

Date: September 25, 2019
W.I.: 1237
Referred by: OPS

ABSTRACT

Resolution No. 4390

This resolution adopts the Metropolitan Transportation Commission ("MTC") Commuter Parking Facility Regulations for parking activities at I-880/High Street, I-880/Fruitvale Avenue, I-80/Buchanan Avenue, and any future commuter parking facilities established by MTC.

Further discussion of this action is contained in the MTC Executive Director's memorandum dated September 13, 2019.

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METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4390

WHEREAS, the Metropolitan Transportation Commission (“MTC”) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code § 66500 *et seq.*; and

WHEREAS, the State of California, acting by and through the Department of Transportation (“Caltrans”), and MTC, pursuant to the Streets and Highways Code section 146.5 are authorized to enter into an agreement concerning the roles and responsibilities for transportation fringe facilities, including commuter parking facilities constructed on Caltrans property; and

WHEREAS, MTC and Caltrans entered into a Master Operation and Maintenance Agreement for Commuter Parking/Transit Hub Facilities within State Highway Right of Way, dated November 3, 2017, pursuant to Streets and Highway Code Section 146.5 for MTC to construct commuter parking facilities on Caltrans property; and

WHEREAS, MTC is currently in the process of planning, designing, and/or constructing commuter parking facilities on Caltrans property at I-880/High Street, I-880/Fruitvale Avenue, and I-80/Buchanan Avenue, and may construct additional MTC commuter parking facilities on Caltrans property in the future (collectively, “MTC Commuter Parking Facilities”); and

WHEREAS, pursuant to Section 3.9 of the Master Operation and Maintenance Agreement for Commuter Parking/Transit Hub Facilities within State Highway Right of Way, MTC is required to develop and Caltrans to approve a set of regulations for the MTC Commuter Parking Facilities; and

WHEREAS, MTC developed the MTC Commuter Parking Facility Regulations, attached hereto as Attachment A, which were approved by Caltrans on July 24, 2019; and

WHEREAS, it is in the best interest of the general public to establish regulations for the proper use of the MTC Commuter Parking Facilities; and

WHEREAS, MTC intends to enter into agreements with agencies having necessary enforcement jurisdiction to conduct enforcement activities at the MTC Commuter Parking Facilities; now, therefore, be it

RESOLVED, that MTC adopts Resolution No. 4390, establishing the MTC Commuter Parking Facility Regulations, which are attached here to as Attachment A, including those located at I-880/High Street, I-880/Fruitvale Avenue, and I-80/Buchanan Avenue, as well as any future MTC Commuter Parking Facilities established in accordance with the California Vehicle Code; and be it further

RESOLVED, that the violation of the MTC Commuter Parking Facility Regulations shall constitute an offense or conviction of which shall be punished as an infraction under the provisions of California Vehicle Code section 42001 or any other appropriate provision of law. Vehicles improperly parked may be removed or towed away at the owner's expense, as provided by Vehicle Code sections 22519 and 22651 or any other applicable provision of law; and be it further

RESOLVED, that the Executive Director is hereby authorized to revise Attachment A as may be required from time to time due to changes in law, regulation or procedures relating to the MTC Commuter Parking Facilities and to take such actions as may be necessary or appropriate relating to the MTC Commuter Parking Facilities; and be it further

RESOLVED, that this Resolution shall take effect from and after its adoption.

METROPOLITAN TRANSPORTATION COMMISSION



Scott Haggerty, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, on September 25, 2019.

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Attachment A
MTC Resolution No. 4390
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**METROPOLITAN TRANSPORTATION COMMISSION
COMMUTER PARKING FACILITY REGULATIONS**

Parking in the MTC operated commuter parking facilities shall be subject to the following;

1. All persons operating or parking a vehicle on property owned, leased or administered by MTC must comply with all applicable provisions of the California Vehicle Code and the regulations promulgated under the authority of this Resolution.
2. No person shall park or leave standing any vehicle in the MTC commuter parking facilities at I-880/High Street, I-880/Fruitvale Avenue, I-80/Buchanan Avenue, and any future commuter parking facilities established by MTC, without having a valid parking permit or immediately thereafter paying the posted parking fee.
3. No person shall park or leave standing any vehicle for 72 or more consecutive hours.
4. No person shall be allowed to stop, park, or leave standing any vehicle whether attended or unattended, on an MTC commuter parking facility - which are marked or signed clearly and legibly with the words "RESERVED PARKING," unless authorized by MTC's Project Manager do so.
5. No person at any time shall stop, park, or leave standing any vehicle in any MTC commuter parking facility, except when necessary to avoid conflict with other traffic, or in compliance with the direction of a peace officer, in any of the following places:
 - a. Alongside curb space where no parking is indicated by a sign or curb space is painted red;
 - b. On a crosswalk;
 - c. In front of a driveway;
 - d. Within fifteen (15) feet of a fire hydrant, except for any clearly marked emergency vehicles;
 - e. Alongside curb space painted white except vehicles stopping to load and unload passengers but in no case for a period of time exceeding five (5) minutes;
 - f. In any place marked as parking for disabled parking unless disabled person license plate or valid disabled person placard is displayed;
 - g. In any place marked for electric vehicle charging if not connected for electric charging;
 - h. In any other place other than within a parking space clearly marked as such by white or blue lines on the pavement and in no such instance shall a vehicle occupy more than one parking space as delineated by such lines;

6. The MTC commuter parking facility shall be used only by persons using a bicycle or public transit, or engaged in ridesharing, including, but not limited to, carpools or vanpools during the posted operating hours.
7. The following uses are prohibited on any MTC commuter parking facility:
 - a. A person shall not park a vehicle 30 feet or more in length;
 - b. A person shall not engage in loitering or camping;
 - c. A person shall not engage in vending or any other commercial activity unrelated to the use of the MTC commuter parking facility for commuting purposes.