: The Public Record October 7 – October 17

DATE: October 23, 2019

ITEMS FILED FOR THE PUBLIC RECORD

Letters from Boards, Commissions, and Committees

Letters from the Public

1. Letter from David Sarkisyan, dated October 7, 2019, regarding Vapor Ban.
2. Letter from UFCW5 and South Bay AFL-CIO Labor Council, dated October 11, 2019, regarding Certain Cannabis Businesses that Seek to Operate in San José Without Meeting the Legal Requirements that Help Guarantee the Industry Provides Good Quality Jobs.
3. Letter from Rachel Mino, dated October 15, 2019, regarding Dept. Homeland Security Public Charge Updates – Celebration and Note of Caution.

Toni J. Taber, CMC
TJT/tt City Clerk

PUBLIC RECORD 1

From: David Sarkisyan
Sent: Monday, October 07, 2019 11:12 AM
To: The Office of Mayor Sam Liccardo
Subject: Vapor Ban

Sam,

I oppose the Vapor Ban. Vaping is the sole reason I stopped smoking cigarettes, after smoking a pack a day. I tried numerous methods of quiting, but vaping was the one to do it for me. It saves me money in the long run and I feel much healthier and can breath without wheezing for air. Not only has it helped me, coming from a background of smokers and lung cancer, but it saved my uncle's life. Cigarettes kill almost half a million people annually, and vaping isn't even close to that at all. It isn't a harmless thing to do but it is a hell of a lot less harmful then combusting cigarettes. Please do not ban vaping in our community.

Thank you,

David Sarkisyan

Account Manager

david@batonvapor.com | www.batonvapor.com

PUBLIC RECORD 2

UFCW 5
a VOICE for working America

SOUTH BAY AFL-CIO LABOR COUNCIL

October 11, 2019

San José City Council
200 East Santa Clara Street
San José, CA 95113

Honorable Mayor Liccardo and San José City Councilmembers:

We are writing to express concerns about certain cannabis businesses that seek to operate in San José without meeting the legal requirements that help guarantee the industry provides good quality jobs.

United Food and Commercial Workers Local 5, which represents 30,00 members in the retail, grocery and cannabis industries, with over 6,000 members in San José, has worked at the state level to guarantee that state licenses for cannabis require employers with more than 20 employees have labor peace agreements. Under state law, employers must remain neutral with regard to their employees' decision about forming a union. Because of this requirement we have developed strong relationships with multi-state cannabis operators like MedMen and Have-a-Heart. Earlier this year we did a joint press conference with Council Members Carrasco and Peralez to announce MedMen coming to San José. We are heartened by the commitment of the City Council to ensuring that all cannabis companies in San Jose meet labor standards.

Unfortunately, some cannabis companies in San José have chosen to fight the efforts of their workers to organize. The most recent example is "The Guild" whose license was recently sold for $8.25 million to multi-state operator Urban Leaf. These companies have hired outside union busting consultants and threatened workers during their unionization efforts. We hope that the City will hold companies like "The Guild"/Urban Leaf accountable for violations of the state-mandated labor peace requirement.

We would like to meet with you to discuss expanding the cannabis industry in a way that provides quality jobs to San José residents. We will contact you to schedule a meeting shortly and look forward to talking with you soon.

Sincerely,

[redacted]

Jim Araby
Strategic Campaigns Director
UFCW Local 5

[redacted]

Ben Field
Executive Officer
South Bay AFL-CIO Labor Council

PUBLIC RECORD 3

From: Rachel Mino
Sent: Tuesday, October 15, 2019 12:16 PM
To: The Office of Mayor Sam Liccardo; District1; District2; District3; District4; District5; District 6; District7; District8; District9; District 10; City Clerk
Subject: Dept. Homeland Security Public Charge Updates - Celebration and Note of Caution

Dear City Council,

I am sending you this e-mail as an update to the e-mail I sent you in September regarding the status of the public charge rule published by the Department of Homeland Security.

Today is the day that the Department of Homeland Security (DHS) updated public charge rule was supposed to go into effect. In short, the rule would have made it harder for some categories of non-U.S. citizens to get green cards or gain entry to the U.S. if they were deemed likely to require public assistance, defined broadly to include CalFresh, Medi-Cal, and Federal Housing Subsidies, in addition to existing cash aid. **As of last night, Federal Judges have issued 5 preliminary injunctions, which prevent the new rules from being implemented for now.** This is a huge victory for immigrant families. The legal fight will continue, but for now, the public charge rules in the United States have **not** changed and will continue to follow the policies set forth in the 1999 guidance.
Unfortunately, the judges' rulings do not affect the public charge determinations made by the Department of State (DOS). The DOS policy affects non-U.S. citizens who go through consular processing in their home country before entering the U.S. and green card applicants who are required to leave the U.S. to seek status through consular processing. On October 11, the Department of State (DOS) issued an interim final rule that aligns its definition of public charge to that contained in the DHS final rule. This DOS rule is still scheduled to take effect today; however, **DOS officials** told a CBS news reporter **that the rule will not be implemented until a new form is finalized.**

To stay informed about the current status of the DHS and DOS rules, find helpful talking points, and handouts for constituents, sign up for updates at: https://protectingimmigrantfamilies.org/**.**

We hope that you find this information helpful. If constituents have questions about their benefits eligibility, they can contact the Law Foundation of Silicon Valley's Health Intake line at (408) 280-2420.

Sincerely,

Rachel Miño

Rachel Miño | Senior Attorney | Health

Pronoun: she/her/hers

Rachel.mino@lawfoundation.org | p 408-280-2409 | f 408-886-3850

Law Foundation OF SILICON VALLEY

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