CC 2/4/20

Item #6 Vallco SB 35 plan review and inspection

Presentations

PLAN REVIEW AND INSPECTION OVERVIEW

Vallco SB35



Compliance with California Code of Regulations















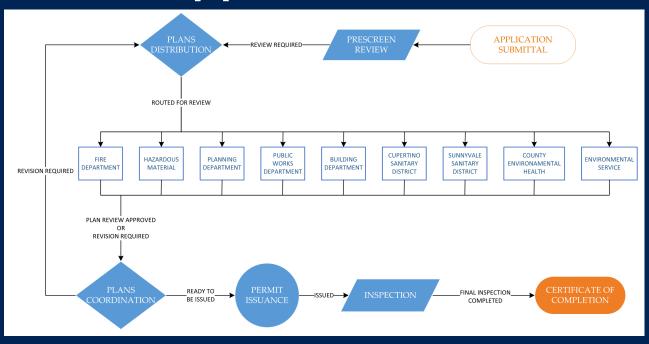




Duties and Responsibilities of the Department

[A] 104.2 Applications and permits. The building official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

Permit Application Process



About our Consultants

- 4LEAF, Inc.
- CSG Consultants, Inc.
- Independent Code Consultants, Inc.

Question & Answers

Action on Application

[A] 105.3.1 Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable.

Recommended Action

- Authorize the City Manager to award a 3-year contract to 4LEAF, Inc. to provide Construction Inspection Services and Public Works Inspection Services for a not to exceed contract price of \$7,407,710 for the Vallco SB35 project.
- Authorize the City Manager to award a 3-year contract to CSG Consultants, Inc., for a not to exceed contract price of \$1,150,000 for the Vallco SB35 project.
- Authorize the City Manager to award a 3-year contract to Independent Code Consulting, Inc. for a not to exceed contract price of \$4,500,000 for the Vallco SB35 project.

CC 2/4/20

Item #10 Recology
Household Waste
(HHW) and Rate
Adjustment Request

Presentations

Termination of the Curbside Collection of Household Hazardous Waste & Proposed Increase of Rates



First Item: Changes to the Household Hazardous Waste Collection Program

Door-to-Door HHW pickup

Franchise Agreement has provision to provide door-to-door pickup of Household Hazardous Waste (HHW)



County HHW Program also available for:



- Items not accepted by door-to-door program
- Drop-off opportunity when door-todoor appointments not available

At-Your-Door Service ended Dec 2018

- The third-party provider was no longer able to provide service and no replacement service was available
- HHW Fee still billed pending formal amendment to Franchise Agreement

Changes to Agreement

- Remove provision of door-to-door HHW collection service
- Stop billing HHW Fee and provide credit back to all customers
- Invoice Recology for cost of using County HHW Program plus former refund amount with a not to exceed of \$93,535 per year

County HHW Program – How?

- HHW.org schedule a drop-off that works for you
- Or call 408-299-7300 and staff will help you.



Second Item:
Recology's request for a
Special Maximum Rate
Adjustment based on changes
in the recycling market

Recology Requested a Special Maximum Rate Adjustment

- Franchise Agreement allows for rate adjustment requests relating to unexpected increased costs.
- Issue: Disrupted recycling markets due to China National Sword Policies

Checking the numbers

- Staff and consultant reviewed methodology and audited for accuracy
- Adjustments made
- Agreement reached

Rate increase through end of current Agreement (1/31/2021)

- \$2.24/month per single-family customer
- 3.93% rate increase other categories
- Alternatively, the City could pay Recology a one-time lump sum amount of \$527,440

Adjusted Rates – Compared (32 gal) Sorted by 32 gallon rate

Sorted by 32 gallon rate			
CITY	32-gal cart	65-gal cart	95-gal cart
Cupertino (19/20)	\$27.36	\$54.73	\$82.10
Campbell (19/20)	\$28.77	\$57.54	\$86.31
Cupertino (2020 Adjusted)	\$29.60	\$56.97	\$84.34
Mountain View (19/20)	\$34.95	\$69.90	\$104.85
Santa Clara (19/20)	\$36.59	\$51.10	\$65.61
Sunnyvale (19/20)	\$37.36	\$41.47	\$46.67
Palo Alto (19/20)	\$50.07	\$100.15	\$150.22
AVERAGE	\$34.96	\$61.69	\$88.59

Adjusted Rates - Compared

3 CY 5x/week

	3 CUBIC YD	3 CUBIC YD	
Sorted by 3 CY 5x/week			
our tea by a er any meen	BIN SERVICE	BIN SERVICE	
CITY	1/Week	5 /Week	
Santa Clara (19/20)	\$261.60	\$1,190.30	
Cupertino (19/20)	\$268.88	\$1,344.41	
Cupertino (2020 Adjusted)	\$279.45	\$1,397.25	
Campbell (19/20)	\$287.54	\$1,454.33	
Mountain View (19/20)	\$320.25	\$1,687.25	
Sunnyvale (19/20)	\$411.06	\$2,055.31	
Palo Alto (19/20)	\$437.20	\$2,341.65	
AVERAGE RATE	\$323.71	\$1,638.64	

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Item #11 Ordinance regulating sale of tobacco products

Presentations

Preventing Youth Access to Tobacco

February 4, 2020



Background

- Nov 2019
 - Council adopted an ordinance to regulate the sale of tobacco products
 - Council directed staff to return with amendments to prohibit the sale of vaping products and other conforming amendments to mirror the County

Background

- Tobacco remains the #1 preventable cause of death & disease
- SCC Healthy Cities recommends evidence-based tobacco control policies
- City received grant and technical assistance from County

Tobacco Use

- 1 in 8 deaths in SCC due to smoking
- 1 in 10 SCC youth use tobacco, including e-cigarettes
- High teen susceptibility:
 - 2 in 5 students (40.1%) who never used a tobacco product said they would use one if offered by a friend
 - 1 in 4 students (28%) reported they were offered a tobacco product in the last month

E-Cigarette Products

- Any devices, accessories, or liquids that can be used to deliver nicotine in an aerosolized or vaporized form
- Includes vaping products



Prohibiting the Sale of E-Cigarette Products

- CA Dept of Public Health issued a health advisory urging everyone to refrain from vaping any product because of the health risks
- Most e-cigarettes contain nicotine, which is harmful to the developing brain, and other harmful chemicals
- Epidemic of e-cigarette use:
 - 78% increase in high school use
 - 1 in 3 SCC teens report trying e-cigarettes
 - 1 in 7 high school students currently using ecigarettes

Tobacco-free Communities Policies: Santa Clara County

Jurisdiction	Require a tobacco retailer license	Restrict sale of flavored tobacco products	Limit tobacco sales near schools	Limit retailer density or proximity	Prohibit tobacco sales in pharmacies	Restrict sale of e-cigarette products
County of Santa Clara	Yes	Yes	Yes (1,000	Yes (500 foot limit	Yes	Yes
Santa Clara			foot limit)	from existing tobacco retailers)		
Campbell	Yes					
Cupertino	Yes	Yes	Yes (1,000	Yes (500 foot limit	Yes	Under
			foot limit)	from existing		Consideration
				tobacco retailers)		
Gilroy	Yes		Yes (1,000			
			foot limit)			
Los Altos	Under consideration.					
Los Gatos	Yes	Yes	Yes (1,000	Yes (500 foot limit	Yes	Yes
			foot limit)	from existing		
				tobacco retailers)		
Morgan Hill	Yes	Yes**				Yes
Palo Alto	Yes	Yes*	Yes (1,000	Yes (500 foot limit	Yes	Under
			foot limit)	from existing		Consideration
				tobacco retailers)		
San Jose	Yes	Under consideration.				
Saratoga	Yes	Yes	Yes (1,000	Yes (500 foot limit	Yes	Under
		(exempts	foot limit	from existing		Consideration
		menthol	from schools	tobacco retailers)		
		cigarettes)	and City			
			parks)			
Sunnyvale	Under consideration.					

^{*}Palo Alto has an adult-only exemption, which is being considered for removal.

 $[\]ensuremath{^{**}}\xspace$ Morgan Hill has an exception for cigars and pipe to bacco.

^{***}Monte Sereno and Los Altos Hills do not have any tobacco retailers.

Prohibiting the Sale of E-Cigarette Products

- Proposed ordinance prohibits the sale of e-cigarette products
- 9 local laws, those in SCC listed earlier as well as San Francisco, Livermore, Richmond, San Luis Obispo, San Mateo County, and Contra Costa County

Additional Conforming Amendments

- Updated definitions of key terms
- Requirement that store clerks selling tobacco must be 21 (the minimum age to purchase tobacco)
- Clarification that the ordinance applies to both the sale and distribution of tobacco products
- Clarification that flavored tobacco includes mint and menthol products
- Clarification of the enforcement and appeals process to be consistent with County practice, including increasing the "look-back" period for permit suspension from 24 months to 60 months

Implementation & Enforcement

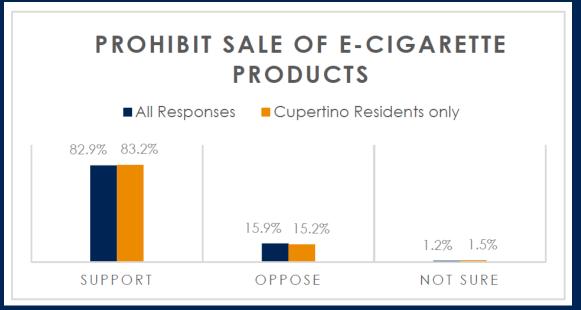
- If the proposed ordinance is adopted, the County will:
 - Administer permits
 - Conduct compliance checks and decoy operations

Timing

- If ordinance adopted:
 - City manager will negotiate MOU with County
 - Ordinance requirements to become operative July 1, 2020
 - Gives retailers time to sell down inventory, apply for permit

Outreach

- Online survey: 11/25/19 1/6/20
- 246 responses, including 197 identifying as residents



Additional Outreach

- December community meeting
- Letters to tobacco retailers
- Personal visits to tobacco retailers
- Presentation to Chamber of Commerce LAC

Recommended Action

- Conduct first reading of ordinance
- Find that the proposed ordinance is exempt from CEQA

Questions?

