



Memorandum

TO: Honorable Mayor &
City Council

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: The Public Record
December 22, 2020 to January 7, 2021

DATE: January 13, 2021

ITEMS FILED FOR THE PUBLIC RECORD

Letters from Boards, Commissions, and Committees

1. Letter from Youth Commission, dated January 5, 2021 regarding San Jose Youth Commission Policy recommendations.

Letters from the Public

2. Letter from Staci Lares, dated January 4, 2021, regarding To be put on the record for City Council Meeting 1.5.21.
3. Letter from Staci Lares, dated January 5, 2021, regarding To be put on the record for today's meeting - Tuesday January 5, 2021.
4. Letter from Rebecca Schoenberger, dated January 5, 2021, regarding Sanitary solutions (RV Pumping) Needed.

Toni J. Taber, CMC
City Clerk



City of San José Youth Commission

January 5, 2020

To : Rules Committee

Re : San José Youth Commission Policy Recommendations.

Dear Honorable Mayor and City Council,

Please accept and add the San José Youth Commission Environment Policy Recommendations attached to the Rules Committee agenda.

During the months of October and November, Youth within Council District 3 convened several Youth Advisory Council (YAC) meetings to discuss how to decrease the amount of recyclable debris filling our landfills. As a result, the District 3 Youth Commissioner created the attached Recyclable Debris recommendation. Likewise, the District 10 Youth Commissioner and the District 10 Youth Advisory Council convened to discuss, analyze and conducted research on Biodegradable Material. As a result, the Biodegradable Recommendation was created. These recommendations align with the 2020-2021 Youth Commission annual workplan which states, the Commission will address specific issues the Youth Commissioners deem important to address on behalf of their peers.

The Policy Recommendations have been peer reviewed and feedback was gathered at the Youth Commission monthly virtual meeting on October 26, 2020. Members of the public shared their thoughts and showed support for these items.

Please accept the Youth Commission's Environmental Policy Recommendations attached.

Sincerely,

Ssan Jose Youth Commission

San José Youth Commission

I. Recommendation

In order to decrease the amount of recyclable debris that goes into landfills, the City of San Jose should ban all contractors from demolishing entire buildings and should instead require deconstruction to be done at a slow and strategic pace. Any recyclable debris should be sent to refurbishing/recycling centers in order to improve our environmental sustainability. This will be enforced by the Planning, Building, and Code Enforcement department of the City of San Jose, which can then determine whether or not a specific board is needed in order to regulate this deconstruction process. Contractors not abiding will be subject to a fine proportional to the amount of debris produced from demolition, up to the discretion of the Planning, Building, and Code Enforcement department.

II. Background

This idea came from Palo Alto as they had a lot of wood waste and construction waste, 90% of which went to landfills. In order to combat this, Palo Alto created the mandate to have demolition contractors demolish buildings slowly and strategically to salvage as much material as possible in order to preserve the environment.

III. Research

The City of Palo Alto implemented the policy because they observed that 44%,³ roughly 19,000 tons (Norcal 5), of their landfilled materials were from demolition alone.³ In San Jose, more than 30% of landfill waste is construction and demolition debris.¹ Although 75% of that waste is diverted and recovered by the City's Construction & Demolition Diversion, we can still go further as a City by requiring deconstruction instead of demolition. With a similar law in Portland, Oregon, 95% of demolition debris is believed to be salvageable through deconstruction.⁵ The process of deconstruction itself consists of carefully deconstructing the building components of the structure, then separating the material from there into the categories of reuse, or recycle.³

Implementing deconstruction also affects the issue of public health. Decreased amounts in landfills will ultimately lead to a lesser effect on climate change, as the decomposition in landfills often contributes to smog and the release of methane gas. Additionally, landfills worsen conditions such as asthma.²

Economically, according to the U.S. Environmental Protection Agency (EPA) in 2007, deconstructing instead of demolition increased "employment and economic activities in recycling industries". Furthermore, "The EPA's 2016 Recycling Economic Information (REI) Report showed that the recycling of Construction and Deconstruction (C&D) materials created 230,000 jobs in 2007", showing the economic benefits to such a policy.⁴

IV. Advantages

Environmentally, the advantages are a decrease in methane gases, a decrease in smog, and a decrease in construction and demolition debris in our landfills. Furthermore, deconstruction allows for greater amounts of recyclable and reusable material to be salvaged instead of otherwise going to landfills. In terms of public health, we may improve the quality of life for our constituents through air quality, and through a better environment. Economically, we as a City can see job growth in the C&D field in terms of recycling and deconstructing.

V. Solvency

By following through with this policy, the City of San Jose is setting a precedent that will drastically reduce the amount of waste that will go into landfills, thus taking further environmental action in order to improve our environment.

VI. Potential Setbacks

Deconstruction is a more time consuming process as it “would take about 10 to 15 days to complete”. Additionally, it would be more costly to companies as it would require “a crew of four to eight people, with the cost ranging from \$22 to \$34 per square foot.”⁵ This policy would ultimately look unappealing to contractors that consider offering their services to constituents and corporations in the City of San Jose.

In Palo Alto, “City staff estimates that the deconstruction-collection program will cost the city \$243,000 in one-time expenses and \$567,000 in annual ongoing expenses. In addition, the city plans to spend about \$118,000 for consulting services related to outreach and education [regarding deconstruction].”⁵ The City of San Jose would have to make more room for this policy in its budget. However, both Palo Alto and Portland, Oregon have adopted this deconstruction ordinance or a variant because the environmental benefits would outweigh the costs.⁵

VII. Closing Statement

The San Jose Youth Commission strongly supports this policy in order to reduce the amount of demolition debris through strategic deconstruction.

VIII. Collaborated With

District 3 Youth Advisory Council, San Jose Youth Commission

Works Cited

“City of San Jose.” Construction & Demolition Diversion (CDD) Program | City of San Jose. Accessed October 11, 2020.

<https://www.sanjoseca.gov/your-government/environment/recycling-garbage/construction-demolition-debris>.

“Landfills Have a Huge Greenhouse Gas Problem. Here's What We Can Do about It.”

Ensia. Accessed October 11, 2020. <https://ensia.com/features/methane-landfills/>.

“Palo Alto, CA.” City of Palo Alto, CA - Deconstruction & Construction Materials Management. Accessed October 11, 2020.

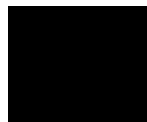
<https://www.cityofpaloalto.org/gov/depts/pwd/zerowaste/projects/deconstruction.asp>.

“Palo Alto's 'Deconstruction' Ordinance Will Require Reuse, Recycling of Building Materials.” The Stanford Daily, September 17, 2019.

<https://www.stanforddaily.com/2019/08/23/palo-altos-deconstruction-ordinance-will-require-reuse-recycling-of-building-materials/>.

Posted by Naphtali Knox. “‘Deconstruction' Ordinance Will Require Reuse, Recycling of Construction Materials.” Northern California Section of the American Planning Association, July 10, 2019.

<https://norcalapa.org/2019/07/deconstruction-ordinance-will-require-reuse-recycling-of-construction-materials/>.



Printed Name: Dheerj Jasuja

Policy Team: Environment

Discussion Area: Policy

Team Leaders: Dheerj Jasuja (District 10)

Team Members: Nishchay Jasuja (District 10 YAC Member) and Arin Parsa (District 10 YAC Member)

I. Recommendation

Due to the environmental detriments of conventional plastic, the Youth Commission recommends that San Jose should require restaurants or any other businesses that need to obtain a license to sell and/or distribute food and drinks to use compostable or bioplastic utensils and take-out bags instead of conventional plastic.

II. Background

Jennifer Wadsworth finds that “Paper and plastics tossed by U.S. consumers into their blue bins each week have been piling up or trucked to landfills and incinerators ever since China stopped accepting contaminated recyclables earlier this year,” and San Jose is a part of this trend. The increase in plastic waste and litter only damages our environment due to its immediate effects on wildlife who die from choking on plastic and the chemicals from these plastic products that seep into the soil and groundwater.

III. Research

The Ecology Center defines bioplastics and compostable plastics as plastics that “tend to be made from plant biomass, such as corn starch, sugar cane or wheat, and should either completely and rapidly break down biologically, or be compostable. This means they are supposed to break down into biological elements, unlike conventional plastics.” This form of plastic presents obvious benefits to the environment as the petroleum and other chemicals used to make traditional plastics aren’t going to pollute ecosystems.

The City of Seattle, which has a population of around 700,000 and is a center for technological innovation, implemented a similar policy in 2018. Specifically, they banned eating and drinking from plastic. The city and its restaurants quickly embraced the policy according to Tatevik Aprikyan, and today, utensils that are “biodegradable and compostable are more affordable for businesses.” Clearly, this policy is feasible as it has been executed in other major cities and with minimal setbacks, and benefited businesses in the long run.

IV. Advantages

The policy would not substantially harm businesses (small and large) since it is low cost. The table below illustrates that biodegradable plastics (CA, PHA, PLA) cost between \$1.07/pound and \$2.67/pound, and according to GreenPaper Products, their biodegradable plastic utensils are under 7 cents each. On the other hand, Bulk OfficeSupply is selling plastic utensils for just under 5 cents each. So, while this may be slightly more expensive than conventional plastics at the moment, conventional plastic prices may go up in the future as the oil industry loses momentum and biodegradable plastic prices may go down as they become more mainstream.

Table 2. Price level for bio-based and/or biodegradable plastics in 2016 based on WFBR experience.

Plastic	Price level 2016 (€/kg)	Density (kg/m ³)
CA	5	1200 – 1300
Bio-PA	+ 10 – 20%	1040 – 1190
Bio-PE	+ 20 – 40%	910 – 970
Bio-PET	No information	1370 – 1390
Bio-PP ⁴	+ 80 – 100%	900 – 920
PP (certified bio) ⁵	+ 40 – 50%	900 – 920
PBAT	3.5	1250
Bio-PBS	4	1260
PHA	5	1200 – 1250
PLA	2	1250
PII	4	1320
Starch blends	2 – 4	1250 – 1350

⁴ FKUR markets bio-PP (Terralene) with a bio-based content of about 30%. This material is a blend of conventional PP with bio-based HDPE.

⁵ Some PE and PP materials are marketed as certified bio-based (via mass balance methods, see Appendix B), which is at odds with the definition of bio-based since it is not possible to measure the bio-based content in such plastics.

Further, the enforcement of the policy would be really simple and efficient as it could be added as an extra point of consideration for foodservice businesses during the yearly renewals of their business license, meaning there would be no additional enforcement costs.

V. Solvency

Utilizing biodegradable plastics is substantially better for the environment than the use of conventional plastics for one key reason. It is not possible to stop every single person from littering, but it is possible to change the materials that they do litter, and littering bioplastics doesn't harm the environment as they degrade in water and don't release toxic chemicals.

VI. Potential Setbacks

Some small businesses (due to the COVID-19 pandemic) may not be able to afford the additional cost associated with biodegradable utensils. For example, assuming a restaurant uses 3000 plastic utensils per month, that would cost an additional \$60 per month. For that reason, we also recommend that the City should allow businesses that cannot afford to switch to bioplastics to apply for a \$1000 subsidy — which would provide around 10,000 biodegradable plastic items.

VII. Closing Statement

The Youth Commission sincerely hopes that the Honorable Mayor and Council will adopt this policy as it reaffirms our City's commitment to environmental sustainability and the fight against climate change while ensuring that our small businesses and our economy can continue to thrive.

VIII. Sources

<https://www.sanjoseinside.com/2018/08/20/waste-piles-up-in-san-jose-as-china-limits-recycling-imports/>

<https://q13fox.com/2018/07/01/seattleites-embrace-biodegradable-utensils-as-seattles-plastic-ban-takes-effect/>

<https://ecologycenter.org/blog/ask-our-help-desk-are-bioplastics-and-biodegradable-plastics-really-better/>

<https://greenpaperproducts.com/biodegradable-hot-cups.aspx>

https://www.wur.nl/upload_mm/1/e/7/01452551-06c5-4dc3-b278-173da53356bb_170421%20Report%20Bio-based%20Plastic%20Facts.pdf

<https://www.bulkofficesupply.com/cutleryutensils.aspx>

IX. Collaborated With:

Environmental Town Hall attendees, the Environmental Services Department, District 10 YAC, other Youth Commissioners, and Youth Commission staff.

Policy Recommendation Approved by the Youth Commission Unanimously on 10/26/2020

Youth Commission Chair Signature: _____

Printed Name: Dheerj Jasuja

Fw: To be put on the record for City Council Meeting 1.5.21

City Clerk <city.clerk@sanjoseca.gov>

Mon 1/4/2021 4:31 PM

To: Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

Office of the City Clerk | City of San José

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San Jose, CA 95113

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From: staci lares [REDACTED]

Sent: Monday, January 4, 2021 3:03 PM

To: City Clerk <city.clerk@sanjoseca.gov>; The Office of Mayor Sam Liccardo

<TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2

<District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5

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Subject: To be put on the record for City Council Meeting 1.5.21

[External Email]

Mayor Liccardo and City Council Members,

You all have a new year and a new opportunity to course correct.

You all, along with the BOS and the Santa Clara County Public Health Department can do the right thing.

You are all on the wrong side of the law at this time.

In fact you are breaking many laws.

U.S. Code Title 15, U.S. Code Title 18 U.S.C. 242, U.S. Code Title 18 USC 1040, CA Govt Code 8630, H.R. 802 just to name a few

Thousands of people are suffering in this county because of your silence and inaction.

Thousands of people cannot pay their rent, cannot pay their bills and can barely put food on the table.

While you all have jobs and have had steady income for the last year.

How can any of you sleep at night?

You are all 100% complicit in committing crimes against humanity.

URNS THIS AROUND!!

Staci Lares

Tax paying, law abiding, woman of faith, mother and patriot

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Fw: To be put on the record for today's meeting - Tuesday January 5, 2021

Agendadesk <Agendadesk@sanjoseca.gov>

Wed 1/6/2021 8:26 AM

To: Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

Agenda Desk

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

Sent: Tuesday, January 5, 2021 7:27 PM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Subject: Fw: To be put on the record for today's meeting - Tuesday January 5, 2021

From: staci lares [REDACTED]

Sent: Tuesday, January 5, 2021 3:59 PM

To: City Clerk <city.clerk@sanjoseca.gov>; CouncilMeeting <CouncilMeeting@sanjoseca.gov>; The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@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>

Subject: To be put on the record for today's meeting - Tuesday January 5, 2021

[External Email]

To the Mayor and Members of the City Council,

It is time to re-evaluate the handling of the “Covid-19” Crisis, its actual impact to our community, the deaths attributed to this particular Corona virus, the damage done to our community, our economy, our Country and the way forward for all of us.

1. Naming the Problem:

Misdiagnosis of Threat to Health

- a. Early modeling of predicted severity and morbidity of “Covid-19” was grossly overstated.

- b. Dr. Birx set counting standards to include any death with presumptive or active SARS-2 as a death from Covid instead of death with Covid. Actual deaths from SARS-2 are 0.03%.
- c. Testing for SARS-2 Covid has been grossly inaccurate.
- d. Initial shutdowns to “slow the curve” were designed specifically to prevent the overwhelming of hospitals.
- e. Proven treatments for SARS-2 were denied to doctors and patients for seemingly political reasons.
- f. Methods designed to slow the spread have been and continue to be proven ineffective and harmful to the physical and mental health of our community, setting the conditions for the worsening of the “virus”.
- g. SARS-2 has never been isolated in the lab.
- h. We have yet to accurately diagnose this respiratory illness or use proven treatments.

2. Naming the Ramifications on Our Communities

- a. Destruction of privately owned businesses
- b. Destruction of jobs formerly provided by privately owned business
- c. Economic devastation, homelessness, desperation, starvation, suicides
- d. Destruction of the educational system.
- e. Denial of the Rights of the People.

3. Naming the Results:

- a. Transfer of wealth from countless small privately owned business who provided local employment to our community to a handful of large corporations who are moving toward automation.
- b. Opportunistic abuse of power in using the SARS-2 “emergency”, extending a two-week shutdown into an indefinite imposition of unlawful mandates.
- c. Opportunistic transition of a democratic, Constitutional Republic into a global partner in the “Great Reset” and technocratic economy.
- d. Continued threat to the health and well-being of our communities as our elected officials have cooperated in the sacrifice of our Rights for the false security of a promised, untested, unreliable, and unwanted vaccine.

4. Naming the Remedy: Reclaiming Local Authority, Local Solutions

- a. We expect ALL of our local officials to uphold their oaths to the Constitutions of the United States and the State of California.
- b. We will hold Town Hall Meetings, unmasked and open to the public.
- c. Any, and all “emergencies” related to SARS-2 or Coronavirus are acknowledged to be unlawful and ended immediately.
- d. Any, and all lockdowns, restrictions and mandates are lifted immediately. Any and all precautionary behaviors are voluntary with no consequences that preclude participation in public activities or entrance to public access sites.
- e. Restoration of all privately owned businesses impacted by the unlawful lockdowns, mandates, and restrictions.
- f. Repeal all fines imposed on privately owned businesses and private citizens related to the unlawful SARS-2 Covid lockdowns and mandates.

- g. Restoration of educational opportunities, both public and homeschool.
- h. Restoration of housing for those made homeless during the SARS-2 “crisis”.
- i. Restoration of the legal use of the entire spectrum of natural and allopathic therapeutics to support immune health including those proven as effective against symptoms and/or causes of SARS Corona viruses.

We can and must work together to restore the integrity of our Country, one County, one City, one community and one family at a time. Each, and every one of us has the responsibility to restore our Rights and regain our Liberties. We will restore our health and our Freedom. We will find the solutions together.

Thank you,
Staci Lares

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[REDACTED]

[REDACTED]

From: REBECCA SCHOENENBERGER [REDACTED]
Sent: Tuesday, January 5, 2021 1:34 PM
To: City Clerk <city.clerk@sanjoseca.gov>
Cc: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>
Subject: Sanitary solutions (RV Pumping) Needed

[External Email]

Hello Clerk, Mayor Liccardo, and Councilmember Peralez,

I am writing to comment for the next City Council meeting. I am writing about the need for the City to provide a sanitary solution for those living in RVs to safely dispose of effluent. I have personally witnessed RV residents piling up to a drain and unloading effluent. The drains in our city flow to the creeks, which flow to the Bay, which flow to the Ocean. That said what happens here in San Jose, and where the unhoused are living; affects all of us. It is our human obligation to help out others, protect our local environment and provide safe park spaces.

Seattle has a program that provides sanitary waste clean up for those living in RVs. San Jose needs to follow Seattle's lead and step up. Here is the article about what Seattle is doing:

https://www.npr.org/2021/01/03/951084913/homeless-in-seattle-get-help-from-city-waste-pumper?utm_term=nprnews&utm_campaign=npr&utm_source=facebook.com&utm_medium=social&fbclid=IwAR0LXx_JriuBof2aeRyrsuo6FM_sakWoEsMseOh7Fn0huf7WYfPFuNEWKLI

This is not just a matter of moral obligation, but basic need of sanitation. As well as the basic need of protecting our parks, and very few remaining natural areas - mainly the fragile riparian ecosystems along the creeks & rivers.

Homelessness is a fact of life in San Jose - we can not ignore it, and poverty should not be criminalized. I bring this up not to look down on the unhoused, but ask that we step up to help our neighbors. We are in a pandemic, and eviction moratoriums are up, so the unhoused community will only be increasing. San Jose needs to help out all San Jose residents - housed & unhoused. Dumping of effluent, which we know Covid-19 is present in effluent, will only continue to put San Jose residents at risk for continued exposure to infectious diseases.

Sincerely,
Rebecca Schoenberger

[REDACTED]
San Jose, CA