



City of Coral Gables
City Commission Meeting
March 8, 2022

ITEM TITLE:

Resolution. A Resolution of the City Commission authorizing the Operators of The Biltmore Hotel to charge for parking at the West Parking Lot, conditioned upon compliance with certain conditions

BRIEF HISTORY:

In accordance with the terms of the lease between the City of Coral Gables (the “City”) and The Biltmore Hotel Limited Partnership (hereinafter referred to as the “Operator”), the lot (hereinafter referred to as the “West Parking Lot”) located to the west of The Biltmore Hotel (hereinafter referred to as the “Hotel”) building “serves facilities in the Biltmore Complex in addition to the Premises,” and its purpose is to “provide parking for those facilities as well as to meet some of the off-street parking requirements of the Premises.”

Since the lease has been in place, the West Parking Lot has been open to the public and free of charge. However, the Operators have approached the City with concerns that the West Parking Lot is being used by individuals who are not patronizing the Hotel, for periods far exceeding expectations, and thereby creating a shortage of parking to serve the Hotel facilities.

The Operators wish to invest a portion of the parking proceeds to retain additional security staff to more frequently monitor the facilities and continually improve the lighting, surfaces, curbing, plantings, and general maintenance of the West Parking Lot.

This resolution allows the Operators to charge for parking, conditioned upon compliance with the following conditions:

- Maximum per hour charge of \$3.00;
- Maximum per day charge of \$24.00;
- Use of electronic pay system that involves the use of a smart phone application;
- City of Coral Gables Officials on municipal business, Biltmore Golf course members and patrons, Biltmore Club and Fitness members, Biltmore executive office tenants, and all City of Coral Gables Garden Club personnel be exempt from payment;
- All signage and notices of non-payment or over-payment comply with sections 74-84, 74-85, and 74-86 of the City Code;
- The Operator perform restriping, repairs to all broken wheel stops, ensure lighting is in accordance with Miami-Dade County standards, and repair any damaged asphalt surfaces on the parking lot and perform any other related improvements, as may be directed by and the Public Works Director and with his/her final approval;
- In order to provide for the funding of the required improvements, the City shall receive

zero (0) percent of the parking fees collected by the Operator for the first two (2) years; if at the conclusion of the two (2) year period, the Operator has not recovered the cost of the required improvements, the City shall receive zero (0) percent of the parking fees collected by the Operators for up to one (1) additional year, but in no case for more than a total of three (3) years; the City shall receive thirty (30) percent of the parking gross fees collected from that point forward; and

- The Operator shall establish a portal/link on its website that remains active through July 1, 2022, for patrons to submit documented proof (such as a copy of the parking charges on their credit card statement, or a paid confirmation screen-shot from their cell phone) for the 12/1/21-to-2/1/22 timeframe when they paid for parking on the West Parking Lot; and upon verification of such documentation and the providing of a mailing address along with name to whom the reimbursement is to be made out to, the Operator will send said patrons a reimbursement check for the applicable amounts. Said reimbursement checks shall be sent within 30 days of the date that the necessary documentation and related information is provided to and verified by the Operator.

The resolution also approves the form of the notice in accordance with applicable City Code requirements.

ATTACHMENT(S):

- 1. Draft Resolution**
- 2. Exhibit 1 – Draft Parking Infraction Notice**
- 3. Rendering of lot signage**