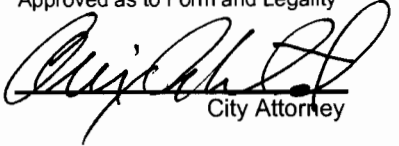


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

**REVISED**

Approved as to Form and Legality

  
City Attorney

2010 JUN 22 PM 5:27 **OAKLAND CITY COUNCIL**

RESOLUTION No. 82867 C.M.S.

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**RESOLUTION AUTHORIZING AN EXTENSION OF THE MANAGEMENT AGREEMENT BETWEEN THE CITY AND THE MONTCLAIR BUSINESS ASSOCIATION FOR PARKING FACILITY MANAGEMENT SERVICES ON A MONTH-TO-MONTH BASIS, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$180,000) TERMINATING NO LATER THAN JUNE 30, 2011**

**WHEREAS**, the Montclair Business Association currently provides parking facility management services to the City of Oakland for the Montclair Parking Garage, under the Management Agreement for the Montclair Parking Garage dated April 1, 1990 ("Management Agreement"); and

**WHEREAS**, the City desires to maintain parking facility management services for the Montclair Parking Garage; and

**WHEREAS**, a competitive Request for Proposal is currently being developed to solicit proposals for the management of all City-owned parking facilities; and

**WHEREAS**, staff anticipates that a new parking facility operator will be selected by early 2011; and

**WHEREAS**, the Montclair Business Association is qualified and able to provide parking facility management services for the City of Oakland within the requirements set forth by the City; and

**WHEREAS**, under such contract extension the City would pay the Montclair Business Association \$900 per month as a management fee, and the City would continue to reimburse the Montclair Business Association for security costs, staffing costs, landscaping and maintenance, repairs, and office supplies, for a total amount not to exceed One Hundred Eighty Thousand Dollars (\$180,000) through the end of the agreement term; and

**WHEREAS**, the City Council finds that the service is professional in nature; and

**WHEREAS**, the City Council finds that the agreement shall not result in the loss of salary or employment by any person having permanent status in the competitive service; and

**WHEREAS**, funds for the agreement are available in the adopted FY 2009-2011 budget in the Parking Revenue Fund (1750), Parking Citation Assistance Center (08931); now, therefore, be it

**RESOLVED:** That the City Administrator is hereby authorized to negotiate and execute an amendment to the Management Agreement with the Montclair Business Association to extend the term of such agreement on a month-to-month basis, until the City negotiates and executes a new parking facility operation and management agreement for all City-owned parking facilities with a vendor to be selected through a Request for Proposal process; and be it

**FURTHER RESOLVED:** Under such contract extension the City may pay the Montclair Business Association \$900 per month as a management fee, and the City would continue to reimburse the Montclair Business Association for security costs, staffing costs, landscaping and maintenance, repairs, and office supplies, for a total amount not to exceed One Hundred Eighty Thousand Dollars (\$180,000) through the end of the agreement term; and be it

**FURTHER RESOLVED:** Such Management Agreement, as amended, will terminate no later than June 30, 2011; and be it

**FURTHER RESOLVED:** That pursuant to Oakland Municipal Code Section 2.04.051.B and based on the reasons set forth above, the City Council finds that it is in the City's best interest to waive the request for proposal/qualifications process for the purchase of unique services from Montclair Business Association and so waives the requirement; and be it

**FURTHER RESOLVED:** That the amendment authorized hereunder is subject to City Attorney approval for form and legality and shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,     JUL 6 2010    , 2010

**PASSED BY THE FOLLOWING VOTE:**

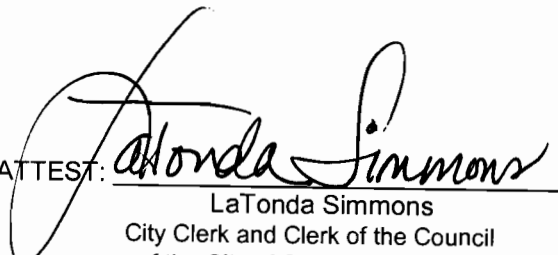
AYES - ~~BROOKS, DE LA FUENTE~~, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER - 6

NOES - 0

ABSENT - Brooks - 1

ABSTENTION - 0

Excused - De la Fuente - 1

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