



City of Oakland Meeting Minutes

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

*Special Public Works Committee

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

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

Tuesday, September 29, 2009

10:00 AM

Hearing Room One - 1st Floor

Roll Call / Call to Order

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

The Oakland City Council Special Public Works Committee convened at 10:03 a.m. with Councilmember Nancy Nadel presiding as Chairperson.

- 1 Approval of the Draft Minutes from the Committee Meeting held on September 15, 2009

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A motion was made by Member Brooks, seconded by Member Kernighan, 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

[PWA 92909](#)

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- 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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[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
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A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be Scheduled to the *Public Works Committee on the Pending List No Specific Date. The motion carried by the following vote:

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

The Committee further directed staff to provide all funding accounts that are being used for operational and capital infrastructure cost, and if re-structuring of those accounts are necessary.

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5 Subject: Street Tree Pruning Program
 From: Public Works Agency
 Recommendation: Receive An Informational Report On The Pacific Gas And Electric's Comprehensive Tree Pruning Program For Trees Under High Voltage Power Lines
 09-0674
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A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be Scheduled to the *Public Works Committee on the Pending List No Specific Date. The motion carried by the following vote:

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

The Committee directed staff to 1) Include the Tree Pruning topic on the agenda for the monthly Utility meeting(s) held in CEDA by the Right -Of -Way Management Division; and 2) Review the Telecommunication/Cable Franchise agreements and determine if any requirements are within the agreements for Tree Pruning.

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

- Barbara Goldenberg

- Dick Spees

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6 Subject: Vacating Unused Sanitary Sewer Easement - 4346 & 4348 Fruitvale
 From: Community and Economic Development Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Summarily Vacating An Unused Sanitary Sewer Easement Located At 4346 Fruitvale Avenue To The Property Owners, Simon And Renee Yu; And
[09-0700](#)
[Play Video](#)

A motion was made by Member Brooks, 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 October 6, 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
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2) A Resolution Summarily Vacating An Unused Sanitary Sewer Easement Located At 4348 Fruitvale Avenue To The Property Owners, Simon And Renee Yu
[09-0700-1](#)
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A motion was made by Member Brooks, 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 October 6, 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
[82320 CMS.pdf](#)

7 Subject: Conditional And Revocable Permit - 729 Willow Street
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Granting Truckee Zurich Place LLC A Conditional And Revocable Permit To Allow An Existing Building And Fence Located At 729 Willow Street To Encroach Into The Public Right-Of-Way Along Goss Street
[09-0701](#)
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A motion was made by Member Brooks, 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 October 6, 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
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[82321 CMS.pdf](#)

8 Subject: Conditional And Revocable Permit - 939 Martin Luther King Jr Way
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Granting PSK Development LLC A Conditional And Revocable Permit To Allow Existing Oriel Windows, Balconies And An Access Stair For A Building Located At 939 Martin Luther King Jr. Way To Encroach Into The Public Right-Of-Way Along Martin Luther King Jr. Way And 10th Street
[09-0702](#)
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A motion was made by Member Brooks, 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 October 6, 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
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[View Supplemental Report.pdf](#)
[82322 CMS.pdf](#)

9 Subject: Conditional And Revocable Permit - 2228 81st Avenue
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Granting The Roman Catholic Welfare Corporation Of Oakland A Conditional And Revocable Permit To Allow The Installation Of A Portable Classroom Building Located At 2225 81st Avenue To Encroach Into A Closed Portion Of The Public Right-Of-Way
[09-0703](#)
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A motion was made by Member Brooks, 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 October 6, 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
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[View Supplemental Report.pdf](#)
[82323 CMS.pdf](#)

10 Subject: Preferential Residential Permit Parking Area "E" Addition
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Adding New Streets To Preferential Residential Permit
 Parking (PRPP) Area "E" And Changing On-Street Parking Restrictions In The Area To Include
 Alida Street Between Lincoln Avenue And Linnet Avenue, And On Alida Court Between Alida
 Street And Cul-De-Sac, And Restricting General Street Parking Within Said Residential Permit
 Parking Zones To Two Hours, Monday Through Friday From 8:00 A.M. To 6:00 P.M.

[09-0800](#)

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A motion was made by Member Kaplan, seconded by Chair Nadel, 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 October 6, 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 Committee approved recommendations as amended to strike the following language from the resolution "FROM 8:00 A.M. TO 6:00 A.M."; and to add the following language to the title and the first Further Resolved "To the same hours of enforcement as the hours designated for parking metered zones, which are regulated in the Oakland Municipal Code Section 10.36.050".

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[82324 CMS.pdf](#)

11 Subject: Preferential Residential Permit Parking Area "I" Addition
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Adding New Streets To Preferential Residential Permit Parking (PRPP) Area "I" And Changing On-Street Parking Restrictions In The Area To Include 66th Street Between Shattuck Avenue And Telegraph Avenue, And On Raymond Street Between 66th Street And Alcatraz Avenue, And Restricting General Street Parking Within Said Residential Permit Parking Zones To Two Hours, Monday Through Friday From 8:00 A.M. To 6:00 P.M.
[09-0801](#)
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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 October 6, 2009. The motion carried by the following vote:

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

The Committee approved recommendations as amended to strike the following language from the resolution "FROM 8:00 A.M. TO 6:00 A.M."; and to add the following language to the title and the first Further Resolved "To the same hours of enforcement as the hours designated for parking metered zones, which are regulated in the Oakland Municipal Code Section 10.36.050".

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12 Subject: Property Vacation - 37th And Alameda Avenues
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Adopting Findings And Setting A Hearing To Receive Supporting Evidence And Public Comments On A Proposed Conditional Vacation Of A Portion Of East 8th Street Between The Intersections Of 37th Avenue And Alameda Avenue To The California Department Of Transportation For The Seismic Retrofitting Of Interstate Freeway Route 880 At High Street;
And

[09-0802](#)

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A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be Continued to the *Public Works Committee, due back on October 13, 2009. The motion carried by the following vote:

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

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2) An Ordinance Conditionally Vacating Of A Portion Of East 8th Street Between The Intersections Of 37th Avenue And Alameda Avenue To The California Department Of Transportation For The Interstate Freeway Route 880 Seismic Retrofit At High Street

[09-0802-1](#)

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A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be Continued to the *Special Public Works Committee, due back on October 13, 2009. The motion carried by the following vote:

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

13

Subject: Amendment 2 - Shah Kawasaki Agreement

From: Community and Economic Development Agency

Recommendation: Adopt A Resolution Waiving The Competitive Request For Proposal/Qualification Process And Authorizing Amendment No. 2 To Increase The Agreement With Shah Kawasaki Architects For As-Needed Architectural Services For An Amount Not To Exceed One Hundred Thousand Dollars (\$100,000.00), Bringing The Total Contract Amount To One Million Dollars (\$1,000,000.00)

[09-0804](#)

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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 October 6, 2009 as a Consent Calendar. The motion carried by the following vote:

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

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[82326 CMS.pdf](#)

14 Subject: Cleveland Cascade Rehabilitation Project
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution: 1) Rejecting All Bids Submitted For The Cleveland Cascade Rehabilitation Project (C242116); 2) Waiving Further Competitive Bidding Requirements; And 3) Authorizing The City Administrator, Or The City Administrator's Designee, To Negotiate And Purchase The Necessary Construction Services And Materials For The Project On The Open Market In An Amount Not To Exceed Two Hundred Sixteen Thousand Dollars (\$216,000.00), Without Return To The City Council
[09-0805](#)

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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 October 6, 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:

- Jim Ratliff
 - Barbara Newcombe
 - Chris Pattillo
 - David Bolanos
- [View Report.pdf](#)
[82327 CMS.pdf](#)

15 Subject: Conditional And Revocable Permit - 283 Beauforest Drive
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting John and Gail Buchbinder A Conditional And Revocable Permit To Allow A Portion Of An Existing Residence, Access Stair, And Retaining Walls Located At 283 Beauforest Drive To Encroach Into The Public Right-Of-Way
[09-0806](#)

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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 October 6, 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

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- [View Supplemental Report.pdf](#)
- [82328 CMS.pdf](#)

16 Subject: Conditional And Revocable Permit - 2800 Madera Avenue
From: Community and Economic Development Agency
Recommendation: Adopt A Resolution Granting Thomas Dolan A Conditional And Revocable Permit To Allow An Exterior Wall For An Existing Building Located At 2800 Madera Avenue To Encroach Into The Public Right-Of-Way Along Fleming Avenue
[09-0807](#)

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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 October 6, 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
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[View Supplemental Report.pdf](#)
[82329 CMS.pdf](#)

17 Subject: Prioritization Of Underground Utility Projects
 From: Public Works Agency
 Recommendation: Receive An Informational Report From The Public Works Agency Electrical Services Division On The Current Process For Prioritization Of Underground Utility Projects Within The City Of Oakland, With Discussion On The Current "First Come, First Served" Neighborhood Petition Procedure Process
[09-0672](#)

A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be Continued to the *Public Works Committee to a Future Date The motion carried by the following vote:

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

COUNCILMEMBER QUAN WAS NOTED PRESENT AT 10:45 A.M. AND A QUORUM WAS DECLARED.

The Committee directed staff to comeback with different implementation processes of Undergrounding Models from other cities within California and other states.

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

- Councilmember Jean Quan
- Dick Spees
- Carol Beck
- Ronald Barklow
- John Bannon
- Nicholas Vigilante
- Russell Creighton
- Robbie Neely
- Lawrence Goldstein
- Bruno Fraeyman
- Barbara Goldenberg

THE SPECIAL MEETING OF THE CITY COUNCIL ADJOURNED AT THIS TIME AND RECONVENED AS THE SPECIAL PUBLIC WORKS COMMITTEE

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Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Special Public Works Committee adjourned the meeting at 11:51 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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