



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, April 28, 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 10:05 a.m., with Councilmember Nadel presiding as Chairperson.

- 1 Approval of the Draft Minutes from the Committee Meeting held on April 7, 2009

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**A motion was made by Member Brooks, seconded by Member Kaplan, 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

3 Subject: Willie Wilkins Park Improvement Project
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Awarding A Construction Contract To The Lowest
 Responsive, Responsible Bidder, Rosas Brothers Construction, For The Willie Wilkins Park
 Improvement Project (City Project No. C352920) In An Amount Not-To-Exceed One Hundred
 Seventy-Eight Thousand Five Hundred Dollars (\$178,500.00)
 [09-0210](#)
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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 May 5, 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
[View Report.pdf](#)
[81952 CMS.pdf](#)

4 Subject: San Pablo Pedestrian Streetlight Project
 From: Public Works Agency
 Recommendation: Adopt A Resolution Authorizing The City Administrator To Award A
 Contract To Construct The Substructure For The San Pablo Pedestrian Streetlights Project On
 San Pablo Avenue, Between The Emeryville (53rd Street) And Berkeley (67th Street) Borders
 In Accord With Specifications For Project No. C315010 And Contractor's Bid Therefore, To
 The Lowest Responsible, Responsive Bidder, Ray's Electric, Inc., In An Amount Not To
 Exceed Six Hundred Seventeen Thousand Five Hundred Two Dollars (\$617,502.00)
 [09-0238](#)
 [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 May 5, 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
[View Report.pdf](#)
[81953 CMS.pdf](#)

5 Subject: Curb Ramp Transition Plan
 From: Office of the City Administrator
 Recommendation: Adopt A Resolution Adopting The City Of Oakland Americans With
 Disabilities Act (ADA) Curb Ramp Transition Plan Dated April 1, 2009
 09-0251

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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 May 5, 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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[81954 CMS.pdf](#)

6 Subject: Kaiser Foundation Hospitals - Conditional And Revocable Permit
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Granting Kaiser Foundation Hospitals A Revocable
 And Conditional Permit To Allow A Basement Excavation Shoring System For The Phase II
 Hospital And Medical Support Buildings At 235 West Macarthur Boulevard To Encroach
 Under The Sidewalk And Roadway Along Broadway, West Macarthur Boulevard, And
 Piedmont Avenue
 09-0257

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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 May 5, 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
[View Report.pdf](#)
[81955 CMS.pdf](#)

7 Subject: Peralta Street And Mandela Parkway Equivalent Exchange
From: Community and Economic Development Agency
Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Summarily Vacating A Portion Of The Peralta Street Right-Of-Way Between The Intersections Of West Grand Avenue And 20th Street To Brian Collins And Hemmat And Dokhanchy Associates; And

[09-0272](#)

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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 May 5, 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) An Ordinance Authorizing The City Administrator Without Returning To Council To Acquire The Underlying Fee Simple Interest Of A Portion Of The Mandela Parkway Right-Of-Way By An Equivalent Exchange Without Compensation Of A Portion Of The Peralta Street Right-Of-Way Near The Intersections Of West Grand Avenue And 20th Street Between The City And Brian Collins And Hemmat And Dokhanchy Associates

[09-0272-1](#)

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 May 5, 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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8 Subject: Peralta Hacienda Historical Park - Phase 3B
 From: Community and Economic Development Agency
 Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Awarding A Construction Contract To The Lowest Responsive, Responsible Bidder For The Peralta Hacienda Historical Park - Phase 3B Project (City Project No. C284510) Without Further Council Review Or Action, Or, If No Valid Bids Are Received, Authorizing The City Administrator To Reject All Bids And Award A Negotiated Contract For The Project On The Open Market In An Amount Not-To-Exceed Five Hundred Thousand Dollars (\$500,000.00) Without Further Council Review Or Action, And
[09-0273](#)

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A motion was made by Member Kaplan, 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 May 5, 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 and authorized staff to negotiate and seek a price reduction during negotiations. The Committee also directed staff to report back in a future report on the final outcomes of the negotiations.

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2) A Resolution Authorizing The City Administrator To Increase The Agreement With Gonzales Architects For The Peralta Hacienda Historical Park - Phase 3B Project From Fifty Thousand (\$50,000.00) Dollars To A Total Amount Not-To-Exceed Sixty-Eight Thousand Dollars (\$68,000.00) For Additional Work

[09-0273-1](#)

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A motion was made by Member Kaplan, 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 May 5, 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

- Yong Kay

- Claudia Burgos

- Angel Bustos

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9 Subject: Public Works Agency Priorities
 From: City Council
 Recommendation: Receive An Informational Report From The Public Works Agency Director To Support And Facilitate Public Works Committee Discussion On Priorities For The Fiscal Year 2009-2011 Budget Cycle
[09-0155](#)
[Play Video](#)

A motion was made by Member Kernighan, seconded by Member Kaplan, that this matter be Continued to the *Public Works Committee, due back on May 12, 2009. The motion carried by the following vote:

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

The Committee directed staff to send PG&E a letter requesting a comprehensive tree pruning program wherever high voltage power lines are located above street trees; and to report back in a future report with that information. The Committee also directed staff to submit a Rules request for scheduling Master Fee Changes so tree inspection fees associated with development projects can be 100% cost covering.

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

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

10 Subject: Proposed Vacation Of Skyline Circle
 From: Community and Economic Development Agency
 Recommendation: Adopt A Resolution Adopting Findings And Setting A Hearing To Receive Supporting Evidence And Public Testimony For A Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle To The Abutting Property Owners Without Cost And Reserving Public Service Easement
[09-0308](#)
[Play Video](#)

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 May 5, 2009 as a Public Hearing 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](#)
[81971 CMS.pdf](#)

11 Subject: Proposed Vacation Of Skyline Circle
 From: Community and Economic Development Agency
 Recommendation: Adopt An Ordinance Vacating The Public Right-Of-Way Of Skyline Circle
 To The Abutting Property Owners Without Cost And Reserving Public Service Easements
 09-0312
 [Play Video](#)
 **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 May 5, 2009 as a Public Hearing. The motion carried by the
 following vote:**
 Votes: Councilmember Aye: Member Kaplan, Member Kernighan, Chair Nadel and
 Member Brooks
 [View Report.pdf](#)

12 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")

 09-0310

 *The Committee directed staff to provide the following information: 1) The
 options for the energy efficient block grants to include weatherization for
 vacant and foreclosed homes; 2) Can loans be available to local small
 businesses to do energy efficient upgrades; 3) How projects and programs will
 be prioritized; and 4) How will creating green jobs be incorporated into the
 grant proposals*
 [View Report.pdf](#)

S-12.1 Subject: Alternative Fueled Vehicles Competitive Grant
 From: Council President Jane Brunner
 Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The
 City Of Oakland To Apply For, Accept And Appropriate Grant Funds From The Alternative
 Fueled Vehicles Competitive Grant From The American Recovery And Reinvestment Act Of
 2009 (Federal Government's "Stimulus Package")
 09-0367
 [Play Video](#)
 The Committee directed staff to submit a Rules Request for Scheduling
 [View Report.pdf](#)
 [View Supplemental Report.pdf](#)
 81972 CMS.pdf

S-12.2 Subject: Transportation Electrification Grant
From: Council President Jane Brunner
Recommendation: Action On A Status Report On The City's Progress In Preparing Projects For Funding And Identifying And Applying For Grants From The American Recovery And Reinvestment Act Of 2009 - Transportation Electrification (Federal Government's "Stimulus Package")
[09-0368](#)

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 May 5, 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 moved, seconded and carried a motion to approve the following urgency finding pursuant to the Sunshine Ordinance Section 2.20.080 E(2) regarding scheduling of this Item: that there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action relates to federal or state legislation
[View Report.pdf](#)

S-12.3 Subject: Brownfield Cleanup Revolving Loan Fund
From: Council President Jane Brunner
Recommendation: Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Grant Funds In A Total Amount Of Up To \$4.5 Million From The United States Environmental Protection Agency, American Recovery And Reinvestment Act (ARRA) Funding, For The City's Brownfield Cleanup Revolving Loan Fund ("BCRLF") (Federal Government's "Stimulus Package")
[09-0375](#)

A motion was made by Member Kaplan, seconded by Member Kernighan, that this matter be *Received and Forwarded to the Concurrent Meeting of the Oakland Redevelopment Agency/ City Council, due back on May 5, 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 moved, seconded and carried a motion to approve the following urgency finding pursuant to the Sunshine Ordinance Section 2.20.080 E(2) regarding scheduling of this Item: that there is a need to take immediate action which came to the attention of the local body after the agenda was posted, and that the need to take immediate action relates to federal or state legislation

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

- *Sanjiv Handa*
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[81973 CMS.pdf](#)

13 ~~Subject: Public Works Agency Performance Audit
From: Office of the City Auditor
Recommendation: Receive The Performance Audit Of The Public Works Agency
09-0230
[Play Video](#)~~

Withdrawn and Rescheduled to *Public Works Committee on 5/12/2009

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

- *Sanjiv Handa*
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Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

The following individual(s) spoke under Open Forum:

- *Sanjiv Handa*
- *David Manson*

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Special Public Works Committee adjourned the meeting at 12:12 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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