



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, December 16, 2008

10:30 AM

Hearing Room One - 1st Floor

Roll Call / Call to Order

[Play Video](#)

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

The Oakland City Council Special Public Works Committee convened at 10:30 a.m., with Councilmember Nadel presiding as Chairperson.

1 Approval of the Draft Minutes from the Committee Meeting held on December 2, 2008

[Play Video](#)

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

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

2 Determination of Schedule of Outstanding Committee Items

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 Chang, Chair Nadel and Member Brooks

3 Subject: Community Choice Aggregation
 From: Public Works Agency
 Recommendation: Adopt A Resolution Receiving The East Bay Cities Community Choice Aggregation Business Plan And Directing The City Administrator To Re-Allocate Three Hundred Ninety Thousand Dollars (\$390,000.00) To Implementing The Energy And Climate Action Plan

[07-1687](#)
[Play Video](#)

A motion was made by Member Chang, seconded by Member Kernighan, that this matter be Accepted and forwarded to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on January 6, 2009 as a Non-Consent item. The motion carried by the following vote:

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

The Committee forwarded the report “only” to Council and did not approve the resolution for re-allocation of the \$390,000.00 dollars, the funds will be held in an account, and the committee will consider how the funds should be spent after the Energy Action Plan is brought forward. The Committee directed staff to take the following action: 1) Develop a Community Choice Aggregation workshop in the fall (as previously discussed by the City Council on December 9, 2008), and to take the cost associated with bringing in experts and other fees from the account; and 2) Write a letter of support to PG&E for the CPUC to assist in receiving the 12 million dollars. Staff was also directed to bring back information regarding the legal requirements for PG&E concerning Community Choice Aggregation. In addition, the CPUC will submit their corrections of the staff report.

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

- Scott Peterson
- Alphonso Galloway
- David Room
- Judith Blackwell
- Kirsten Schwind
- Tom Guarino
- Aaron Rearen
- Art Geen
- Sanjiv Handa

[View Report.pdf](#)
[View Report.pdf](#)
[View Supplemental Report.pdf](#)
[View Supplemental Report.pdf](#)

4 Subject: Sidewalk Repair Priority Plan
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Establishing A Five Year Prioritization Plan For The
 City Of Oakland's Sidewalk Repair Program And Allocating Sidewalk Repair Funds To
 Specific Categories Of Repair Each Year

[07-1711](#)

[Play Video](#)

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 January 6, 2009 as a Non-Consent item. The motion carried by the following vote:

Votes: Councilmember Abstained: Member Brooks

Councilmember Aye: Member Kernighan, Member Chang and Chair Nadel

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

- John Wagers

- Paulette Hogan

- Sanjiv Handa

[View Report.pdf](#)

[View Report.pdf](#)

[81751 CMS.pdf](#)

5 Subject: Sidewalk Safety And Maintenance - Liability
 From: Office of the City Attorney
 Recommendation: Adopt An Ordinance Of The City Of Oakland Adding Chapter 12.22 To The
 Oakland Municipal Code To Establish Landowner Responsibility And Liability For Sidewalk
 Safety And Maintenance
 07-1731
 [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 January 20, 2009 as a Non-Consent item. The motion carried by the following vote:

Votes: Councilmember Abstained: Chair Nadel
 Councilmember Aye: Member Kernighan, Member Chang and Member Brooks
The Committee approved recommendations and directed staff to include the following; 1) An educational flyer to property owners and comment period to occur simultaneously; 2) A list of all the payouts on sidewalks claims (claim by claim) for each year; and 3) What is an acceptable standard for a property owner that lives adjacent to an ally or path and who is responsible.

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

- John Wagers
 - Paulette Hogan
 - Dennis Lee
 - Mary Stolten
 - Alfred Crofis
 - Sanjiv Handa
 - Robert Brokl
 - John Givens
- [View Report.pdf](#)
[View Report.pdf](#)
[View Supplemental Report.pdf](#)

6 Subject: Conditional And Revocable Permit - 2400 Webster Street
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Granting Randal M. Lee, Et Al., A Revocable And
 Conditional Permit To Allow An Existing Building At 2400 Webster Street To Encroach Into
 The Public Right-Of-Way
 07-1803
 [Play Video](#)

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

Votes: Councilmember Aye: Member Kernighan, Member Chang, Chair Nadel and Member Brooks
[View Report.pdf](#)
[81734 CMS.pdf](#)

7 Subject: Caltrans Progress Report
 From: Public Works Agency
 Recommendation: Receive The Progress Report On Caltrans Maintenance Activities In The
 City Of Oakland
 07-1830
 [Play Video](#)

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

Votes: Councilmember Aye: Member Kernighan, Member Chang, Chair Nadel and Member Brooks
The following individual(s) spoke and did not indicate a position on this item:

- Sanjiv Handa
[View Report.pdf](#)

8 Subject: Stop Sign Installation / No Stopping Zone
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Approving The Installation Of 1) A Stop Sign On Peterson Street At Glascock Street; 2) Stop Signs On 23rd Avenue At East 29th Street; And 3) A No Stopping Anytime Zone On Foothill Boulevard, North Side, From MacArthur Boulevard To A Point 250 Feet East

[07-1843](#)

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

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

[View Report.pdf](#)

[81735 CMS.pdf](#)

9 Subject: Walking And Bicycling Safety Improvements
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Authorizing The City Of Oakland To Accept And Appropriate Nine Hundred Twenty Thousand Three Hundred Dollars (\$920,300.00) In Federal Cycle 2 Safe Routes To School (SRTS) Grant Funds For Walking And Bicycling Safety Improvements At Bret Harte Middle School, Manzanita Community And SEED Elementary Schools, And Peralta Elementary, La Escuela Internacional, And Pacific Boychoir Schools

[07-1844](#)

[Play Video](#)

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

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

[View Report.pdf](#)

[81736 CMS.pdf](#)

10 Subject: Fremont Pool Improvement Project
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Authorizing The City Administrator, Or The City
 Administrator's Designee, To Award A Construction Contract To Bay Construction, Inc., For
 The Fremont Pool Improvement Project (No. P353410) In The Amount Of Three Hundred Ten
 Thousand Dollars (\$310,000.00)

[07-1845](#)

[Play Video](#)

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

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

[View Report.pdf](#)

[81737 CMS.pdf](#)

11 Subject: Gallagher And Burk - Street Resurfacing
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Authorizing Award Of A Construction Contract To
 Gallagher & Burk, Inc., For Citywide Street Resurfacing Fiscal Year 2007-2008 (Project No.
 G339610), In The Amount Of One Million Eight Hundred Ninety-Five Thousand And Seventy
 Dollars (\$1,895,070.00)

[07-1805](#)

[Play Video](#)

A motion was made by Member Chang, seconded by Chair Nadel, 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 January 6, 2009 as a Consent Calendar item. The motion carried by the following vote:

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

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

- Sanjiv Handa

[View Report.pdf](#)

[81738 CMS.pdf](#)

Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

[Play Video](#)

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 1:55 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.

NOTE: Americans With Disabilities Act
If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-6406

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451

[TDD](#)

City Clerk and Clerk of the Council