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City of Oakland Meeting Minutes

*Special 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, September 15, 2009

9:30 AM

Hearing Room One - 1st Floor

Roll Call / Call to Order

Councilmember Present: 4 - Member Kaplan, Member Kernighan, Chair Nadel and Member Brooks

The Oakland City Council Special Public Works Committee convened at 9:35 a.m., with Councilmember Nadel presiding as Chairperson.

1 Approval of the Draft Minutes from the Committee Meeting held on July 14, 2009

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**A motion was made by Member Kaplan, seconded by Member Brooks, to
*Approve the Minutes. The motion carried by the following vote:**

Votes: Councilmember Aye: Member Kaplan, Member Kernighan, Chair Nadel and Member Brooks

2 Determination of Schedule of Outstanding Committee Items

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**A motion was made by Member Brooks, seconded by Member Kaplan, to
*Approve as Submitted. The motion carried by the following vote:**

Votes: Councilmember Aye: Member Kaplan, Member Kernighan, Chair Nadel and Member Brooks

The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa

3 Discussion And Action On Potential Proposals To Obtain Grant Funds Provided Under The American Recovery And Reinvestment Act Of 2009 (Federal Government's "Stimulus Package")

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The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa

09-0188

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4 Subject: Public Works Agency Audit - Follow Up
From: Office of the City Auditor
Recommendation: Receive A Follow Up Report On Public Works Committee Members' Request For More Information On The Percentage Of The General Fund Allocated To The Public Works Agency As Reported In The Public Works Agency Performance Audit
[09-0577](#)

A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be Continued to the *Public Works Committee, due back on September 29, 2009. The motion carried by the following vote:

Votes: Councilmember Aye: Member Kaplan, Member Kernighan, Chair Nadel and Member Brooks

The following individual(s) spoke and did not indicate a position on this item:

- *Sanjiv Handa*
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5 Subject: Chinese Garden Improvement Project
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) An Agency Resolution Authorizing And Appropriating A Contribution Of Redevelopment Agency Funds To The City Under The Cooperation Agreement In The Amount Of \$92,000 For The Construction Of The Hall Of Pioneers Chinese Garden Improvement Project;
[09-0699](#)

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A motion was made by Member Kernighan, seconded by Member Kaplan, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on September 22, 2009 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Brooks
Councilmember Aye: Member Kaplan, Member Kernighan and Chair Nadel
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2) A Resolution Authorizing The City To Accept And Appropriate A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In The Amount Of \$92,000 For The Construction Of The Hall Of Pioneers Chinese Garden Improvement Project; And
[09-0699-1](#)

A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on September 22, 2009 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Brooks
Councilmember Aye: Member Kaplan, Member Kernighan and Chair Nadel

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3) A Resolution Authorizing The City Administrator, Or His Designee, To Award A Contract To The Lowest, Responsible, Responsive Bidder, McGuire And Hester, In An Amount Not-To-Exceed Two Hundred Eleven Thousand Seven Hundred Sixty-Five Dollars (\$211,765.00) For The Construction Of The Hall Of Pioneers Chinese Garden Improvement Project In Accord With Plans And Specifications For The Project (No. P338510) And Contractor's Bid Therefor, To Be Paid For With Redevelopment Agency Funds
[09-0699-2](#)

A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on September 22, 2009 as a Cosent Calendar item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Brooks
Councilmember Aye: Member Kaplan, Member Kernighan and Chair Nadel

6 Subject: Rehabilitation Of Sanitary Sewers - Andes Construction
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Awarding A Construction Contract To Andes Construction, Inc. For The Rehabilitation Of Sanitary Sewers in the Area Bounded by 66th Avenue, San Leandro Street, Seminary Avenue, And International Boulevard (Project No. C267310) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of One Million Nine Hundred Seventy-One Thousand Five Hundred Thirty-Seven Dollars (\$1,971,537.00)
[09-0616](#)
[Play Video](#)

A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on September 22, 2009 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Brooks
Councilmember Aye: Member Kaplan, Member Kernighan and Chair Nadel
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Subject: Oakland Airport Connector Project

From: Councilmember Kaplan

Recommendation: Discussion And Action On The Bay Area Rapid Transit's (BART) Design And Construction Proposal, Funding Status, Local Job Projections, And Projected Ridership For The Oakland Airport Connector Project; And Adoption Of The Following Piece Of Legislation:

[09-0750](#)

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A motion was made by Member Kaplan, seconded by Member Brooks, that this matter be *Received and Forwarded to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on October 6, 2009 as a Non-Consent item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Kaplan, Member Kernighan, Chair Nadel and Member Brooks

The Committee directed staff to take the following action: 1) Bring forward the resolution submitted by Councilmember Nadel in opposition to the BART connector.

The Committee also requested the following information in a Supplemental Report: 1) Does the time saved by riders justify the expense of \$500 million dollars as compared to the current bus ride or an improved bus system; 2) Quantify the reduction of car rides with the O.A.C.; 3) The likelihood that the Bart System would subsidize the O.A.C.; 4) Other regional options for the money if it is not used for the O.A.C.; and 5) Provide analysis by the City's transportation planners of the statistical data in BART's O.A.C. proposal including cost per rider.

The following individual(s) spoke and did not indicate a position on this item:

- Henry Gardner
- Tess Freidenburg
- Claudia Hudson
- Bob Allen
- Carla Heins
- Andreas Cluver
- Sylvester Grisby
- Daniel Schulman
- Joanna Adler
- Loren Haralson
- Anthony Rodger
- Christine Monson
- Jonathna Bair
- Echa Schneider
- Karen Smulevitz
- Len Conly
- Rebecca Saltzman
- John KnoxWhite
- Eryn Yula

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- *Michael Quigly*
- *Scott Peterson*
- *Gerald Cauthen*
- *Sanjiv Handa*
- *Robert Brauer*
- *Gabrielle Miller*
- *Molly Talamantes*
- *Webb Mealyo*
- *Darrel Carey*

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8 Subject: Residential Permit Parking - Expansion Of Area "A"
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Adding New Streets To Residential Permit Parking Areas "A" And "G" And Changing On-Street Parking Restrictions In Those Areas As Follows: (1) Preferential Residential Permit Parking (PRPP) Program Area A Is Expanded To Include Clarke Street From 38th To 40th Street, Latimer Street From West Macarthur Boulevard To 38th Street, Ruby Street From West Macarthur Blvd. To 40th Street, Webster Street From 36th Street To 40th Street, Shafter Avenue From West Macarthur Boulevard To 40th Street, Opal Street From 38th Street To 40th Street, Manila Avenue From 38th Street To 40th Street, 36th Street From Telegraph Avenue To Webster Street, 37th Street From Telegraph Avenue To Webster Street, 38th Street From Telegraph Avenue To Manila Avenue, Rio Vista Avenue From Piedmont Avenue To Eairmont Avenue, Montel Street From Piedmont Avenue To Robley Terrace; And (2) Preferential Residential Permit Parking (PRPP) Program Area G Is Expanded To Include Warren Avenue From Piedmont Avenue To Richmond Boulevard, Croxton Avenue From Piedmont Avenue To Richmond Boulevard, Randwick Avenue From Piedmont Avenue To Richmond Boulevard, 30th Street From Broadway To Richmond Boulevard, Brook Street From Broadway To 30th Street, And Kempton Way From Fairmont Avenue To West Macarthur Blvd, And (3) General Street Parking Within The Foregoing Residential Permit Parking Permit Areas Shall Be Restricted To Two Hours, Monday Through Friday From 8:00 AM To 6:00 PM

[09-0739](#)

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A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be *Approve as Amended the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on September 22, 2009 as a Non-Consent Item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Brooks

Councilmember Aye: Member Kaplan, Member Kernighan and Chair Nadel

The Committee approved recommendations and amended the resolution to give the option of extending the end time to 8:00PM or having it stay at 6:00 PM

The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa

- Valerie Winemiller

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9 Subject: Streets And Roads Resurfacing
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Awarding A Construction Contract To Gallagher & Burk, Inc., For Various Streets And Roads Resurfacing (Project No. C376410) In Accord With The Project Plans And Specifications And Contractor's Bid In The Amount Not-To-Exceed Three Million Eighty-Five Thousand Nine Hundred Fifty-Five Dollars And Fifty Cents (\$3,085,955.50)
[09-0751](#)
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A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on September 22, 2009 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Kaplan, Member Kernighan, Chair Nadel and Member Brooks

The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa
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10 Subject: Citywide Curb Ramp And Sidewalk Repair - AJW Construction
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Awarding A Construction Contract To AJW Construction, For Citywide Curb Ramp And Sidewalk Repair Projects (Project No. C376310) In Accord With The Project Plans And Specifications And Contractor's Bid In The Not-To-Exceed Amount Of Eight Hundred Ninety Five Thousand And Sixty Five Dollars (\$895,065.00)
[09-0752](#)
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A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on September 22, 2009 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Brooks
Councilmember Aye: Member Kaplan, Member Kernighan and Chair Nadel
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11 Subject: Bus Rapid Transit Project Agreement
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Authorizing The City Administrator, Or His Designee, To
 Execute An Agreement With AC Transit To Fund Approximately One Hundred And Ten
 Thousand Dollars (\$110,000.00) Of City Expenses Related To The Selection Of A Local
 Preferred Alternative For The Bus Rapid Transit Project
 [09-0754](#)
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A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on September 22, 2009 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Brooks
 Councilmember Aye: Member Kaplan, Member Kernighan and Chair Nadel

The following individual(s) spoke and did not indicate a position on this item:

- *Sanjiv Handa*
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12 Subject: 42nd Avenue And High Street - Right-Of-Way Acquisition
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Direct Staff To
 Proceed With Right-Of-Way Acquisition For The 42nd Avenue And High Street Access
 Improvement Project (C98530)
 [09-0755](#)
 [Play Video](#)

A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on September 22, 2009 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Excused: Member Brooks
 Councilmember Aye: Member Kaplan, Member Kernighan and Chair Nadel
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13 Subject: Purchase of Real Property - 1730 50th Avenue
 From: Community and Economic Development Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Authorizing The Purchase Of A Portion (664 Square Feet) Of Real Property At 1730 50th Avenue, Oakland, From Oak Stock Group For \$47,500 Plus Customary Real Estate Closing Costs, For Development As Additional Parking For Fire Station 18 And Accepting A Contribution Of \$47,500, Plus Customary Real Estate Closing Costs, From The Redevelopment Agency Under The Cooperation Agreement For The Purchase Of The Property; And

[09-0753](#)

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A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on September 22, 2009 as a Public Hearing. The motion carried by the following vote:

Votes: Councilmember Excused: Member Brooks

Councilmember Aye: Member Kaplan, Member Kernighan and Chair Nadel

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2) An Agency Resolution Authorizing The Contribution Of \$47,500, Plus Customary Real Estate Closing Costs, From The Central City East Redevelopment Project Area, To The City of Oakland Under The Cooperation Agreement For The Acquisition Of A Portion Of 1730 50th Avenue

[09-0753-1](#)

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A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on September 22, 2009 as a Public Hearing. The motion carried by the following vote:

Votes: Councilmember Excused: Member Brooks

Councilmember Aye: Member Kaplan, Member Kernighan and Chair Nadel

Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual(s) spoke under Open Forum:

- Sanjiv Handa

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Special Public Works Committee adjourned the meeting at 11:30 p.m.

* 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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