



**CITY OF URBANA, ILLINOIS
DEPARTMENT OF PUBLIC WORKS**

ADMINISTRATION

MEMORANDUM

TO: Bruce K. Walden, Chief Administrative Officer

FROM: William R. Gray, P. E., Public Works Director

DATE: December 4, 2003

RE: *License Agreement Between the City of Urbana and the Board of Trustees of the University of Illinois Concerning Meter Parking on Clark Street*

INTRODUCTION

The University of Illinois is constructing a new 1500-space parking deck, retail space, and offices in the north campus area, which is bound by Clark Street, Mathews Avenue, University Avenue, and Goodwin Avenue. It has been identified by the traffic impacts of this parking deck that Mathews Avenue between Clark Street and University Avenue will need to have two northbound lanes and one southbound lane. In order to accommodate the three lanes, it is recommended that the parking along the east side of Mathews Avenue be removed. To compensate for the removal of these 11 parking spaces on the east side of Mathews Avenue, the University of Illinois is offering to the City 14 parking spaces on Clark Street, between Goodwin Avenue and Harvey Street.

The City believes this is a reasonable exchange for the lost parking meters on Mathews Avenue. Attached please find a license agreement allowing for the removal of 11 parking meters on Mathews Avenue and gaining 14 parking meters on Clark Street.

FISCAL IMPACT

With the completion of the parking deck, and the retail and office spaces, along with the construction of a new NCSA building immediately south of the parking deck, there will soon be many more students, faculty, staff, and other visitors to the University of Illinois in the north campus area. It is believed that the parking spaces on Clark Street, which is currently a University of Illinois owned street, will be desirable parking spaces and should generate revenue that equals or possibly exceeds what currently is being received on North Mathews Avenue.

RECOMMENDATION

It is recommended that a LICENSE AGREEMENT WITH THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS CONCERNING METER PARKING ON CLARK STREET be approved.

WRG:kf

Attachments: Ordinance
 Agreement

ORDINANCE NO. 2003-12-144

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT
WITH THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS CONCERNING METER
PARKING ON CLARK STREET

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

Section 1. That A License Agreement Between the City of Urbana and the
Board of Trustees of the University of Illinois Concerning Meter Parking on
Clark Street, in substantially the form of the copy of said Agreement
attached hereto and hereby incorporated by reference, be and the same is
hereby authorized and approved.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the
same is hereby authorized to execute and deliver and the City Clerk of the
City of Urbana, Illinois, be and the same is authorized to attest to said
execution of said Agreement as so authorized and approved for and on behalf
of the City of Urbana, Illinois.

PASSED by the City Council this _____ day of _____,
_____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____,
_____.

Tod Satterthwaite, Mayor

**A LICENSE AGREEMENT BETWEEN THE CITY OF URBANA AND THE
BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS CONCERNING
METER PARKING ON CLARK STREET**

This License Agreement, made and entered into this _____ day of _____, 2003, by and between the CITY OF URBANA, ILLINOIS, a municipal corporation, by and through its Mayor and the members of its City Council, being its corporate authorities, hereinafter referred to as “City” and THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS, a body corporate and politic of the State of Illinois, with its principal office in Urbana, IL 61801 hereinafter referred to as “University”;

WITNESSETH:

WHEREAS, the City has vacated to the University that portion of Clark Street between Goodwin Avenue and Harvey Street in a previous agreement between the parties entitled “An Agreement Concerning The Vacation Of Certain Rights-Of-Way” dated October 1, 2001 and approved by Ordinance No. 2001-08-083 (hereinafter referred to as the Previous Agreement); and

WHEREAS, the University’s North Campus Parking Deck project has required the removal of eleven (11) City parking meters along the east side of Mathews Avenue between University Avenue and Clark Street to accommodate two northbound and one southbound lane; and

WHEREAS, the parties desire to relocate said removed parking meters to fourteen (14) parking spaces along the south side of Clark Street between Harvey Street and Goodwin Avenue, more particularly described in Exhibit A; and

NOW, THEREFORE, it is agreed by the parties hereto as follows:

Section 1. Mutual Covenants. For and in consideration of the terms and conditions hereinafter set forth, University, to the extent it has the authority to license such right, licenses to City the use of fourteen (14) parking spaces on Clark Street, specifically identified in **Exhibit A** which is attached and incorporated herein by reference (hereinafter referred to as “Premises”), together with the right of access to said Premises, to install, operate, enforce, maintain and repair parking meters (hereinafter referred to as “Meters”). Meters are to be operated and maintained by the City and the City will collect and retain all revenue from said Meters and from meter violations. Title to the Premises will remain in University, its successors or assigns, free and clear of all rights and

claims of City and of the public, subject to the right, permission and authority herein expressly provided in this Agreement.

Section 2. Term and Termination. The initial term of the License will be for a period of ten (10) years from December 1, 2003 through November 30, 2013, subject to the rights of the UNIVERSITY as outlined herein, and will renew automatically at ten (10) year intervals and will be in full force and effect during any term and for so long hereafter as said Meters are continued in service and have not been abandoned or discontinued by City, its successors or assigns unless terminated by the University as otherwise provided herein. In the event that the use of this License for the purposes provided shall be abandoned or otherwise discontinued, City will notify University in writing and the said License will thereupon cease and terminate, and City will surrender or cause to be surrendered to University, or its successors or assigns, the peaceable possession of the above described Premises. Notwithstanding the above, this license will terminate in the absence of notice by City in the event that the use of this License is abandoned or otherwise discontinued.

Section 3. Relocation Requirements. Should Premises and City's Meters described herein interfere with the planned use or development of University's property, or in any way disrupt any programs or research of the University, or any entities with which it has an agreement, or that interferes with relocation of road right-of-way required by the University, state or other government authority, University will request in writing the relocation of said Meters. Within 90 days after such written request, City will relocate said Meters to another location on University's land selected by the University. Any such relocation made at the request of University will be performed at the sole expense of City. If such relocation is made, University will provide a like license to City covering the said Meters at a new location.

Section 4. Notices. Any notices required or permitted hereunder shall be in writing and shall be delivered via certified mail, addressed to the parties as follows, unless otherwise indicated in the future.

If to the City of Urbana:

Chief Administrative Officer
City of Urbana
400 S. Vine Street
Urbana, Illinois 61801

City Attorney
City of Urbana
400 S. Vine Street
Urbana, Illinois 61801

If to the University of Illinois:

The Board of Trustees of
The University of Illinois
354 Henry Administration Building

Campus Planner and Assistant Director
Facilities and Service
1501 S. Oak Street

506 South Wright Street
Urbana, Illinois 61801

Champaign, Illinois 61820

IN WITNESS WHEREOF, the City of Urbana and University have caused this Agreement to be executed in their respective capacities effective as of the day and year first above written.

THE BOARD OF TRUSTEES OF THE
UNIVERSITY OF ILLINOIS

CITY OF URBANA

By: _____
Stephen K. Rugg, Vice-President
and Comptroller

By: _____
Mayor Tod Satterthwaite

Attest:

Attest:

Michele M. Thompson, Secretary

Phyllis Clark, City Clerk

Approved as to Form:

Office of University Counsel

Approved:

Office of the Chancellor

Director, Real Estate Planning & Services

Exhibit A

Premises

(To be inserted by the university)



EXHIBIT A

