


Paul A. Hines (Dec 3, 2015, 13:15:07 PST)
CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE MONTCLAIR VILLAGE ASSOCIATION FOR THE OPERATION AND MANAGEMENT OF THE LA SALLE GARAGE, LOCATED AT 6235 LA SALLE AVENUE, AND THE SCOUT LOT, LOCATED AT 2250 MOUNTAIN BOULEVARD FOR A PERIOD OF FIVE YEARS AT AN ANNUAL COMPENSATION AMOUNT OF \$295,200 (INCLUDING \$275,000 IN REIMBURSABLE OPERATING EXPENSES AND \$20,200 IN MANAGEMENT FEES AND CUSTOMER SERVICE INCENTIVES) FOR A TOTAL NOT TO EXCEED CONTRACT AMOUNT OF \$1,476,000, WAIVING THE COMPETITIVE PROPOSALS/ QUALIFICATIONS (RFP/Q) SOLICITATION REQUIREMENT, WAIVING THE LOCAL/SMALL LOCAL BUSINESS ENTERPRISE (L/SLBE) REQUIREMENT, AND ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

WHEREAS, the Montclair Village Association (“MVA”) is a merchant-based Business Improvement District made up of approximately 230 retail and service businesses located in Oakland’s Montclair District City; and

WHEREAS, the MVA’s predecessor organizations, the Montclair Garage Commission and the Montclair Business Association, were instrumental in getting the garage built in 1976, and expanded in 1988; and

WHEREAS, the MVA has satisfactorily managed the Montclair Garage and Scout Lot, both in the Montclair neighborhood and City-owned parking facilities, since 1990; and

WHEREAS, the City desires to maintain parking operation and facility management services for the parking facilities currently managed by the Montclair Village Association; and

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

WHEREAS, the City 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, Oakland Municipal Code (OMC) Section 2.04.040.B.4 requires formal advertising and solicitation of proposals/qualifications for professional service contracts

involving expenditures of more than \$25,000.00; and

WHEREAS, the waiver of competitive selection is in the best interests of the City because (1) the Montclair Village Association has demonstrated reliable performance and community partnership; (2) the Association is uniquely qualified to provide continuity of service within the Montclair Business Improvement District; (3) competitive solicitation would impose unnecessary transition costs and potential revenue loss; and (4) maintaining the current arrangement promotes efficiency, safety, and fiscal responsibility; and

WHEREAS, staff seeks authorization to waive the Local/Small Local Business Enterprise (L/SLBE) requirement for MVA, which is a small non-profit business in Oakland that has applied for and is expected to receive LBE or SLBE certification; and

WHEREAS, the previous agreement between the City and MVA expired on June 30, 2025 and, at the request of staff, MVA has continued to operate the parking facilities; and

WHEREAS, funds for the agreement are available in the adopted Fiscal Years 2025-2027 Budget in the Multipurpose Reserve Fund (1750), Mobility Management Organization (35247), Miscellaneous Contract Services Account (54919), Administrative Project (1003469), Parking Management Program (IP60), and funding for the future years is subject to funding availability in future budget cycles; now, therefore, be it

RESOLVED: That the Council hereby finds and determines that it is in the best interests of the City to waive formal advertising and competitive selection requirement of the OMC to extend the current parking management contract with the Montclair Village Association, because it would be most efficient and cost effective to maintain continuity of the current and ongoing parking facility management services; and be it

FURTHER RESOLVED: That the City Council finds that it is in the best interest of the City to waive the L/SLBE requirements as to the MVA professional services agreements due to economy and lack of city resources; and be it

FURTHER RESOLVED: That the Council hereby finds that, given its historic role in partnering with the City and businesses in the Montclair District in developing necessary parking for customers, visitors and businesses, it is in the best interests of the City to waive the formal advertising and competitive selection requirement of the OMC; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to finalize and execute a professional services agreement with Montclair Village Association for parking management services for a period of five years at an annual compensation amount of \$295,200 (including \$275,000 in reimbursable operating expenses and \$20,200 in management fees and incentives) for a total not to exceed contract amount of \$1,476,000; and be it

FURTHER RESOLVED: That Montclair Village Association be compensated for said parking management services, using funding available in Multipurpose Reserve Fund (1750); Mobility Management Organization (35247); Miscellaneous Contract Services Account (54919), Administrative Project (1000007), Parking Management Program (IP60); and be it

FURTHER RESOLVED: That the City Council hereby finds that this project and

action is exempt from the California Environmental Quality Act (CEQA) pursuant to the following CEQA Guidelines Sections: 15061(b)(3) and 15378(b)(4) and (5), as they involve government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment, and it is an organizational or administrative activity of government that will not result in direct or indirect physical changes to the environment each of which provides a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute any amendments or modifications to said contracts with the exception of those related to an increase in total compensation or the allocation of additional funds, and provided that such amendments or modifications shall be reviewed by the City Attorney and filed with the City Clerk's Office, without returning to City Council.

FURTHER RESOLVED: That the agreement authorized 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,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG

PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST:

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California