



# Board Agenda Item 41

DATE: December 12, 2023

TO: Board of Supervisors

SUBMITTED BY: Robert W. Bash, Director of Internal Services/Chief Information Officer

SUBJECT: First Amendment to Parking Permit Agreement with City of Fresno

## RECOMMENDED ACTION(S):

**Approve and authorize the Chairman to execute First Amendment to Agreement No. 17-635 with the City of Fresno for parking stalls for County employees, increasing the maximum number of parking stalls from 600 to 1,550, with no change to the term through December 31, 2032.**

The recommended action will provide an additional 950 parking stalls for County employees who work downtown, at parking lots owned by the City of Fresno. The proposed amendment increases the number of stalls at the three current County-leased downtown parking structures: the Convention Center Garage, Parking Garage No. 4, and Parking Garage No. 7. The proposed amendment also includes the lease of parking stalls at an additional location, Underground Parking Garage No. 8. Approval of the recommended action will complete the final component of the downtown parking program, which provides parking for all downtown County employees. This item pertains to several locations within District 3.

## ALTERNATIVE ACTION(S):

If your Board does not approve the recommended action, some County employees working downtown will not have County-provided parking spaces.

## FISCAL IMPACT:

There is no additional Net County Cost associated with the recommended action. The recommended agreement will be paid for through fees assessed to various downtown departments based on how many staff are assigned parking at their respective location. Monthly rent for the current year will be \$70 per stall, totaling \$108,500. The parking rate is updated annually based upon the City's Master Schedule of Fees and the lease rate will adjust accordingly. Sufficient appropriations and estimated revenues are included in the ISD-Facility Services Org 8935 FY 2023-24 Adopted Budget and will be included in future budget requests.

## DISCUSSION:

On December 12, 2017, your Board approved County Agreement No. 17-635, to provide up to 600 stalls for County employees at downtown parking facilities owned by the City of Fresno (City). These parking stalls were sufficient when County employees paid for parking through payroll deductions. Now, however, it is necessary to amend the agreement for more parking stalls, in order to support the County's provision of free parking to employees.

Most of the parking facilities available for downtown County employees are owned by the city. The existing locations include the Convention Center Garage; Parking Garage No. 4 at the corner of Tulare Street and

Congo Alley; and Parking Garage No. 7, commonly referred to as the "Spiral Garage", located at the corner of Inyo Street and Van Nes Avenue. Additionally, the City has space available at Underground Parking Garage No. 8, located at Tulare Street and Van Ness Avenue.

On April 11, 2023, your Board approved a new parking rate for County departments to pay for their downtown parking needs, and also directed the Internal Services Department (ISD) to secure parking for all downtown County employees.

Approval of the recommended action will amend the current agreement, to increase the number of stalls available for County use from 950 stalls to 1,550 stalls. The Convention Center Garage stalls will increase from 800 stalls to 1,100 total stalls, Parking Garage No. 4 will increase from 50 stalls to 200 total stalls, Parking Garage No. 7 will maintain the existing number of 150 stalls, and the addition of the Underground Parking Garage No. 8 will add 100 stalls. These additional parking stalls will be sufficient to provide parking for all downtown County employees.

The proposed amendment contains nonstandard indemnification clause, calling only for indemnification for the city (by the County), except for the gross negligence or willful misconduct by the City. This has been reviewed by the County's Risk Management team, which has recommended against this indemnification language. However, ISD believes the addition of this clause is an acceptable business risk.

REFERENCE MATERIAL:

BAI #35 - April 11, 2023

BAI #29.1 - December 12, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - First Amendment

CAO ANALYST:

Ahla Yang