

**THIS STAFF REPORT COVERS CALENDAR ITEM NO.: 14
FOR THE MEETING OF: July 15, 2010**

TRANSBAY JOINT POWERS AUTHORITY

BRIEF DESCRIPTION:

Authorize the Executive Director to enter into an agreement with a downtown parking operator to provide 28 indoor parking spaces for Caltrans' Legal Office on a monthly basis, for an amount not to exceed the amount included in the fiscal year budget approved by the TJPA Board each year, and consistent with the terms of the Cooperative Agreement.

EXPLANATION:

On May 30, 2003, the TJPA Board approved a Cooperative Agreement between the TJPA, the City and County of San Francisco, and Caltrans, setting forth terms for transfer of State properties to the TJPA and the City for the Transbay Transit Center project. Among other properties, Caltrans will transfer to the TJPA the existing Terminal.

The parking currently utilized by Caltrans' Legal Office in the existing Terminal will no longer be available once Caltrans transfers the Terminal to the TJPA and the Terminal is closed and demolished. The Terminal transfer and closure is currently scheduled for August 7, 2010.

Paragraph D of Cooperative Agreement Section III, Limitations on Transfer, provides that the State shall retain an easement over a portion of the new Transit Center, providing Caltrans' Legal Office the right to occupy 28 reserved, covered parking spaces in the Transit Center garage for so long as Caltrans' Legal Office remains in San Francisco. The new Transit Center, however, will not include a parking garage.

The Cooperative Agreement provides that in the event that Caltrans' Legal Office can no longer utilize a Transbay Terminal garage for parking, the TJPA must provide 28 parking spaces within one-half mile of the Transbay Terminal for so long as the Caltrans' Legal Office remains in San Francisco.

In order to satisfy this obligation, the TJPA will enter into an agreement with an operator of an indoor garage within 1/2 mile radius of the new Transit Center, under which the operator will provide 28 parking spaces per day to Caltrans' Legal Office on a monthly basis. TJPA has budgeted up to \$144,000 to cover the cost of the parking for fiscal year 2010-11. Monthly parking leases typically are offered on a month-to-month basis.

RECOMMENDATIONS:

Authorize the Executive Director to enter into an agreement, for an amount not to exceed the amount included in each fiscal year budget, with a downtown parking operator to provide 28 indoor parking spaces per day for Caltrans Legal Office on a monthly basis, and consistent with the terms of the Cooperative Agreement.

ENCLOSURES:

1. Resolution

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

Resolution No. _____

WHEREAS, On May 30, 2003, the Transbay Joint Powers Authority (TJPA) Board of Directors approved a Cooperative Agreement between the TJPA, the City and County of San Francisco (City), and Caltrans, setting forth terms for transfer of State properties to the TJPA and the City for the Transbay Transit Center project; and

WHEREAS, The parking currently utilized by Caltrans' Legal Office will no longer be available once Caltrans transfer the Terminal to the TJPA and the Terminal is closed; and

WHEREAS, Under Section III, Paragraph D of the Cooperative Agreement provides that the State shall retain an easement over a portion of the new Transit Center, providing Caltrans' Legal Office the right to occupy 28 reserved, covered parking spaces in the Transit Center garage; the new Transit Center will not include a parking garage; and

WHEREAS, The Cooperative Agreement provides that in the event that Caltrans' Legal Office can no longer utilize a Transbay Terminal garage, the TJPA must provide 28 parking spaces within one-half mile of the Transbay Terminal for so long as the Caltrans Legal Office remains in San Francisco; and

WHEREAS, In order to satisfy its obligation under the Cooperative Agreement, the TJPA will negotiate an agreement with an operator of an indoor garage within 1/2 mile radius of the new Transit Center, under which the operator will provide 28 parking spaces per day to Caltrans' Legal Office on a monthly basis; now, therefore, be it

RESOLVED, That the TJPA Board of Directors authorizes the Executive Director to enter an agreement, for an amount not to exceed \$144,000 for fiscal year 2010-11, with a downtown parking operator to provide 28 indoor parking spaces per day for Caltrans Legal Office on a monthly basis; and be it

FURTHER RESOLVED, That the TJPA Board of Directors authorizes the Executive Director to maintain an agreement with a downtown parking operator to provide 28 indoor parking spaces per day for Caltrans Legal Office, so long as the total amount does not exceed the amount budgeted in a particular fiscal year, and the agreement is consistent with the terms of the Cooperative Agreement.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of July 15, 2010.

Secretary, Transbay Joint Powers Authority