

ALAMEDA COUNTY BOARD OF SUPERVISORS' TRANSPORTATION/ PLANNING COMMITTEE

Monday, November 4, 2019
9:30 a.m.

Supervisor Scott Haggerty, Chair
Supervisor Nate Miley

Location: Board of Supervisors Chamber – 5th Floor
County Administration Building
1221 Oak Street, Oakland, CA 94612

Summary/Action Minutes

Supervisor Haggerty called the meeting to order

I. Action Item: Tobacco Retail Licensing (TRL) Proposed Ordinance [Attachment](#)

Paul Cummings, MPH, Director, Tobacco Control Program, Public Health Department and Rachel Gratz-Lazarus, MPH, Senior Program Specialist, Tobacco Control Program, Public Health Department presented a PowerPoint presentation on the Proposed Tobacco Retail Licensing Ordinance.

The purpose of the proposed Tobacco Retail Licensing (TRL) Ordinance is to reduce youth access to tobacco, and to limit negative public health effects of tobacco use. It would require businesses in Unincorporated Alameda County that sell tobacco to obtain a local license annually in order to sell tobacco. It provides an enforcement mechanism and holds retailers accountable to comply with local requirements, as well as state and federal tobacco laws.

Proposed TRL ordinance requirements:

- No selling tobacco without a valid local TRL
- Prohibits the sale of all flavored tobacco products
 - Includes menthol cigarettes & flavored electronic smoking devices
- Creates pricing requirements for the sale of tobacco:
 - Establishes a minimum sales price of \$8.00 per package of cigarettes, little cigars and single large cigars
 - Establishes a minimum package size of at least 20 little cigars
- Creates tobacco retailing density requirements:
 - Limits the total number of tobacco retail licenses to one per 2,500 residents
 - Prohibits the sale of tobacco (new retailers) within 1,000 feet of youth populated areas and within 500 feet of existing tobacco retailers
- Prohibits pharmacies from obtaining a TRL

Penalties

- 1st violation – 30 day license suspension
- 2nd violation - 90 day license suspension
- 3rd violation – 1 year license suspension
- 4th violation – license revocation

The Public Health Department requests the support of the Committee to move this ordinance to the full Board of Supervisors for approval and adoption.

Speakers

Elsa Casanova, Miguel DeLeon, Teresita DeJesus, Paulina Jacobo, Maria Navarro, Genevieve Granados, Sydney Johnson, Samantha C., Yana Reis, Melissa Ruiz, all spoke in support of the Tobacco Retail Licensing Ordinance and urged the county to pass the ordinance.

Purpose:

- ☐ Report progress
- ☐ Advocacy or Education
- ☒ **Request Transportation and Planning Committee recommendation**
- ☐ Other:

Recommendation from Transportation & Planning Committee: Support. Move to the full Board of Supervisors.

The Public Health Department will return to the Transportation & Planning Committee with regulations for vaping.

II. Adopt and Approve an Ordinance Implementing the 2019 California Building Standards Code [Attachment](#)

Bill Lepere, Assistant Agency Director, Public Works Agency, presented a memorandum to support the adoption and approval of an ordinance implementing the 2019 California Building Standards Code.

Updates include:

1. Repeal the current Chapters 15.08 Building Code, 15.12 Electrical Code, 15.16 Plumbing Code, 15.20 Mechanical Code, and 15.24 Housing Code of the General Ordinance Code.
2. Ratify the Alameda County Fire Code amendments to the Chapter 15.08 Building Code of the General Ordinance Code.
3. Adopt and approve an ordinance implementing new Chapters 15.08 Building Code, 15.12 Electrical Code, 15.16 Mechanical Code, 15.20, Plumbing Code, and 15.24, Housing Code in their place, of the General Ordinance Code.
4. Find all Alameda County amendments continue to be reasonably necessary because of local climatic, geological or topographical conditions.
5. Authorize the Clerk of the Board to publish an advertisement in accordance with Gov. Code Section 25124(b)(2).

There is no impact on the County General Fund. The cost of implementing the proposed ordinance is part of the ongoing cost recovery permit process operated by Building Department.

Purpose:

- ☐ Report progress
- ☐ Advocacy or Education
- ☒ **Request Transportation and Planning Committee recommendation**
- ☐ Other:

Recommendation from Transportation & Planning Committee: Support. Move to the full Board of Supervisors.

PUBLIC COMMENT

None.