

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2022-___

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

WHEREAS, 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 Premises¹,” 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;” and

WHEREAS, since the lease has been in place, the West Parking Lot has been open to the public and free of charge; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, the City is willing to allow the Operators to charge for parking conditioned upon compliance with certain conditions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the foregoing “Whereas” clauses are here hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon the adoption hereof.

SECTION 2. That the City Commission hereby authorizes the Operators to charge for parking at the West Parking Lot, subject to 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;

¹ “Premises” is defined as it is in the lease agreement between the City and the Operator.

- 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.

SECTION 3. That the City Commission hereby approves the notices attached hereto as Exhibit 1.

SECTION 4. That this Resolution shall become effective immediately upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS FIFTH DAY OF MARCH, A.D., 2022.

(Moved: / Seconded:)

(Yeas: / Nays:)

(Vote:)

(Agenda Item:)

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

MIRIAM SOLER RAMOS
CITY ATTORNEY