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CITY HALL • ONE FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

PATRICIA KERNIGHAN
Councilmember
District 2

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To: Chair Desley Brooks and Members of the Life Enrichment Committee
From: Councilmember Patricia Kernighan
Date: June 30, 2011
Re: Responses to Councilmember Questions Regarding Proposed Resolution to Authorize an Agreement with the Oakland Unified School District to Allow Free or Discounted Parking for Lincoln Elementary School Teachers and Staff at the Pacific Renaissance Plaza Garage

At the Life Enrichment Committee's June 14 meeting, Committee members raised the following questions in connection with a proposed resolution to authorize an agreement with the Oakland Unified School District to allow free parking for Lincoln School teachers at the Pacific Renaissance Plaza garage. Following are answers to those questions. Attached is a revised resolution authorizing an agreement for OUSD to allow discounted parking for the Lincoln teachers and staff at the City's garage on school days.

What is the Fiscal Impact?

Providing 40 free spaces to the Lincoln School teachers would have no direct cost to the City. Current usage of the Pacific Renaissance garage is down about 30 percent from September 2009 when the current parking fee increase went into effect. Because of the substantial vacancy factor at the Pacific Renaissance Plaza garage, allocation of up to 40 spaces to the Lincoln School teachers would have no materially adverse fiscal impact.

Providing discounted parking spaces at the rate of \$20/month would have a net positive fiscal impact of potentially \$6400 (40 spaces X \$20/mo X 8 mos).

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Is There Any Previous Obligation to Lincoln Teachers re Parking?

In 1997, OUSD requested that a portion of the vacated Alice Street right-of-way (between Lincoln Elementary School and the City's Lincoln Recreation Center) be used for teacher and staff parking, and the City agreed. For 14 years, the City has allowed the teachers and staff to park on the vacated Alice Street lot.

Now, teachers and staff are permanently losing access to the space for parking because the City is re-purposing the Alice Street lot to create a recreational area for the community. There may not be a legal obligation to the teachers, but there is arguably an equitable obligation.

What Has OUSD Done to Mitigate the Loss of Teacher and Staff Parking?

For the eighteen months prior to the park construction project that is permanently eliminating the former parking lot, the teachers and staff were temporarily displaced from the lot during construction of a new classroom building on the adjacent school site. During this temporary displacement from the lot, OUSD rented a surface parking lot for the teachers, paid for by the school construction funds. OUSD was able to pay for the off-site lot through academic year '10 - '11. However, that construction fund is now exhausted and OUSD has no funds to continue payment for the parking.

What is Unique About Parking Availability at Lincoln School?

Most public schools are located in residential areas and thus are surrounded by free street parking spaces. In contrast, Lincoln School is located in the Chinatown area of downtown Oakland, which is a metered area. The only available parking options are at metered street spaces at \$2.00 per hour or paid monthly parking in garages or at surface parking lots. For this reason, Lincoln teachers are at a financial disadvantage compared with teachers at most other Oakland schools, where free parking on-site or on the street is available.

While teachers at schools in residential areas sometimes are inconvenienced by street sweeping days or other limitations on parking spaces, there are only two other OUSD schools of which we are aware where access to parking is as limited as at Lincoln. The two are Claremont Middle School, located in the Rockridge retail area, and Ascend Elementary School, located near the Fruitvale BART station, both in busy commercial areas. Parking options for Claremont teachers and staff are metered spaces or 2-hour limited street spaces. In December 2010 the City Council approved expansion of a nearby Residential Permit Parking district so that Claremont could qualify for up to 30 permits for its teachers and staff.

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Ascend School is located near the Fruitvale BART station, where there is a relatively small supply of unmetered street parking spaces, which are subject to competition from commuters.

Because we have been able to identify only two other schools situated where parking is metered, time restricted or scarce, there is little risk that making this accommodation for Lincoln teachers and staff will set a precedent that would broadly apply to others.

How Many Lincoln Teachers and Staff Are Oakland Residents?

There are 27 Lincoln Elementary School teachers, five of whom are known Oakland residents. In addition, there are 15 staff members, most of whom are part-time, and eight of whom are known Oakland residents.

What are the Salary Levels of Teachers and Staff?

Salary levels of teachers range from \$46,533 to \$70,933 per year. There are 15 staff members (e.g., teachers' aides and cafeteria workers) whose salaries range from \$4,824 to \$19,399. Six of them earn less than \$10,000.

Is There a Possibility of OUSD Contributing to the Subsidizing of a Parking Fee at the Pacific Renaissance Center Garage?

OUSD has suffered huge budget cuts due to State reductions to K-12 education funding and thus the District cannot spare the funds to cover the cost of paid parking.

Why Should the City of Oakland offer a benefit to OUSD Teachers?

A benefit to the teachers is a benefit to the children they teach. The teachers spend a considerable amount of their own funds for school supplies. If they have to pay market rate for downtown parking, they will be less able to provide supplies for their students. Since there are many unused spaces at the Pacific Renaissance Plaza garage on weekdays, two blocks from Lincoln School, it would be possible for the City to offer parking spaces on school days at no cost to the City, thereby benefiting Lincoln teachers and students.

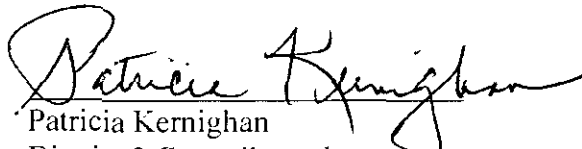
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Is It Possible for Teachers and Staff to Pay a Discounted Parking Rate?

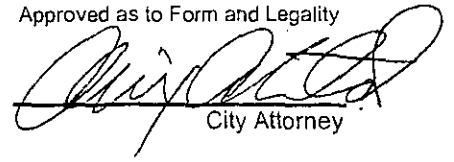
Similar to the earlier City Council action to allow Claremont Middle School teachers and staff to participate in the Residential Permit Parking program and pay the usual annual permit fee, we are suggesting charging a commensurate modest fee to OUSD for Lincoln teachers and staff to have the privilege of parking at the Pacific Renaissance Plaza garage. Attached is an alternative resolution to the previously submitted resolution. The alternative resolution would offer parking in the Pacific Renaissance Plaza garage to the Lincoln teachers on school days in exchange for an annual fee in the same amount as the fee for Residential Permit Parking (or at a small monthly rate to be determined by the City Council).

Recommendation:

I respectfully request that the Life Enrichment Committee approve the attached Resolution allowing a discounted rate for Lincoln Elementary School teachers and staff to park on weekdays at the Pacific Renaissance Plaza garage.


Patricia Kernighan
District 2 Councilmember

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City Attorney

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CITY CLERK
OAKLAND
JAN 15 2000 PM 5:15

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

Introduced by Councilmember Patricia Kernighan

RESOLUTION TO AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH THE OAKLAND UNIFIED SCHOOL DISTRICT TO ALLOW PARKING AT A DISCOUNTED RATE FOR LINCOLN SCHOOL TEACHERS AND STAFF AT PACIFIC RENAISSANCE PLAZA GARAGE

WHEREAS, the City closed a block of Alice Street between 10th and 11th Streets to vehicular traffic in 1975 for the purpose of creating more open space for the public; and

WHEREAS, in 1997 the Oakland Unified School District (OUSD) requested the City to allow a portion of this vacated block to be used as parking for teachers and staff, and the City agreed; and

WHEREAS, recently, as a result of this vacated block of Alice Street between 10th and 11th Streets being re-purposed as a recreational space by the City, the teachers and staff have lost their ability to park their vehicles on this block as previously agreed by the City at no cost; and

WHEREAS, the loss of this parking area will now require the teachers and staff to pay market rate parking fees of approximately \$80 per month in a private lot; and

WHEREAS, the City owned Pacific Renaissance garage has a current vacancy rate of 30% or 173 parking spaces; and

WHEREAS, staff has determined that providing up to 40 spaces to Lincoln School teachers and staff on school days as a mitigation of re-purposing of the Alice Street parking area would not materially affect operations of the Pacific Renaissance Plaza garage; and

WHEREAS, contributing to Lincoln School's operations by providing parking for its teachers at a discounted rate without any significant financial loss to the City is an efficient way to provide community benefit; now therefore be it

RESOLVED: that the City enter into an agreement with OUSD to provide up to 40 spaces in the basement of the Pacific Renaissance Plaza garage to the Lincoln School teachers and staff on school days at a cost to OUSD of \$20 per month per space; and be it

FURTHER RESOLVED: that the term of the agreement shall be for one year with one year extensions thereafter at City's sole discretion for a maximum of four consecutive years; and

be it

FURTHER RESOLVED: that the City Administrator, the Director of the Parking Division and other appropriate officers of the City are hereby authorized and directed to undertake all actions required to enter into an agreement with OUSD to allow parking at a discounted rate for Lincoln School teachers (up to 40 spaces) at the Pacific Renaissance Plaza parking garage; and be it

FURTHER RESOLVED: That this action is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines sections 15301 and 15061(b)(3), because the project provides for the use of existing parking spaces and involves negligible or no expansion of an existing use of existing facilities, and it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment; and be it

FURTHER RESOLVED: That the Environmental Review Officer shall cause to be filed appropriate Notices of Exemption; and be it

FURTHER RESOLVED: That this Resolution shall take effect immediately upon its passage.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2011

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and
PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California