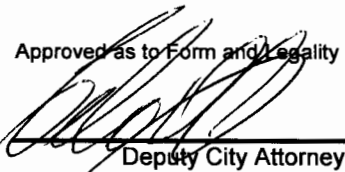


FILED
OFFICE OF THE CITY CLERK
OAKLAND

MAY 23 PM 2:30

Approved as to Form and Legality

Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 84993 C.M.S.

RESOLUTION (1) AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A JOINT CONTRACT WITH THE OAKLAND REDEVELOPMENT SUCCESSOR AGENCY (ORSA) AND CITY OF OAKLAND PARKING PARTNERS, FOR THE OPERATION AND MANAGEMENT OF SIXTEEN MUNICIPAL PARKING FACILITIES FOR AN INITIAL PERIOD OF FIVE YEARS, WITH OPTIONS TO EXTEND FOR AN ADDITIONAL TWO-AND-A-HALF YEAR TERM AND/OR ON A MONTH-TO-MONTH BASIS FOR UP TO EIGHTEEN MONTHS, AT A COMPENSATION RATE OF UP TO \$219,418 A MONTH PLUS INCENTIVE FEES OF UP TO \$50,000 A YEAR FOR A TOTAL ANNUAL CONTRACT AMOUNT OF \$2,683,013; (2) APPROPRIATING FUNDS IN THE AMOUNT OF: (A) \$125,000 FOR CONTRACT TRANSITION AND START-UP COSTS, AND (B) \$1,750,000 FOR OFF-STREET PARKING FACILITIES CAPITAL IMPROVEMENT PROJECTS; AND (3) CREATING DIRECTING THE CITY ADMINISTRATOR TO INCLUDE IN THE MID-CYCLE BUDGET FOR FURTHER DELIBERATION A PROGRAM ANALYST III SUPPORT POSITION IN THE TRANSPORTATION SERVICES DIVISION

WHEREAS, on January 15, 2014, the Oakland City Council adopted Resolution No. 84807 C.M.S. directing the City Administrator (1) to negotiate a multi-year contract for the operation and management of eight parking garages with the highest scoring respondent to a competitive request for proposal, the City of Oakland Parking Partners (“COPP”), and (2) to return to the City Council upon conclusion of negotiations for final approval of said contract and other parking-related matters, and

WHEREAS, those other matters were identified as staff resources, start up and transition costs, accounting and budget provisions, former and current Oakland Redevelopment Successor Agency (“ORSA”) properties, and off-street parking in general, and

WHEREAS, of the eight parking garages listed in Resolution No. 84807 C.M.S., four belong to the City (Clay Street, Dalziel, Franklin Plaza, and Harrison Street garages) and four belong to ORSA (City Center West, Franklin 88, Telegraph Plaza and UCOP) but several are proposed for transfer to the City, and

WHEREAS, the Franklin 88 garage is a condominium within a mixed-use project with ORSA and Arioso Homeowners Association being parties to a reciprocal easement agreement that provides for the joint choosing of a professional parking management company, and

WHEREAS, the reorganization of the City's Parking Operations Division carried out in 2012 assigned Public Works Department's Transportation Services Division ("TSD") responsibility for overseeing all municipal parking garages, but did not address the staffing necessary for this oversight function and the fact that the City and ORSA together have eight municipal parking lots, and

WHEREAS, the lots belonging to the City include the Dimond, Grand Avenue, Henry J. Kaiser Convention Center, Lakepark, Parkway, and Piedmont Avenue lots, and these parking facilities are not under contract or actively managed by staff, and

WHEREAS, the lots belonging to ORSA include the 1800 San Pablo and Webster-Valdez lots, and these parking facilities are on month-to-month contracts, and

WHEREAS, under the terms of the new contract COPP would receive a monthly management fee of \$2.45 per parking garage stall and \$1.45 per parking lot space, and

WHEREAS, under the terms of the competitive request for proposal for operation and management of parking facilities and the new contract, the City and ORSA will have the right to add and delete parking facilities, and

WHEREAS, accumulated net revenues from the operation of ORSA garages recorded in Multipurpose Reserve Fund 1750 are projected to be approximately \$3,000,000 at the end of FY2013-14, and

WHEREAS, most of the ORSA parking garages and lots were purchased or improved with proceeds from redevelopment tax allocation bonds, and under applicable federal law and the bond covenants, the revenue produced by bond-funded facilities such as garages are restricted to uses consistent with the covenants set forth in the bond indenture, such as investing in other capital projects meeting a redevelopment purpose within the redevelopment project area where the facility is located, and these restrictions apply even if the properties are transferred to the City, and

WHEREAS, an appropriate use of these funds is capital improvements on any City- or ORSA-owned parking facilities so long as the facility benefiting from those improvements is located within the redevelopment project area that issued the bonds and the improvements meet a redevelopment purpose, and

WHEREAS, TSD staff and COPP, together with input from other agencies and independent parking consultants, have determined that additional capital improvement projects addressing issues of safety, security, ADA compliance, signage and wayfinding, energy efficiency, and customer service are needed in some or all of the parking facilities, and

WHEREAS, there are costs associated with the start up and transition to the new contract including the reconfiguration of the City's parking access and revenue control system, workstation support, training and development of personnel, deferred maintenance, and signage, now, therefore, be it

RESOLVED: That the Council hereby authorizes the City Administrator to finalize and execute

a joint contract with the Oakland Redevelopment Successor Agency (ORSA) and City of Oakland Parking Partners for the operation and management of sixteen City/ORSA parking facilities including the City Center West, Clay Street, Dalziel, Franklin 88, Franklin Plaza, Harrison Street, Telegraph Plaza and UCOP garages and the 1800 San Pablo, Dimond, Grand Avenue, Kaiser Convention Center, Lakepark, Parkway, Piedmont Avenue and Webster-Valdez surface lots; and be it

FURTHER RESOLVED: That the contract shall be for an initial period of five years, and the City Administrator may extend the contract term an additional two-and-a-half years and/or on a month-to-month basis, not to exceed eighteen months; and be it

FURTHER RESOLVED: That the contract shall provide for a compensation rate of up to \$219,418 a month (including a management fee of \$9,634 and up to \$209,783 in operating expenses) in addition to incentive fees up to \$50,000 a year (including \$18,000 for net revenue incentive fees and \$32,000 for customer satisfaction incentive fees contingent on targets for either or both being met), for a total not to exceed annual contract amount of \$2,683,013; and be it

FURTHER RESOLVED: That the City Administrator in his or her discretion shall have the authority to add and delete parking facilities from the contract; and be it

FURTHER RESOLVED: That the Council hereby appropriates funds from projected gains from parking operations in Multipurpose Reserve Fund (1750) in FY2013-14 in the amount of \$125,000 on a one-time basis to Multipurpose Reserve Fund (1750), Parking Meter Operations (08931), Miscellaneous Contract Services Account (54919) to cover costs related to the transition and start-up of said contract; and be it

FURTHER RESOLVED; That the Council hereby appropriates funds from current restricted reserves generated by ORSA bond funded properties and recorded in Multipurpose Reserve Fund (1750) Miscellaneous Projects (P455010, P454910, P472710 and P455210) in the amount of \$1,500,000 on a one-time basis to Multipurpose Reserve Fund (1750), Transportation Services Organization (30261), Major Facilities Modifications Account (56212), Project (to be determined) for prior, ongoing and planned capital improvement projects at off-street parking facilities located within Oakland's Central District Redevelopment Project Area; and be it

FURTHER RESOLVED: That the Council appropriates funds from unrestricted net revenues from future parking operations of City-owned facilities to Multipurpose Reserve Fund (1750), Transportation Services Organization (30261), Major Facilities Modifications Account (56212), Project (to be determined) in the amount of \$250,000 for planned capital improvement projects at off-street parking facilities located outside of Oakland's Central District Redevelopment Project Area; and be it

FURTHER RESOLVED: That the Council hereby amends the FY2013-2015 Policy Budget to allocate total annual revenues of \$2,600,000 to Multipurpose Reserve Fund (1750), Transportation Services Organization (30261), Parking Fee: Off-Street Parking Account (45312) and expenses of \$937,000 to Multipurpose Reserve Fund (1750), Parking Meter Operations

(08931), Miscellaneous Contract Services Account (54919) for City-owned parking facilities including the Clay Street, Dalziel, Franklin Plaza, and Harrison Street garages, and the Dimond, Grand Avenue, Henry J. Kaiser Convention Center, Lakepark, Parkway, and Piedmont Avenue lots; and be it

FURTHER RESOLVED: That the Council authorizes and directs the City Administrator to allocate total annual revenues of \$3,587,000 in Multipurpose Reserve Fund (1750), Transportation Services Organization (30261), Parking Fee: Off-Street Parking Account (45312) and expenses of \$1,746,013, Parking Meter Operations (08931), Miscellaneous Contract Services Account (54919) for City Center West, Franklin 88, Telegraph Plaza and UCOP garages and 1800 San Pablo and Webster-Valdez lots; and be it

FURTHER RESOLVED That future revenue and expenditure appropriations for the outer years of the contract duration from Fiscal Year 2015-2019 and beyond shall be discussed and included during the budget process and will be contingent upon actual revenues received; ~~and be it~~

FURTHER RESOLVED: That the Council ~~authorizes the creation of~~ directs the City Administrator to include in the mid-cycle budget for further deliberation a Program Analyst III position in the Public Works Agency's Transportation Services Division responsible for overseeing the City's off-street parking program including the operation, management, maintenance and improvement of all municipal parking lots and garages and serving as a resource for parking-related programs City-wide at a full-loaded annual cost of \$180,000.80 to Multipurpose Reserve Fund (1750), Transportation Services Organization (30261) using the number of parking spaces as a percentage of the entire off-street parking program as the basis of cost allocation across City- and ORSA-facilities, without returning to Council.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 20 2014

PASSED BY THE FOLLOWING VOTE:

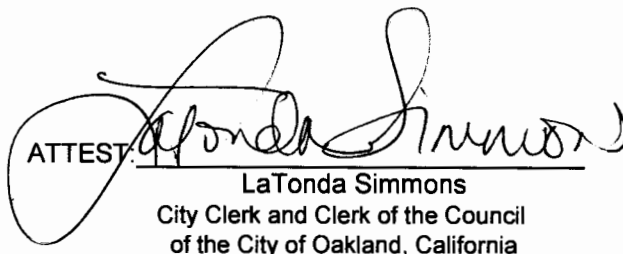
AYES - BROOKS, ~~GALLO~~, GIBSON-MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN - 7

NOES - ~~0~~

ABSENT - ~~0~~

ABSTENTION - ~~0~~

Recused - Gallo

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