



# 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>**

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**Tuesday, January 13, 2009**

**12:30 PM**

**Hearing Room One - 1st Floor**

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### Roll Call / Call to Order

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

*The Oakland City Council Public Works Committee convened at 12:39 p.m., with Councilmember Nadel presiding as Chairperson.*

- 1 Approval of the Draft Minutes from the Committee Meeting held on December 16, 2008

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**A motion was made by Member Kernighan, seconded by Chair Nadel, to \*Approve with the following amendments. The motion carried by the following vote:**

**Votes:** Councilmember Abstained: Member Kaplan

Councilmember Absent: Member Brooks

Councilmember Aye: Member Kernighan and Chair Nadel

*The Committee amended the minutes as follows for item five on the December 16, 2008 Public Works Agency Agenda:*

*Directed staff to provide the standards for property owners for sidewalks in general; as well as the boundairies of responsibility for property owners adjacent to an alley or path.*

- 2 Determination of Schedule of Outstanding Committee Items

**A motion was made by Member Kaplan, seconded by Member Kernighan, to \*Approve with the following amendments. The motion carried by the following vote:**

**Votes:** Councilmember Absent: Member Brooks

Councilmember Aye: Member Kaplan, Member Kernighan and Chair Nadel

### FROM THE PENDING/NO SPECIFIC DATE SECTION

- #4 Receive An Informational Report From The Public Works Agency On A Discussion To Develop New Criteria For Future Projects And Projects On The List Whether Based On Commercial Corridor, Safety, Escape Routes, Streetscapes, Etc., And A Way To Alternate Between The Two [07-1177-2](#)

*The Committee added the words Utility Undergrounding to the title.*

3           Subject:    Income Producing Encroachments - License Fee  
              From:       Community and Economic Development Agency  
              Recommendation: Adopt The Following Pieces Of Legislation:

1) An Ordinance Amending The Oakland Municipal Code To Add A New Section 12.08.034 Requiring The Licensing Of Income-Producing Encroachments Within The Public Right-Of-Way; And  
[07-1769](#)  
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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 March 10, 2009. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kaplan, Member Kernighan, Member Brooks and Chair Nadel  
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2) An Ordinance Amending Ordinance 12880 C.M.S. (Master Fee Schedule) To Add A New Fee For Licensing Income-Producing Encroachments Within The Public Right-Of-Way  
[07-1769-1](#)  
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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 March 10, 2009. The motion carried by the following vote:**

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

*The Committee directed staff to provide the following information: 1) A report that narrows the licensing to "Built Encroachments Only"; 2) Additional options about condo licensing and the legal options; 3) More in-depth economic analysis on the basis of the licensing fee; 4) Who is benefiting from the residential and commercial office building accruelements; and 5) Who should be charged for the licensing fee.*

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

4            Subject:    Conditional And Revocable Permit - 3203 Hannah Street  
              From:        Community and Economic Development Agency  
              Recommendation: Adopt A Resolution Granting Kathleen Kuhner A Revocable And Conditional Permit To Allow An Existing Fence And Oriel Windows For An Existing Building At 3203 Hannah Street To Encroach Into The Public Right-Of-Way Along 32nd Street And Hannah Street  
[07-1846](#)

**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 January 20, 2009 as a Consent Calendar item. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kaplan, Member Kernighan, Member Brooks and Chair Nadel  
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5            Subject:    Conditional And Revocable Permit - 1035 Wood Street  
              From:        Community and Economic Development Agency  
              Recommendation: Adopt A Resolution Granting Truckee Zurich Place LLC A Revocable And Conditional Permit To Allow Portions Of An Existing Building And An Existing Fence At 1035 Wood Street To Encroach Into The Public Right-Of-Way Along 11th Street  
[07-1847](#)

**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 January 20, 2009 as a Consent Calendar item. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kaplan, Member Kernighan, Member Brooks and Chair Nadel  
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6            Subject:    Storm Drain Design Standards  
              From:        Community and Economic Development Agency  
              Recommendation: Adopt An Ordinance Amending Title 13 Of The Oakland Municipal Code Adding Section 13.14 To Establish Storm Drainage Design Standards  
[07-1870](#)  
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**A motion was made by Member Kernighan, seconded by Member Kaplan, that this matter be Continued to the \*Public Works Committee, due back on January 27, 2009. The motion carried by the following vote:**

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

*The following individual(s) spoke and did not indicate a position on this item:*  
- Sanjiv Handa  
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7           Subject:     State Coastal Conservancy Grant For Various Projects  
              From:       Community and Economic Development Agency  
              Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And  
              Appropriate Nine Million Dollars (\$9,000,000.00) From The State Coastal Conservancy For The  
              12th Street Reconstruction Project, The 10th Street Project And The Lake Merritt Water Quality  
              Technology Project  
              [07-1871](#)  
              [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 January 20, 2009 as a Consent Calendar item. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kaplan, Member Kernighan, Member Brooks and Chair Nadel  
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8           Subject:     Sausal Creek Restoration Project Grant  
              From:       Community and Economic Development Agency  
              Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept And  
              Appropriate One Million Eight Hundred Eighteen Thousand Nine Hundred Eighty Dollars  
              (\$1,818,980.00) In Grant Funding From The State Resources Agency, River Parkways Grant  
              Program For The Sausal Creek Restoration In Dimond Park  
              [07-1872](#)

**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 January 20, 2009 as a Consent Calendar item. The motion carried by the following vote:**

**Votes:** Councilmember Aye: Member Kaplan, Member Kernighan, Member Brooks and Chair Nadel  
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9            Subject:     Turner Construction Company Contract Increase  
              From:        Community and Economic Development Agency  
              Recommendation: Adopt A Resolution Authorizing The City Administrator, Or The City Administrator's Designee, To Increase The Contract Amount For The Construction Manager At Risk Contract With Turner Construction Company For The East Oakland Sports Center Project From Eleven Million Nine Hundred Thousand Dollars (\$11,900,000.00) By: 1) Two Million Dollars (\$2,000,000.00) In Oakland Redevelopment Agency Funds And 2) Five Million One Hundred Thousand Dollars (\$5,100,000.00) In Measure WW Regional Open Space, Wildlife, Shoreline And Park Bond Funding, For A Total Contract Amount Not To Exceed Nineteen Million Dollars (\$19,000,000.00) Subject To The Availability Of Measure WW Regional Open Space, Wildlife, Shoreline And Park Bond Funding, And Authorizing Early Termination Of The Contract In The Event That Measure WW Funds Become Unavailable  
[07-1887](#)

**A motion was made by Member Kernighan, seconded by Member Kaplan, that this matter be Continued to the \*Public Works Committee, due back on January 27, 2009. The motion carried by the following vote:**

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

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

- Sanjiv Handa

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10           Subject:     Local Employment Program Changes  
              From:        Contracting And Purchasing  
              Recommendation: Adopt The Following Pieces Of Legislation:

1) A Resolution Amending: A) Resolution No. 69687 C.M.S., Passed February 2, 1993, Authorizing The Local Employment Program, And B) Resolution No. 74762 C.M.S., Passed January 29, 1999, Authorizing A Pilot Apprenticeship Program, Both Of Which Require Contractors To Hire Oakland Residents To Implement Program Revisions; And  
[07-1831](#)

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

**Votes:** Councilmember Abstained: Member Kernighan  
Councilmember Aye: Member Kaplan, Member Brooks and Chair Nadel  
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2) An Ordinance Amending Ordinance Number 12388 C.M.S., Adopted December 18, 2001, To Authorize Revision Of The Local Employment And Apprenticeship Programs By Resolution [07-1831-1](#)

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

**Votes:** Councilmember Abstained: Member Kernighan

Councilmember Aye: Member Kaplan, Member Brooks and Chair Nadel

*The Committee continued this item to a future meeting and gave the following direction: 1) Develop a Task Force that includes all the stakeholders, unions, re-entry, trainers, contractors; and unemployed individuals; and 2) Discuss in the taskforce the idea of separating the professional and construction contracts, perhaps as a subsection. The Committee also nominated councilmember Brooks as a chairperson with an additional member of the Community and Economic Development Committee.*

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

- Barry Luboviski
- Judith Blackwell
- John Brauer
- Isaac Taggart
- Mark Reynosa
- Rogert Wilson
- Steve Lowe
- Antuwan Nettles
- O Bray VanBuren
- Jed Silver
- Eric Kisshauer
- Rashad Lee
- Andrew Krimstock
- Gregory McConnell
- Geoffrey Pete
- Bonnie Rae Henriquez
- Scott Peterson
- Mel Vasse
- Mike Herron
- Greg Gruendl
- Mike Hester
- Sanjiv Handa

**Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)**

*The following individual(s) spoke under Open Forum:*

- Sanjiv Handa
- Raymond Marodall

**Adjournment**

*There being no further business, and upon the motion duly made, the Oakland City Council Public Works Committee adjourned the meeting at 2:15 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*