



## MEMORANDUM

**TO:** Mayor Laurel Prussing  
Urbana City Council Members

**FROM:** William R. Gray  
N. Patrick Pioletti

**DATE:** October 21, 2010

**RE:** Lincoln Square Village Parking Amendment

### Action Requested

Passage of an ordinance approving an amendment to the Agreement with Lincoln Square regarding parking.

### Background

In 2004, the Urbana City Council approved an agreement with The New Lincoln Square to provide parking facilities. This parking agreement allows Lincoln Square to lease a large amount of employee and customer parking from the City at a bulk rate.

In the summer of 2010, the City of Urbana acquired two additional parcels of land adjacent to a portion of the Lincoln Square parking (Lot 24) and constructed a parking lot on them as an extension of the existing lot providing 42 additional spaces. The attached agreement obligates those additional spaces to Lincoln Square at the same rate as the balance of the spaces on Lot 24 (\$7 per space per month). This bulk rate is efficient for the City and recognizes the mutual benefit of keeping Lincoln Square viable.

### Recommendation

Staff recommends approval of an ordinance approving an Amendment to the Agreement With Lincoln Square Respecting Parking.

**AN ORDINANCE APPROVING AN AMENDMENT TO THE AGREEMENT WITH  
LINCOLN SQUARE RESPECTING PARKING**

**WHEREAS**, in Ordinance 2004-11-148, an agreement with Lincoln Square respecting parking was approved; and

**WHEREAS**, the City subsequently acquired property adjacent to one of the existing parking lots (Lot 24) governed by the said Parking Agreement, and improved such properties as a new parking lot; and

**WHEREAS**, while such new parking lot adds needed rental parking for Lincoln Square use, the location of the new parking lot makes it desirable to keep it free for future business development; and

**WHEREAS**, it is thus determined to be in the City's interest to amend the Lincoln Square Agreement to provide the new parking lot will be operationally under the provisions of the existing Lincoln Square Agreement, and either party may terminate its obligation upon nine (9) month notice to the other.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

**Section 1.** That the attached Amendment to the new Lincoln Square Parking Agreement is hereby approved.

**Section 2.** That the Mayor is hereby authorized to execute and the City Clerk to attest the attached Amendment to the new Lincoln Square Parking Agreement.

**Section 3.** This Ordinance takes effect immediately upon passage and approval by the Mayor.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of the Council.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_.

AYES:

NAYS:

ABSTAINS:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor

DRAFT

AMENDMENT TO THE NEW LINCOLN SQUARE PARKING AGREEMENT

The Agreement to provide Parking Facilities by and between the City of Urbana, Champaign County, Illinois, and the New Lincoln Square, LLC, dated as of May 1, 2005, and approved in Ordinance 2004-11-148, is hereby amended effective on the \_\_\_\_\_ day of \_\_\_\_\_, 2010, as follows:

Section 1: Section 2.1(c) is amended as follows:

- a. Designate the existing paragraph 2.1(c) as 2.1(c) (1), and add the following as paragraph 2.1(c) (2): “An additional forty-two (42) spaces immediately west of Lot 24 (hereafter Lot 24 West) were constructed in September, 2010. For administrative/operational purposes, the Lot 24 West spaces are hereby designated as part of Lot 24 and are subject to the same provisions as are set forth herein for Lot 24, provided, however, the City reserves the right to withdraw Lot 24 West from the parking facilities arrangement at any time upon nine (9) months notice to Lincoln Square, and Lincoln Square can withdraw from any obligation respecting Lot 24 West undertaken by Lincoln Square under this Amendment upon nine (9) months notice to City.
- b. Section 4.3 is amended as follows:  
  
Add the following sentence at the end of the existing Section 4.3: “The forty-two (42) parking spaces (Lot 24 West) added to Lot 24 herein, shall be billed separately at \$7.00 per space commencing on October 1, 2010.
- c. In all other respects, the provisions of the May 1, 2005, Agreement shall remain in full force and effect.

**IN WITNESS WHEREOF**, each of the parties have caused this Amendment to the Agreement to be executed by proper officers duly authorized to execute the same as of the date set forth beneath the signatures of their respective officers set forth below.

**CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, an Illinois Municipal Corporation**      **THE NEW LINCOLN SQUARE, LLC, an Illinois Limited Liability Company**

By: \_\_\_\_\_  
Its Mayor

By: \_\_\_\_\_  
Its Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Its City Clerk

Date: \_\_\_\_\_