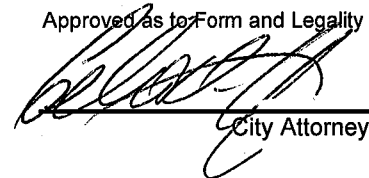


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2015 OCT 29 PM 2:18

Approved as to Form and Legality



City Attorney

# OAKLAND CITY COUNCIL

RESOLUTION No. 85888 C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AMENDING RESOLUTIONS 84993 C.M.S. AND 85105 C.M.S. AUTHORIZING THE CITY'S CONTRACTS WITH CITY OF OAKLAND PARKING PARTNERS AND MONTCLAIR VILLAGE ASSOCIATION, RESPECTIVELY, BY REMOVING ANY MONTHLY CAP AND NOT-TO-EXCEED LIMITS ON CONTRACTOR COMPENSATION.**

**WHEREAS**, the City Council passed Resolution 84993 C.M.S. on May 20, 2014 authorizing the City Administrator to finalize and execute a contract with City of Oakland Parking Partners ("COPP") to operate and management sixteen municipal parking facilities; and

**WHEREAS**, the City Council passed Resolution 85105 C.M.S. on July 15, 2014 authorizing the City Administrator to finalize and execute a contract with Montclair Village Association ("MVA") to operate and manage two municipal parking facilities located in the Montclair commercial district; and

**WHEREAS**, both Resolution 84993 C.M.S. and Resolution 85105 C.M.S. resolve to set monthly, annual and total not-to-exceed limits on the allowable compensation for the COPP and MVA contracts; and

**WHEREAS**, the contingencies of day-to-day operations, seasonal variations and uncontrollable events make it unreasonably difficult for City staff and the City's contractors to work within the monthly not-to-exceed limits; and

**WHEREAS**, the removal of the monthly cap or not-to-exceed limits from the authorizing legislation would be consistent with the terms of the COPP and MVA contracts, which only stipulate that actual costs will be "Capped" annually and for the initial terms of the contracts; therefore be it

**RESOLVED:** That Resolution 84993 C.M.S. and Resolution 85105 C.M.S. be amended to support the effective operation and management of the City's municipal parking garages and lots under the COPP and MVA contracts by removing any reference to a monthly limit, cap and not-to-exceed amount.

**NOV 17 2015**

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

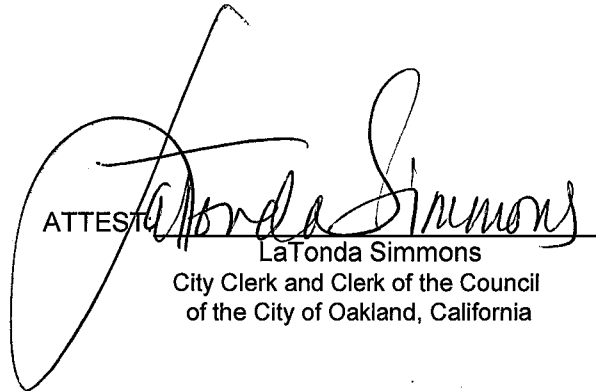
AYES - BROOKS, GALLO, GUILLEN, KALB, KAPLAN, REID, CAMPBELL WASHINGTON and PRESIDENT GIBSON MCELHANEY - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST



LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California