

Measure DD Coalition  
Minutes of January 28, 2008 Meeting

In attendance: Dinah Benson, Ken Benson, David Bolanos, Judy Johnson, David Mix, Rick Rickard, John Wilson, Naomi Schiff, Ken Pratt, Sandy Threlfall, Anne Woodell, Barbara Schaaf, Bob Schock, Bob Shurtleft and Kathy Raymond.  
City Staff Attendees: Joel Peter

Project Updates: There are 3 storm drain filters and 2 aeration fountains done at the Lake. They have some pilot inlet baskets installed that they are testing to see if these work and to confirm that they do not cause flooding. These filters would need a lot of clearing.

The Children's Community Theatre construction is underway. The Fire protection around the lake is done and the central irrigation controller is almost complete but it requires some sod or seeding in certain places and some reseeding in places they previously trenched.

Some of the other completed projects are the Pergola, Union Point Park, there has been a traffic study done around the Park St. Triangle., Alameda Avenue is complete. Studio One is close to complete, the elevator inspection was done a week ago and passed. They haven't picked an opening date yet but hopefully, will be within a couple of months. Also, on the creek side, Temescal Creek, Shepherd Creek, Cinderella Creek (Castle Drive at Joaquin Miller) and the Arroyo Viejo Creek at the Oakland Zoo are done. There was an acquisition of Peralta Creek at Butter's Canyon and the restoration plan will be implemented and completed by community members. They are working on 2 parcels in waterfront acquisition, one of them they are in escrow.

It was brought up that it was heard AC Transit was going to contest some of the changes on 12<sup>th</sup> St. and it could cause up to a 1 yr delay. Joel Peter said that he had not heard that and that he has presented to the AC Transit Board. He did say that the reconfiguration could cause up to a 2 minute delay for AC Transit and that the BRT in the EIR recognized this stretch would be shared with cars. They are working with A/C transit staff but not the full Board. They are looking at other solutions like giving the third lane through the tunnel to AC Transit.

It was brought up that the reconfiguration will leave a piece of leftover land and asked what will happen to that, will it be developed. Joel said no one knows currently and it will be up to the City Council on how it will be used. It was stated it would be worth having a more full blown discussion on this issue by this committee and it was asked if a parcel map could be brought to our next meeting.

The 12<sup>th</sup> St. project has an application in for Federal Funding of around \$13 million. It is not known when the City will know for sure but it is a good chance that it will get some funding.

There has been an appeal made on the Tree Lawsuit.

The work on the Boathouse continues. It was asked about arbitration with the contractor. Joel stated that the contractor has some claims but it is not currently in arbitration. It was asked why the City went ahead and cut down those trees. Joel stated that they had removed the site work from the plans during the tree lawsuit but they now felt they had the authority to move ahead on this. It was brought up if this had actually gone through the process of putting the site work back into the contract and bottom line it was questioned why the City had moved ahead and cut those trees. It was stated the City is now moving ahead to get the Site Work Contract and removing the trees was a first step in this. Lyle Oehler is the project manager for this project. It was also asked about the Dormer on the building. Joel stated the City met all Secretary of Interiors and Landmark Board criteria and they were going back to the original style before the clock. The Dormer was taken down as it was rotten. They may be going back to Council to ask for more money for this project.

The Sailboat house at Lakeside Park plans are currently on hold.

The Embarcadero reconfiguration project will be put out to bid in February. This consists of the area of Lakeshore and El Embarcadero.

The East 18<sup>th</sup> Pier is going along well, currently estimating May as a completion timeframe.

The Design for the Cleveland Cascade is more money than what they have so currently relooking at the design based on cost.

David Mix brought up if items like the Cleveland Cascade and Pergola were truly in keeping with the language of the bond and thought we should have a City Attorney's legal opinion on this. The question is how new items are added to the bond and clarification on when it is okay to move funding from project to project. This had been asked earlier but a true opinion has never been received. It was voted on to send a letter to the City Attorney asking these questions and asking for an opinion from their office. Ken voted no as he thinks it's a wasted effort. It was suggested to go back to past minutes to find original question.

The Cryer Site on the Waterfront is up to a 65% design stage. There was an approved corrective action plan from the Water Board about \$1 to \$1.5 million for clean up. Installing guardrail and signage so you can't go out to the water.

Derby to Lancaster St. project design complete. Received about \$600,000 in Federal funding. It's taking a while to fill in all the gaps.

The trails around the 3 bridges is currently Army Corps. property. The Army is testing toxic levels but so far it is looking good. There are some concerns about allowing traffic under the bridges. The City is changing the design at Park St and High St to address those concerns, so that the boardwalks won't reduce the channel minimum width more than the existing bridge fenders.

The 66<sup>th</sup> Ave. Gateway is under construction. The 7<sup>th</sup> and 10<sup>th</sup> St. projects are at a 35% design phase. The East Oakland Sports Complex has a completed conceptual design and will go before planning commission in March.

#### FINANCES:

It was asked about the implications around not issuing the second round of bonds yet that were supposed to be 85% spent August 06. Is there a legal implication or penalty for not spending down the first round of funding to the approved level. Joel stated that as long as you can show a just cause why you are delayed it's OK. You must have the first round spent down before you can issue the second series. They had now been thinking that would be end of 2008 but now looking more like early 2009. It was also asked if we should get a City Attorney's ruling on this issue but it was voted not to go forward with that request.

The EIR is now out, there were some copies shown at the meeting. It is now at the Planning Commission and Elois Thornton is the Case Planner.

It was also mentioned that mitigation funding was going to be used to implement light at Lakeshore and Lake Park as part of the change for El Embarcadero. There were questions around if this was actually legal but it was stated that the City Attorney stated that for mitigation issues there was no geographical fixed boundary and this would aid in traffic mitigation for DD changes.

David Mix, Naomi Schiff and John Wilson are the new agenda committee.

There was also a lot of discussion around and differing views on if the DD Committee should meet on a monthly basis. It had been decided at the last meeting to meet every other month but John Wilson and David Mix expressed concerns that this was not often enough to discuss all the pending issues. No actual decisions were made on this issue and the next meeting is scheduled for March 24<sup>th</sup>.

The meeting was adjourned at 8:55 pm.