

RESOLUTION NO. RES-2021-225

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A PARKING AGREEMENT WITH AIRPORT BUSINESS CENTER FOR PARKING PERMITS FOR GARAGE 5 AND GARAGE 9 RELATED TO SETTLEMENT OF *AIRPORT BUSINESS CENTER V. CITY OF SANTA ROSA* LAWSUIT

WHEREAS, on November 12, 2020, Airport Business Center and Blue Fox Partners (“ABC”) filed suit against the City, seeking to set aside the City’s adoption of the Downtown Station Area. Specific Plan and certification of the Specific Plan Environmental Impact Report (“EIR”); and

WHEREAS, since that date, the City and ABC have engaged in extensive settlement negotiations in an effort to resolve the litigation; and

WHEREAS, ABC is willing to dismiss its lawsuit if the City can provide assurances that parking in Garage 5 and Garage 9 will be made available to tenants of 50 Old Courthouse Square, and the City is willing to provide such assurances.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa that the Council of the City of Santa Rosa approves the Parking Agreement Between the City and ABC for Parking Permits in Garage 5 and Garage 9 related to Settlement and Dismissal with Prejudice of *Airport Business Center v. City of Santa Rosa* (Sonoma County Civil No. SCV-267372), in substantially the same form as Exhibit A to the resolution, subject to approval as to form by the City Attorney

BE IT FURTHER RESOLVED that the Council authorizes the City Manager to execute the Parking Agreement.

IN COUNCIL DULY PASSED this 14th day of December, 2021.

AYES: (7) Mayor C. Rogers, Vice Mayor Alvarez, Council Members Fleming, N. Rogers, Sawyer, Schwedhelm, Tibbetts

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney

Exhibit A – Parking Agreement