

**SUBMITTED BY:** Luis Pedroza, Deputy City Manager

**MANAGEMENT TEAM REVIEW:** Ana Urquijo, City Manager

**FOCUS AREA:** Other / NA

**SUBJECT:** **AUTHORIZING the EXECUTION of a LICENSE AGREEMENT for PRIVATE PARKING and IMPROVEMENTS in PUBLIC RIGHT-OF-WAY with KIM V & LUIS A PERALTA, husband and wife for city owned right-of-way adjacent to Licensee owned parcel 410-18-039B for purposes of PRIVATE PARKING and IMPROVEMENTS.**

**EXECUTIVE SUMMARY:**

Kim and Luis Peralta are improving the property at 410-18-039B for multi-family housing and desire to utilize the adjacent right of way for private parking for the property with the ability to make improvements for such use.

**BACKGROUND:**

The parcel owned by the Peralta's is front facing towards A Avenue. In this area of A Avenue, the right of way is wider than normal, spanning about 29 feet inside of the existing sidewalk. As a result, this section of the right of way contains enough space for private parking to complement the apartments that will be constructed. As dictated by Mayor and Council, staff offered the Peralta's a license agreement for the use for parking and allow for improvements of the parking area.

The license agreement allows for the Peralta's to use the right of way exclusively for their use, which they indicate will be for parking for their tenants. They will initially repair the potholes and landscape with gravel. In the long term they will lay asphalt and make a formal parking area. They will also add light vegetation on the north and south ends as depicted in Exhibit C in the license agreement.

The license agreement dictates that the area is only to be used for parking and no commercial activities to be conducted and ensure compliance with municipal code. The term is for 5 years and can be renewed for an additional 5 years if agreed by both parties. Finally, the Licensee shall provide liability insurance to the city as laid out in Section 8 of the agreement.

**DISCUSSION:**

The license agreement is a zero-dollar lease meant to provide use of city owned property currently not in use and bring functionality and improvements to the area while providing maintenance responsibilities to the Licensee. Staff recommends approval.

**FISCAL IMPACT:**

None.

**Fiscal Year:** 2024/2025

**Amount Requested:** \$0

**Budgeted:** Y / N

**Account (s):**

**“...I MOVE THAT THE MAYOR AND COUNCIL APPROVE THE EXECUTION OF A LICENSE AGREEMENT FOR PRIVATE PARKING AND IMPROVEMENTS IN PUBLIC RIGHT-OF-WAY WITH KIM V & LUIS A PERALTA.”**