



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, November 27, 2012

9:00 AM

Sgt. Mark Dunakin Room - 1st Floor

Roll Call / Call to Order

Councilmember Present: 4 - Member Reid, Member Kaplan, Member Schaaf and Chair Nadel

The Oakland City Council Public Works Committee convened at 9:04 a.m., with Vice Mayor Nadel presiding as Chairperson.

1 Approval of the Draft Minutes from the Committee Meeting held on October 23, 2012

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

Votes: Councilmember Absent: Member Reid

Councilmember Aye: Member Schaaf, Member Kaplan and Chair Nadel

2 Determination of Schedule of Outstanding Committee Items

A motion was made by Member Schaaf to *Approve with the following amendments to remove #3,4,5 and 6 under no specific date from the Public Works Pending List permanently. The motion carried by the following vote:

Votes: Councilmember Absent: Member Reid

Councilmember Aye: Member Schaaf, Member Kaplan and Chair Nadel

[pwc112712](#)

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At 9:17 a.m. roll call was modified to show Council President Reid as present.

DUE TO THE PRESENCE OF COUNCILMEMBER Kernighan, A QUORUM OF THE CITY COUNCIL WAS NOTED, AND A MOTION WAS MADE AND SECONDED TO ADJOURN THE Special MEETING OF THE Public Works Committee, AND TO CONVENE AS A SPECIAL MEETING OF THE FULL COUNCIL AT 9:18 a.m.

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](#)

Continued to *Public Works Committee on 12/11/2012

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))

There were 13 speakers on this item.

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THE SPECIAL MEETING OF THE CITY COUNCIL ADJOURNED AT THIS TIME AND RECONVENED AS THE Special Meeting of the Public Works Committee.

At this time at the direction of the chair, item 9 was taken out of order.

4 Subject: Architectural Services Agreements
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into Professional Services Agreements In An Amount Not To Exceed One-Hundred Fifty Thousand Dollars (\$150,000.00) Each With 1) Architecture Dimensions, 2) Devi-Dutta-Choudhury, 3) Hibser Yamauchi Architects, And 4) Vargas Greenan Architecture For On-Call Architectural Services Over A Period Of Three Years
[12-0157](#)

A motion was made by Member Kaplan, seconded by Member Schaaf, that this matter be *Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on December 4, 2012 as a consent item. The motion carried by the following vote:

Votes: Councilmember Absent: Member Reid
Councilmember Aye: Member Schaaf, Member Kaplan and Chair Nadel
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2) A Resolution Authorizing The City Administrator, Or Her Designee, To Enter Into Professional Services Agreements In An Amount Not To Exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00) Each With 1) Byrens Kim Design Works, 2) Dougherty & Dougherty Architects, 3) Group 4 Architects Research, 4) Mve Institutional , Inc., 5) Muller Caulfield Architects, 6) Murakami & Nelson, 7) Noll & Tam Architects, 8) RPR Architects, And 9) Shah Kawasaki Architects For Oncall Architectural Services Over A Period Of Three Years
[12-0157-1](#)

A motion was made by Member Kaplan, seconded by Member Schaaf, that this matter be *Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on December 4, 2012 as a consent item. The motion carried by the following vote:

Votes: Councilmember Absent: Member Reid
Councilmember Aye: Member Schaaf, Member Kaplan and Chair Nadel

5 Subject: Metropolitan Transportation Commission Agreement
 From: Public Works Agency
 Recommendation: Adopt A Resolution 1) Authorizing The City Administrator or Designee To Apply for \$60,000.00 In Pavement Management Technical Assistance Program Grant Funds From The Metropolitan Transportation Commission; 2) Appropriate \$50,780.00 From Measure B Funds In Local Match; And 3) Enter Into An Agreement With Metropolitan Transportation Commission To Provide Consulting Services For An Amount Not To Exceed \$50,780.00
[12-0156](#)

A motion was made by Member Kaplan, seconded by Member Schaaf, that this matter be *Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on December 4, 2012 as a consent item. The motion carried by the following vote:

Votes: Councilmember Absent: Member Reid
 Councilmember Aye: Member Schaaf, Member Kaplan and Chair Nadel
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[84105 CMS.pdf](#)

6 Subject: Curb and Sidewalk Repair Project
 From: Public Works Agency
 Recommendation: Adopt A Resolution: Authorizing The City Administrator, Or His Designee To Award A Construction Contract To Rosas Brother Construction, Inc. The Lowest Responsible, Responsive Bidder, In Accord With Plans And Specifications For Citywide Curb Ramps And Sidewalk Repair Project No. C428011 And Contractor's Bid Therefor, In The Amount Of One Million Seven Hundred Thirty-Three Thousand Two Hundred Sixty-Four Dollars And Sixty Cents (\$1,733,264.60)
[12-0155](#)

A motion was made by Member Schaaf, seconded by Member Kaplan, that this matter be *Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on December 4, 2012 as a consent item The motion carried by the following vote:

Votes: Councilmember Absent: Member Reid
 Councilmember Aye: Member Schaaf, Member Kaplan and Chair Nadel
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[84106 CMS.pdf](#)

At this time roll call was modified to show Council President Reid as present.

7 Subject: Bicycle Friendly Community Campaign
 From: Public Works Agency
 Recommendation: Adopt A Resolution Certifying That The Bicycle Master Plan, Updated
 December 4, 2007, Is Current And In Compliance With The California Streets And Highways
 Code Section 891.2; Acknowledging Five Years Of Progress On Plan Implementation;
 Affirming The Current Priority Lane Conversion Projects; Recommending Solutions That
 Address Barriers To Plan Implementation; And Establishing The City's 2014 Bicycle Friendly
 Community Campaign
 [12-0154](#)

A motion was made by Member Kaplan, seconded by Member Kaplan, that this matter be *Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on December 4, 2012 as a Consent item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Schaaf, Member Reid, Member Kaplan and
 Chair Nadel
 There were 3 speakers on this item.

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8 Subject: Gallagher & Burke, Inc., Construction Contract
 From: Public Works Agency
 Recommendation: Adopt A Resolution: Awarding A Construction Contract To Gallagher &
 Burk, Inc. In Accord With Plans And Specifications For Various Street Resurfacing And
 Bikeway Facilities No. G427410 And Contractor's Bid Therefor, For Six Million Two Hundred
 Seventy-Nine Three Hundred Sixty-One Dollars (\$6,279,361.00)
 [12-0153](#)

A motion was made by Member Schaaf, seconded by Member Reid, that this matter be *Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on December 4, 2012 as a consent item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Schaaf, Member Reid, Member Kaplan and
 Chair Nadel

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9 Subject: Contract Award For LED Light Replacement
From: Public Works Agency
Recommendation: Adopt A Resolution: (1) Waiving Advertising And Bidding And Authorizing The City Administrator To Award Contracts To Suppliers And Contractors Through An Advertised Request For Proposals ("RFP") Selection Process For The Replacement Of Existing HPS Cobra Head Street Lights With LED Street Lights Citywide, Without Return To Council; (2) Awarding Contracts To: (A) Amland Corporation For Three Million, Nine Hundred, Ninety Thousand Dollars (\$3,990,000.00) For The Installation Of The LED Street Lights, For Lighting And Electrical Engineering Services And For Documentation Services For This Project, And (B) Graybar For Ten Million, Eight Hundred And Fifty Two Thousand, Six Hundred And Fifty Dollars (\$10,852,650.00) For The Supply Of LED Street Lights, And (C) Authorizing The City Administrator To Increase Said Contracts By Up To An Amount Not To Exceed Seven And One Half Percent (7.5%) Of The Original Contract Price, Without Returning To Council; And (3) Authorizing The City Administrator To Waive Advertising And Request For Proposal/Qualification Process Requirements And Award A Project Loan Contract For Financing, For An Amount Of \$16,000,000.00, At An Interest Rate Not-To-Exceed Four And One-Tenth Percent (4.10%) For A Term Of Not More Than Twelve (12) Years, To Be Repaid By Energy Savings From Landscape And Lighting Assessment District (LLAD) Funds, Without Return To Council To Amland Corporation, Or To A Lender Selected By The City Administrator Though A Request For Proposal/Qualifications Process, Without Return To Council; And (4) Accepting, Appropriating And Directing Rebates From The Utility Company Estimated At Two Million, Nine Hundred And Twenty-Five Thousand Dollars (\$2,925,000.00) To Be Deposited In The Landscape And Lighting Assessment District Funds (LLAD)
[12-0146](#)

A motion was made by Member Kaplan, seconded by Member Reid, that this matter be *Approve the Recommendation of Staff, and Forward to the Meeting of the Oakland City Council, due back on December 4, 2012 as a consent item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Schaaf, Member Reid, Member Kaplan and Chair Nadel
There were 6 speakers on this item.

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At 10:20 a.m. roll call was modified to show Council President Reid as absent.

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 10:49 a.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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