



City of Oakland Meeting Minutes

*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, October 14, 2008

12:30 PM

Hearing Room One - 1st Floor

Roll Call / Call to Order

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

The Oakland City Council Public Works Committee convened at 12:31 p.m., with Councilmember Nadel presiding as Chairperson.

- 1 Approval of the Draft Minutes from the Committee Meeting held on September 23, 2008

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

Votes: Councilmember Abstained: Member Brooks

Councilmember Aye: Member Kernighan, Chair Nadel and Member Chang

- 2 Determination of Schedule of Outstanding Committee Items

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

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

3 Subject: Polystyrene Foam Prohibition Report
 From: Council President De La Fuente
 Recommendation: Receive An Informational Report On The Implementation Of The Oakland
 Municipal Code Chapter 8.07 Polystyrene Foam Food Service Ware

[07-1469](#)

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A motion was made by Member Kernighan, seconded by Member Brooks, that this matter be *Received and Filed. The motion carried by the following vote:

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

The Committee directed staff to return to a future committee with a report on the following: 1) A mechanism to assess an Administrative Penalty for violators of the Polystyrene Foam Food Service Ware Ordinance without going through the Master Fee Schedule; and 2) A review (with or without an Industry Representative) of the waste water stream analysis.

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

- Scott Peterson

- Sanjiv Handa

- Tom Knox

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4 Subject: Energy Saving Agreement - Five City Swimming Pools
 From: Public Works Agency
 Recommendation: Adopt A Resolution (1) Waiving Any Further Competitive Process And Authorizing The City Administrator Or Designee To Negotiate And Award A Professional And Construction Services Agreement In An Amount Not To Exceed Two Hundred Fifty-Six Thousand Dollars (\$256,000) To Implement Energy Savings Measures At The City's Five Swimming Pools, Without Returning To City Council And (2) Accepting And Appropriating Energy-Related Rebates For Project No. C256516

[07-1632](#)

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A motion was made by Member Kernighan, seconded by Member Brooks, 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 21, 2008 as a Consent Calendar item. The motion carried by the following vote:

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

The Committee directed staff to return to a future committee with a report on which contractor was awarded the Professional Services agreement.

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[81610 CMS.pdf](#)

5 Subject: Public Sanitary Sewer Easement - Drury Road
 From: Community and Economic Development Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Summarily Vacating An Existing Sanitary Sewer Easement To David W. Naylor To Facilitate Construction Of A New Dwelling At 1189 Drury Road; And

[07-1654](#)

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A motion was made by Member Kernighan, seconded by Member Brooks, 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 21, 2008 as a Consent Calendar item. The motion carried by the following vote:

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

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2) A Resolution Summarily Vacating An Existing Sanitary Sewer Easement To David W. Naylor To Facilitate Construction Of A New Dwelling At 1195 Drury Road

[07-1654-1](#)

A motion was made by Member Kernighan, seconded by Member Brooks, 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 21, 2008 as a Consent Calendar item. The motion carried by the following vote:

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

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6 Subject: Conditional And Revocable Permit - 1633 Harrison Street
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Granting The Oakland Housing Authority A Revocable And Conditional Permit To Allow Enclosed Living Space For Apartments In A New Building At 1633 Harrison Street To Encroach Over The Public Right-Of-Way Along 17th Street And Harrison Street

[07-1655](#)

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A motion was made by Member Brooks, seconded by Member Chang, 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 21, 2008 as a Consent Calendar item. The motion carried by the following vote:

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

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[81613 CMS.pdf](#)

7 Subject: Revocable And Conditional Permits - 601 12th Street
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) Adopt A Resolution Granting Oakland T12 LLC A Revocable And Conditional Permit To Allow A Shoring System For A Basement Excavation To Encroach Beneath The Public Right-Of-Way Along 11th Street, 12th Street, Jefferson Street, And Martin Luther King Jr Way For A New Building At 601 12th Street; And
[07-1656](#)

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A motion was made by Member Chang, 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 21, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Kernighan, Member Brooks, Chair Nadel and Member Chang
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[81614 CMS.pdf](#)

2) A Resolution Granting Oakland T12 LLC A Revocable And Conditional Permit To Allow A Concrete Vault And Electrical Transformers For A New Building At 601 12th Street To Encroach Under The Public Sidewalk Along 11th Street
[07-1656-1](#)

A motion was made by Member Chang, 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 21, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Kernighan, Member Brooks, Chair Nadel and Member Chang
[81615 CMS.pdf](#)

8 Subject: Bicycle And Pedestrian Safety Projects Priority List
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Approving The City Of Oakland's Four-Year (Fiscal Year 2009-2010 Through Fiscal Year 2012-2013) Priority List Of Bicycle And Pedestrian Safety Projects For Funding From Measure B Bicycle And Pedestrian Pass-Thru Funds (Fund 2212) [07-1657](#)
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A motion was made by Member Kernighan, seconded by Member Chang, 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 21, 2008 as a Non-Consent item. The motion carried by the following vote:

Votes: Councilmember Abstained: Member Brooks
Councilmember Aye: Member Kernighan, Chair Nadel and Member Chang
The Committee directed staff to submit a report with the following information:
1) What is the rationale based upon for the funding shift from Pedestrian Improvements to Bicycle Improvements?, 2) What effects will the current budget have on the proposed transfer of the Traffic Sign Replacement funds from Fund 2212 to Fund 2211 and Fund 2230; and 3) Data and comparison analysis of Bicycle & Pedestrian projects; with an overlay map showing Bicycle and Pedestrian collision data, including surrounding schools and safety information.

The following individual(s) spoke and did not indicate a position on this item:
- Sanjiv Handa
- Doug Johnson
[View Report.pdf](#)

9 Subject: Insanitary Sewers
 From: Community and Economic Development Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 2402 - 98th Avenue; And [07-1572](#)
[Play Video](#)

A motion was made by Member Brooks, seconded by Member Chang, 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 21, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Kernighan, Member Brooks, Chair Nadel and Member Chang
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[81616 CMS.pdf](#)

2) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 728 Apgar Street; And
[07-1572-1](#)

A motion was made by Member Brooks, seconded by Member Chang, 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 21, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Kernighan, Member Brooks, Chair Nadel and Member Chang
[81617 CMS.pdf](#)

3) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 1768 Auseon Avenue; And
[07-1572-2](#)

A motion was made by Member Brooks, seconded by Member Chang, 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 21, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Kernighan, Member Brooks, Chair Nadel and Member Chang
[81618 CMS.pdf](#)

4) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 552 - 30th Street; And
[07-1572-3](#)

A motion was made by Member Brooks, seconded by Member Chang, 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 21, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Kernighan, Member Brooks, Chair Nadel and Member Chang
[81619 CMS.pdf](#)

5) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 9619 B Street; And
[07-1572-4](#)

A motion was made by Member Brooks, seconded by Member Chang, 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 21, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Kernighan, Member Brooks, Chair Nadel and Member Chang
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6) A Resolution Confirming Administrative Hearing That A Dangerous And Insanitary Condition Exists At The Building Serving The Property Known As 2534 Frances Street
[07-1572-5](#)

A motion was made by Member Brooks, seconded by Member Chang, 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 21, 2008 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Kernighan, Member Brooks, Chair Nadel and Member Chang
[81621 CMS.pdf](#)

Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

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*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 Public Works Committee adjourned the meeting at 1:50 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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City Clerk and Clerk of the Council