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Title: AUTHORIZATION TO ENTER INTO A TEMPORARY PARKING AGREEMENT WITH THE NEW WESTGATE, LLC FOR THE USE OF WESTGATE FINAL PLAT, LOT 5
Staff Contact: Jack Friedline, Director, Public Works

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Attachments: 1. Resolution 4939, 2. The New Westgate Agreement

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AUTHORIZATION TO ENTER INTO A TEMPORARY PARKING AGREEMENT WITH THE NEW WESTGATE, LLC FOR THE USE OF WESTGATE FINAL PLAT, LOT 5

Staff Contact: Jack Friedline, Director, Public Works

Purpose and Recommended Action

This is a request for City Council to waive reading beyond the title and adopt a resolution authorizing the Acting City Manager to approve a Temporary Parking Agreement with The New Westgate, LLC (TNW) for the purpose of securing temporary parking on Westgate Final Plat, Lot 5.

Background

The city has a contractual obligation with the Arizona Sports and Tourism Authority (AZSTA) and the Arizona Cardinals to provide a total of 11,000 parking spaces in and around the Sports and Entertainment District, with a minimum of 6,000 parking spaces to be provided within Westgate City Center. Until full build-out of the Westgate Planned Area Development (PAD), it has always been the understanding of the parties involved that parking may need to be relocated within the Westgate Final Plat as necessary to accommodate new development while maintaining the minimum number of parking spaces required by all parties.

In 2012, with the construction of the Tanger Factory Outlet Mall, the city was required to identify replacement parking in order to meet the city's parking obligations. Staff negotiated with TNW for the use of Westgate Final Plat, Lot 5, generally located to the south of the southwest corner of Glendale and 91st Avenues. The city and TNW agreed to share the costs associated with constructing 1,679 temporary replacement parking spaces in order to meet the city's requirement to provide a minimum of 6,000 parking spaces within Westgate City Center. City Council subsequently approved Temporary Parking Agreements between the city and TNW for use of Westgate Final Plat, Lot 5 for fiscal years ending 2013, 2014 and 2015. The term of the most recent

one-year Temporary Parking Agreement will expire on June 30, 2015.

Analysis

The new proposed agreement extends the use of 1,679 temporary replacement parking spaces located on Westgate Final Plat, Lot 5 for an additional year, to expire on June 30, 2016, thereby allowing the city to fulfill contractual parking obligations with the other parties previously identified. The use of this parking is made available by TNW at no cost to the city. Additionally, this agreement provides for the use of additional parking for dual events at no cost to the city if parking can be made available by TNW on dual event days.

Previous Related Council Action

On April 22, 2014, City Council adopted a resolution authorizing the City Manager to approve a Temporary Parking Agreement with TNW for the city's use of Westgate Final Plat, Lot 5, making 1,679 parking spaces available for the city's use in meeting its parking obligations.

On March 26, 2013, City Council adopted a resolution authorizing the City Manager to enter into a Temporary Parking Agreement with TNW for the city's use of Westgate Final Plat, Lot 5, making 1,679 parking spaces available for the city's use in meeting its parking obligations.

On May 22, 2012, the City Council adopted a resolution authorizing the City Manager to enter into a Temporary Parking Agreement with TNW for the city's use of Westgate Final Plat, Lot 5, to execute the construction of 1,679 parking spaces to be available for the city's use in meeting its parking obligations.

On January 25, 2011, the City Council adopted a resolution authorizing the City Manager to enter into the First Amendment to the Mixed-Use Development Agreement with Coyote Center Development, LLC; Glendale-101 Development, LLC; and, Arena Development, LLC to address potential issues created as a result of the Phoenix Coyotes bankruptcy and certain real estate and development transactions and to encourage incremental economic development on the Westgate PAD. The resolution also authorized the City Manager to enter into the Amended and Restated Agreement for the Replacement of Temporary Parking with Coyote Center Development, LLC for the purpose of affirming parking improvement requirements to support the Arena and the city's contractual parking obligations.

On June 24, 2008, the City Council authorized the City Manager to enter into an Agreement for the Replacement of Temporary Parking with Coyote Center Development, LLC; Coyotes Hockey, LLC; Arena Management Group, LLC; Entertainment Center Development, LLC; and, Glendale Garage, LLC for the purpose of developing a new parking facility.

On September 28, 2004, the City Council adopted a resolution authorizing the City Manager to enter into a Memorandum of Agreement with the Arizona Cardinals and the AZSTA for the development of a multi-purpose stadium and related improvements.

On May 27, 2003, the City Council authorized the City Manager to enter into the Parking and License Agreement with Covenants, Conditions, and Restrictions with the Arizona Cardinals and the AZSTA for the purposes of identifying certain parking obligations related to the multi-purpose stadium. The agreement was later amended on August 15, 2005.

Budget and Financial Impacts

In previous years, \$95,000 was budgeted for these costs. However, there are no costs associated with this agreement.