

CC Regular Session

7. 8.

Meeting
Date: 01/08/2013

Information**Title:**

Approve First Amendment to Amended and restated Parking Use and Maintenance Agreement - Ramp A

Background:

In April of 2012, the City, The HRA, and the EDA approved the Amended and Restated Parking Use and Maintenance Agreement (PUMA).

This amended agreement was updated to address, among other things, the concept of the dedication of spaces to The Residence at The COR, and the related signage and use issues surrounding the ongoing operation of the ramp now that it will be completely allocated.

The agreement was recorded in May of 2012, and included a provision for the preparation and execution of an amendment to the agreement to add the legal description for the "Exclusive Easement Area" as outlined conceptually in Exhibit D-2 of the recorded agreement. This was to be prepared following the completion of construction of the ramp and related vestibules.

That survey has been completed and the easement areas identified based on the constructed condition.

Notification:**Observations:**

As-Built Parking Summary:

Ground Floor - 165 stalls + 8 Accessible stalls = 173 Total Stalls
2nd Floor - 216 stalls + 5 Accessible stalls = 221 Stalls
3rd Floor - 214 Stalls + 5 Accessible Stalls = 219 Stalls
4th Floor - 178 Stalls + 2 Accessible Stalls = 180 Stalls
TOTAL STALLS - 793

After a final Assessment of the constructed parking configuration, the following reflects the current parking

allocation for Ramp A:

Stalls DEDICATED to Lot 3, Block 1, COR ONE - 275

Stalls ALLOCATED to Lot 3, Block 1, COR ONE - 25

Stalls ALLOCATED to Transit (per funding requirements) - 350
 Stalls ALLOCATED to Municipal Center - 75
 UNALLOCATED Stalls (future use) - 68
 TOTAL STALLS - 793

Notes:

Municipal Center requires 136 stalls by code, but provides 64 on-site stalls, and therefore needs 72 stalls in Ramp A to meet current parking requirements. Previous Allocation to the Municipal Center was 108 stalls. HRA/Council should consider this reduction as a policy question on how stalls are allocated, or reserved for future uses.

Recommendation:

The development team recommends the City Council approve the First Amendment to the Amended and Restated Parking Use and Maintenance Agreement for Ramp A, subject to final modification and approval by HRA legal counsel, and direct the agreement to be executed and recorded.

Funding Source:

HRA Professional Services Budget

Council Action:

Approve the First Amendment to the Amended and Restated Parking Use and Maintenance Agreement for Ramp A, subject to final modification and approval by HRA legal counsel, and authorize and direct the agreement to be executed by the Mayor, City Administrator, and recorded.

Attachments

- Recorded PUMA
- First Amendment
- Easement Sketches

Form Review

Inbox Kurt Ulrich	Reviewed By Kurt Ulrich	Date 01/03/2013 03:07 PM
Form Started By: dlazan		Started On: 12/21/2012 04:26 PM
Final Approval Date: 01/03/2013		

7.08: Approve First Amendment to Amended and Restated Parking Use and Maintenance Agreement – Ramp A

Development Manager Lazan reviewed the staff report and answered questions of the Council. He reviewed the number and types of parking stalls, noting that initially there is a margin with which to work. However, it needs to be monitored should a use exceed allocated stalls.

Councilmember LeTourneau asked staff to provide additional information on when the EDA had considered and approved the initial amendment.

The Council acknowledged the importance of these parking spaces going forward, whether allocated or unallocated.

With regard to cost sharing of maintenance and repairs, Development Manager Lazan advised that Flaherty and Collins is making its first payment on shared maintenance costs, even before residents move in.

The Council discussed whether the language on Page 2 of the amendment, Item 4, Amendment to Section 6, relating to maintenance of the public ramp in a manner consistent with other parking public parking ramps was consistent. Staff was asked whether there is a standard definition for maintenance of a public parking ramp.

City Attorney Goodrich agreed the language could be more specific.

Development Manager Lazan relayed his discussion with Tom Bray (Briggs & Morgan) and indicated they were unable to find readily available standards for maintenance of a parking ramp so the wording “in a manner normal” had been included to assure the City can control the level of maintenance. He indicated staff could look at that issue going forward since aging ramps require more maintenance.

The Council supported staff drafting language that better defined parking ramp maintenance and aesthetics, noting it could become an issue with PUMA partners.

Motion by Councilmember Elvig, seconded by Councilmember Backous, to approve the First Amendment to the Amended and Restated Parking Use and Maintenance Agreement for Ramp A, subject to final modification and approval by HRA legal counsel, and authorize and direct the agreement to be executed by the Mayor and City Administrator, and recorded.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Elvig, Backous, Kuzma, LeTourneau, Riley, and Tossey. Voting No: None.

7.09: Consider Offer to Purchase Surplus City Owned Land – Windsorwood Property – (Portions were closed to the public)

Management Analyst Brama reviewed the staff report.