



RESOLUTION 2007-068

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH THE OWNER OF THE COMFORT SUITES HOTEL SITE (21655 SW PACIFIC HIGHWAY) FOR THE CONSTRUCTION OF AN EMERGENCY ACCESS ROAD AND TRAIL

WHEREAS, the owner of the Comfort Suites Hotel site has requested use of City-owned property for an emergency access road connecting the hotel site to the Madeira subdivision; and

WHEREAS, the property is identified as "Tract B-open space" on the Madeira subdivision plat; and

WHEREAS, there must be a public benefit realized from allowing a private development to utilize public property; and

WHEREAS, the use of the tract would include the construction of a portion of the Cedar Creek Trail identified in the Transportation System Plan (TSP) and an emergency access road connecting the hotel site to SW Madeira Terrace providing an emergency access for the Madeira subdivision as well as the Comfort Suites site; and

WHEREAS, the details of the proposed trail construction and emergency access are not adequate for the Council to approve an agreement at this time, but the Council sees that there is the potential that a clear public benefit can be negotiated; and

WHEREAS, the City Manager is ideally suited to ensure that a public benefit is realized through negotiating an agreement with the owner of the Comfort Suites site for use of the public property.

NOW, THEREFORE, THE CITY RESOLVES AS FOLLOWS:

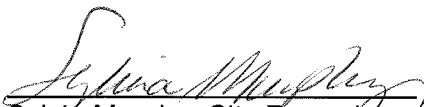
Section 1: The City Manager is authorized to negotiate an agreement with the owner of the Comfort Suites site to allow use of City-owned property for an emergency access road in exchange for a realized public benefit.

Section 2: This Resolution is and shall be effective upon its approval and adoption by Council.

Duly passed by the City Council this 7th day of August, 2007.


Keith S. Mays, Mayor

ATTEST:


Sylvia Murphy, City Recorder