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CITY COUNCIL STAFF REPORT SUPPLEMENTAL 1

Meeting: April 15, 2025

Agenda Item #14

Subject

Future agenda items requested by City Councilmembers ("TBD List").

Recommended Action

1. Review the TBD list and adopt the staff recommendations for items 1-13
2. Provide direction for items 14-18.

Background:

Staff's responses to questions received from councilmember are shown in italics.

Q1: This item "Guidelines and Procedures regarding Proclamations and Certificates" seems to be proposed by me through email on 1/15/2025. I cannot find the email from me and do not remember the context. Could you please include the original emails for this item so that the other Councilmembers have the full context on an agenda item request, rather than just a few words? (Chao)

Staff response: Attachment B – April 2025 Future Agenda Item List has been updated to include the email from 1/15/25 as requested.

Q2: Please include the original approved motions from the Minutes from the Feb. 4, 2025 meeting since the Attachment A does not seem to reflect the motions approved accurately. Below is what I copied from the Minutes, which I think accurately reflected what the Council approved on Feb. 4. Please update Attachment A based on the motions adopted by the Council.

Source: The Minutes of the Feb. 4 Council meeting

<https://cupertino.legistar.com/View.ashx?M=M&ID=1245843&GUID=81AE1770-A309-483C-A668-EAED7524F8B2>

SECOND AMENDED MOTION: Agendize the following items as soon as appropriate:

- 1. An action item to add the City Hall Renovation and City Hall Annex to the**

Fiscal Year (FY) 2025-26 Capital Improvement Programs (CIP) projects list (TBD List Items 1-4 combined)

2. An action item to re-enact the Economic Development Committee and the Legislative Action Committee with the original Muni Code, before they were removed in early 2023.
3. An action item to restore the Audit Committee responsibilities to restore previous responsibility.
4. An action item to expand the Responsibility for the Planning Commission to add small cell issues and transportation issues, such as traffic demand management (TDM), intersection reconfiguration, lane reduction, etc. (and perhaps to rename it the Planning and Transportation Commission).
5. A budget balancing study session to consider potential budget reduction, such as staffing levels, unneeded contracts and to reconsider some service level reductions and permit fee increase for residents. a. Such as reducing fees for residents and increasing fees for non-residents
6. A study session on Environment Review Committee.

The second amended motion carried with the following vote: Ayes: Chao, Moore, and Wang. Noes: Fruen and Mohan. Abstain: None. Absent: None

AMENDED MOTION: Chao moved and Wang seconded to approve the following:

- TBD list Item 6 - consider regulations on sound amplification devices in parks - add this item to an agenda:

Amend CMC Section 13.04.120 Use of Park Property “No person in the park shall do any of the following:... 1. Use any system for amplifying sounds, whether for speech or music or otherwise, unless an exclusive use permit is first secured,” as...

“No person in a park shall do any of the following:... 1. Use any system for amplifying sounds, whether for speech or music or otherwise, in an unreasonable loud manner, unless an exclusive use permit is for secured,” where the definition of “unreasonably loud manner” means “the volume of sound in the use or operation of any sound application equipment if such sound can be heard by a person from fifty (50) or more feet from the source of the amplification” (as defined in Oakland Muni Code)

- TBD list Item 11 - review the architecture standards for 5G towers – keep on TBD until it is added to the FY 2025-27 City Work Program.
- TBD list Item 5 - policy to provide access to documents made available for closed session - keep on TBD until the item is added to the Council Procedures Manual.
- TBD list Item 16 - Guidelines and Procedures regarding Proclamations and Certificates – agendize this item as appropriate.
- Accept the staff recommendation for TBD list Items 12-15.

The amended motion carried with the following vote: Ayes: Chao, Moore, Mohan, and Wang. Noes: Fruen. Abstain: None. Absent: None. (Chao)

Staff response: Attachments A and B have been updated and are included in this supplemental report.

Q3: The Attachment B should be the April 2025 list of future agenda items. But some

items have been voted by the Council on Feb. 4 to agendize with modified language. Please add a column to Attachment B "Date Council Approved" to reflect the date the council voted to agendize this item.

- For example, Item 15 in Attachment B for the audit committee should have "agendized by Council on 2/4/25" under the "Date Council Approved". Otherwise, it appears as if this is a new item the Council has not approved already to agendize.
- For example, Item 14 in Attachment B for the sound amplification devices should be "agendized by Council on 2/4/25" under the "Date Council Approved". And the description of this item from the approved Feb. 4 motion should be reflected in the description.
- You might wish to indicate whether an item was agendized as an action item or a study session or unspecified in the motion. (Chao)

Staff response: Attachments A and B have been updated and are included in this supplemental report.

Q4: The description for the item "A study session to consider regulations on sound amplification devices in parks" in Attachment A (based on Feb. 4 approved motions) is not quite accurate.

- The item was proposed by me through an email sent on 9/12/2022, which was mentioned at the 9/17/2024 council meeting. I have forwarded the same email again for the record of this meeting to provide some context of this request.
- But this item was also included in the second approved motion with more detailed description:

"TBD list Item 6 - consider regulations on sound amplification devices in parks - add this item to an agenda:

Amend CMC Section 13.04.120 Use of Park Property "No person in the park shall do any of the following:... 1. Use any system for amplifying sounds, whether for speech or music or otherwise, unless an exclusive use permit is first secured," as...

"No person in a park shall do any of the following:... 1. Use any system for amplifying sounds, whether for speech or music or otherwise, in an unreasonable loud manner, unless an exclusive use permit is for secured," where the definition of "unreasonably loud manner" means "the volume of sound in the use or operation of any sound application equipment if such sound can be heard by a person from fifty (50) or more feet from the source of the amplification" (as defined in Oakland Muni Code) "

(From the second approved motion in the Minutes of Feb. 4 Council Meeting)

- Please make corrections:
 - Add the detailed description to Item 6 of Attachment A under the Motion column. Otherwise, it is not clear what that this item is about from the title alone.
- Since it was proposed by me, I kind of remember what I had requested. But the other council members and the public would need more description than this

very short description.

- In fact, I forwarded the request from a resident on 9/12/2024 to the City Clerk to request this to be added to the TBD list. The email is titled "Proposal to Amend Park Sound Amplification Policy". I have forwarded this request again for the record of this meeting. (Chao)

Staff response: Attachments A and B have been updated and are included in this supplemental report.

Q5: The approved motion from Feb. 4 states "**An action item to add the City Hall Renovation and City Hall Annex to the Fiscal Year (FY) 2025-26 Capital Improvement Programs (CIP) projects list** (TBD List Items 1-4 combined)", which means that the Item 1-4 should be replaced by the action item as stated. Thus, Attachment A does not seem to follow the approved motion accurately.

- Please correct Attachment A so that the Motion column for Items 1-4 state "An action item to add the City Hall Renovation and City Hall Annex to the Fiscal Year (FY) 2025-26 Capital Improvement Programs (CIP) projects list", to reflect the approved Feb. 4 motion.
- Please correct Attachment B accordingly. Attachment B should only list "An action item to add the City Hall Renovation and City Hall Annex to the Fiscal Year (FY) 2025-26 Capital Improvement Programs (CIP) projects list" as one item instead. (Chao)

Staff response: Attachments A and B have been updated and are included in this supplemental report.

Q6: The approved Feb. 4 motion include "An action item to expand the Responsibility for the Planning Commission to add small cell issues and transportation issues, such as traffic demand management (TDM), intersection reconfiguration, lane reduction, etc. (and perhaps to rename it the Planning and Transportation Commission)."

Please make corrections so that Attachment A reflects the Feb. 4 motions approved by the Council.

- Please correct Attachment A so that the Motion column of Item 15 reflect the action item added by the Motion: "An action item to expand the Responsibility for the Planning Commission to add small cell issues and transportation issues, such as traffic demand management (TDM), intersection reconfiguration, lane reduction, etc. (and perhaps to rename it the Planning and Transportation Commission)".
- Please correct Attachment B accordingly. Item 16 in the Attachment B should have the description as stated in the Feb. 4 motion to accurately describe the actual item on the future agenda items list. Attachment B should also accurately reflect that the item has received majority vote on Feb. 4. (Chao)

Staff response: Attachments A and B have been updated and are included in this supplemental report.

Q7. Item 12 ("Study session on multi-family apartments converting to student housing") in the Attachment B shows "At 4/2/25 Council Meeting" under the "Date Requested" column. I found the Minutes of the April 2 Council Meeting has more details:

MOTION: Chao moved and Moore seconded to add the following item to a future agenda: A study session on the multifamily apartment conversion to student housing issue, and whether the City can do it; include existing proposed bills on student housing and comparisons to municipal codes on student housing in other jurisdictions, such as San Francisco and Berkeley; and consider a potential ordinance for student housing, so the City has control of its use and impact. The motion passed with the following vote: Ayes: Chao, Moore, Fruen, Mohan, and Wang. Noes: None. Abstain: None. Absent: None.

The Attachment B should include the language from the motion to better represent the request.

- To distinguish this item from a newly proposed the item without a vote of the council majority yet, under the "Date Council Approved" column (if added), this item should show "4/2/2025 approved by council to agendize", for example.

Staff response: Attachments A and B have been updated and are included in this supplemental report.

Q8: For Item 11 in the Attachment B for so-called "RV parking". My original request, which I submitted for the record of this meeting, was not for "RV parking". The original request was applicable to all vehicles, but with the limited scope for the 72-hour parking rule.

At the suggestion of staff, the scope of this item was expanded to include oversized vehicles near residential areas. And then, in that case, I did request to also consider oversized vehicles in customer-facing retail area. Thus, the scope of the study session "to be heard at the May 6 Council meeting" has evolved from the original agenda request.

It might be a good idea to add under the Recommendation column the scope of the May 6 study session for accuracy and transparency.

Attachments Provided with Original Staff Report:

- A. *Future Agenda Items List from February 2025 with Adopted Motion*
- B. *Future Agenda Items List as of April 2025*

Attachments Provided with this Supplemental 1:

- A. *Updated Attachment A - Future Agenda Items List from February 2025 with Adopted Motion*
- B. *Updated Attachment B - Future Agenda Items List as of April 2025*
- C. *Updated Staff Report*