

Legislation Details (With Text)

File #: BILL NO. 17-209 **Name:**

Type: Ordinance **Status:** Agenda Ready

File created: 9/7/2017 **In control:** City Council - Regular Session

On agenda: 9/21/2017 **Final action:**

Title: AN ORDINANCE APPROVING A FIRST AMENDMENT TO A PARKING LICENSE AGREEMENT WITH VOGUE CONDOMINIUMS OWNERS ASSOCIATION, INC. REDUCING THE NUMBER OF PARKING SPACES FOR WHICH THE CITY SHALL PAY A LICENSE FEE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY.
(Note: First read by City Council on September 21, 2017.)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. AMENDED Parking License Agreement -FINAL 9.8.17v2 clean.pdf, 3. Original Hartleys - Vogue Parking License Agreement.pdf

Date	Ver.	Action By	Action	Result
10/5/2017	1	City Council - Regular Session	adopted and numbered	Pass
9/21/2017	1	City Council - Regular Session	advanced to second reading as amended	Pass

AN ORDINANCE APPROVING A FIRST AMENDMENT TO A PARKING LICENSE AGREEMENT WITH VOGUE CONDOMINIUMS OWNERS ASSOCIATION, INC. REDUCING THE NUMBER OF PARKING SPACES FOR WHICH THE CITY SHALL PAY A LICENSE FEE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY.
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Issue/Request:

AN ORDINANCE APPROVING A FIRST AMENDMENT TO A PARKING LICENSE AGREEMENT WITH VOGUE CONDOMINIUMS OWNERS ASSOCIATION, INC. REDUCING THE NUMBER OF PARKING SPACES FOR WHICH THE CITY SHALL PAY A LICENSE FEE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY.

Key Issues:

The Vogue Condominium Owner's Association (VCOA) desires to amend the Parking License Agreement between the VCOA and the City for the public parking within the Vogue Condominium parking garage. The main goal of the amendments is to create a more defined delineation between public and private parking spaces within the parking garage.

Highlighted below are the substantive changes proposed within the First Amendment to the Parking License Agreement:

* **Language to clarify/delineate public/private parking spaces** - the proposed amendment would allow public parking on the eastern half of the garage (both upper and lower decks) along with two parking spaces on the western half of the garage (24 total), and private/resident parking on 24 spaces of the western half of the garage (both upper and lower decks).

- * **Reduce the number of public parking spaces from 28 to 24** - with the proposed changes to the parking arrangement to create a better understood delineation of public/private parking spaces, the publicly available parking spaces would be reduced by 4 spaces.
- * **Reduce the fees paid by City for use of public parking spaces** - fees revised to reflect reduction of public parking spaces from 28 to 24 spaces.
- * **Reduction in duration of Parking License Agreement term** - reducing the term of the Parking License Agreement from 20 years to 18 years to maintain original duration within the agreement.
- * **Updated Owner contact information** - to reflect current ownership/contacts
- * **City ability to tow vehicles** - incorporated language that would allow the City to tow illegally parked vehicles in designated public parking spaces.

Proposed City Council Motion:

AN ORDINANCE APPROVING A FIRST AMENDMENT TO A PARKING LICENSE AGREEMENT WITH VOGUE CONDOMINIUMS OWNERS ASSOCIATION, INC. REDUCING THE NUMBER OF PARKING SPACES FOR WHICH THE CITY SHALL PAY A LICENSE FEE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY - I move for second reading.

Background:

In 2006 the Hartley Block Tax Increment Financing Plan that included the construction of a parking garage intended to accommodate the redevelopment project as well as provide public parking within the garage. After working through many different challenges to complete the project, the City entered into a Parking License Agreement (Ordinance No. 7503) with said Parking License Agreement becoming effective on June 15, 2015 upon completion of the parking garage. The Owner requests to amend the Parking License Agreement to bring clarity to the public/private parking arrangement therefore the First Amendment to the Parking License Agreement is being presented for consideration and approval.

Impact/Analysis:

If approved, there would be a reduction in the number of publicly designated parking spaces within the VCOA parking garage and fees would be reduced accordingly (28 public spaces reduced to 24 public spaces). The VCOA and City feel that providing a clearer delineation of public and private spaces will assist in compliance and enforcement of parking within the parking structure.

Presenter:

Mark Dunning, Assistant City Manager - Development Services and Communications

Recommendation: Staff recommends approval of the proposed amendments