



City of Oakland
Meeting Agenda
***Public Works Committee**

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City Clerk

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California 94612

City of Oakland Website: <http://www.oaklandnet.com>

Tuesday, December 11, 2012

10:30 AM

Sgt. Mark Dunakin Room - 1st Floor

DEFINITION OF TERMS:

Consent Item: any action item that a subject matter Committee has forwarded to the full Council with unanimous recommendation for approval and is not controversial, and does not have a high level of public interest as determined by the Rules Committee.

Non-Consent Item: any action that a subject-matter Committee has forwarded to the full Council without unanimous recommendation for approval, or having a high level of public interest, or is controversial as determined by the Rules Committee.

Action Item: any resolution, ordinance, public hearing, motion, or recommendation requiring official vote and approval of the City Council to be effective.

Informational Item: an item of the agenda consisting only of an informational report that does not require or permit Council action.

Roll Call / Call to Order

COMMITTEE MEMBERSHIP:

**Rebecca Kaplan, At-Large; Council President Larry Reid, District 6,
Libby Schaaf, District 4; Chairperson: Nancy Nadel, District 3**

- 1 Approval of the Draft Minutes from the Committee Meeting held on November 27, 2012
- 2 Determination of Schedule of Outstanding Committee Items
[\(PWC 121112 PL\)](#)
- 3 Subject: Graffiti Enforcement
From: Vice Mayor Nadel And The Office Of The City Attorney
Recommendation: Adopt An Ordinance Amending And Restating Oakland Municipal Code Chapter 8.10 To Provide Comprehensive Graffiti Enforcement Through Oakland And State Law, Establishing New Remedies Against Graffiti Violators, Providing For Restorative Justice For Graffiti Offenders, A Fund For Rewards And To Assist Graffiti Victims, And Incorporating State Law Allowing For Liens Against Property Of Graffiti Offenders

(12-0112)

This item was continued from the November 27, 2012 Special Public Works Committee Agenda.

The Committee directed staff to do the following:

1. Clarify the definition of "graffiti" and its use in section 8.10.120
2. Determine who will provide enforcement and how enforcement will be implemented
3. Establish a protocol for ensuring compliance of government owned properties
4. Work with community groups to make Citywide Public Art programs more effective
5. Ensure that adequate notice is provided so that the accused understands all options available and can request an alternative remedy (restorative justice or community service)
6. Amend language in section 8.10.370 (3) to also include the responsible party's ability to pay as a factor for eligibility and also to allow the victim to request community service as an alternative to civil penalty
7. Provide notice to merchants regarding signage requirement

The Committee further directed staff to establish the following prior to enactment of the ordinance:

1. A preapproved list for community service agencies (referenced in 8.10.372(2))
2. A program for referring individuals to the Restorative Justice program (referenced in 8.10.372(3))

4 Subject: Encroachment Permit - 2101 Telegraph
 From: Department Of Planning And Building
 Recommendation: Adopt A Resolution Granting 2101 Telegraph Avenue Associates A Conditional And Revocable Permit To Allow An Existing Under Sidewalk Basement And Portions Of The Building Facade Of The Hamilton Hotel Apartments Located At 2101 Telegraph Avenue To Encroach Into The Public Right-Of-Way Along Telegraph Avenue And 21st Street

(12-0184)

This item was scheduled pursuant to Rule 28(b) of Council's Rules of Procedures, Resolution 82580 C.M.S.

5 Subject: Montclair Garage Management
 From: Department Of Public Works
 Recommendation: Adopt A Resolution Waiving Formal Advertising And Request For Proposals/Request For Qualifications ("RFP/RFQ") And Authorizing The City Administrator To 1) Extend The Existing Contract On A Month-To-Month Basis For A Period Not-To-Exceed Twelve Months From December 31, 2012 Through December 31, 2013 At A Compensation Rate Of Up To \$15,900.00 A Month (Including A \$900.00 Per Month Management Fee And Up To \$15,000.00 A Month In Garage Operating Expenses) And 2) Negotiate A New Contract For An Initial Period Of Three Years, With

A Two-Year Extension, Contingent Upon Satisfactory Evaluation Of Performance, With The Montclair Village Association For The Operation And Management Of Montclair Garage Located On 6235 La Salle And Scout Lot Located On 2250 Mountain Boulevard (12-0177)

This item was scheduled pursuant to Rule 28(b) of Council's Rules of Procedures, Resolution 82580 C.M.S.

6 Subject: Solar Conversion Report
From: Council President Reid And Vice Mayor Nadel
Recommendation: Receive A Report And Recommendation From The City Administrator On City's Effort To Convert Municipal Electricity Use To A Solar Source(s), To Include Information On Solar Companies Able To Perform Such Large Scale Municipal Conversions In Time To Obtain Federal And State Financial Incentives (Due To Expire Next Year) That Would Substantially Offset The City's Costs Of Conversion; And (12-0121)

2) A Resolution Authorizing The City Administrator Or His Or Her Designee To Implement A Solar Power Procurement Project By Signing A Memorandum Of Understanding With Alameda County For The Regional Renewable Energy Procurement Project; Entering Into Solar Power Purchase Agreements; And Appropriating Related Incentives Without Returning To Council (12-0121-1)

This item was scheduled pursuant to Rule 28(b) of Council's Rules of Procedures, Resolution 82580 C.M.S.

Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

* In the event of a quorum of the City Council participates on this Committee, the meeting is noticed as a Special Meeting of the City Council; however no final City Council action can be taken.

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TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA
PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK,
1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA
94612 FROM 8:30AM TO 5:00PM**

**LaTonda Simmons
City Clerk and
Clerk of the Council**