

TO: City Council for July 5, 2016
Mark W. Shepard, P.E., City Manager

FROM: Jim Brewer, City Attorney

DATE: June 29, 2016

SUBJECT: First Addendum to City/OSU 2015 Interim Parking
Development Agreement



Action Requested:

Attached is a proposed addendum to the 2015 City/OSU Interim Parking Development Agreement, clarifying and extending the duration of the agreement. Approval and authorization for the City Manager to execute the addendum is requested.

Discussion:

This addendum is limited to extending the duration of the interim parking agreement to the end of 2017 to allow the City to complete the legislative process underway and to address some concerns about what events could terminate the agreement in advance of that date. Each of the events that could terminate the agreement early are within the City's control and tied to the implementation of new parking approval standards that would apply to development at OSU.

The City Attorney and staff will be available to answer any questions you might have.

Recommendation(s):

Approve the attached addendum.
Authorize the City Manager to execute the addendum.

Attachments:

First Addendum 2015 Interim Parking Development Agreement between the City of Corvallis and Oregon State University.

**First Addendum
2015 Interim Parking Development Agreement
Between
The City of Corvallis and Oregon State University.**

The parties agree that upon the date of the signature of last party to execute this Addendum, Section IV, paragraph 3 of the 2015 Interim Parking Development Agreement is replaced with the following language:

3. This Agreement shall terminate on the earlier of: (1) the effective date of any City adopted land use decision approving any amendments to the Land Development Code or OSU Zone if such amendments include parking approval standards that are directly applicable to development applications filed by OSU during the Interim Period; (2) the effective date of any City adopted land use decision approving amendments to the Comprehensive Plan policies related to OSU if such amendments include parking approval standards that are directly applicable to development applications filed by OSU during the Interim Period; (3) the effective date of any City adopted land use decision approving any amendments to the OSU Master Plan if such amendments include parking approval standards that are directly applicable to development applications filed by OSU during the Interim Period; or (4) December 31, 2017 (“Termination Date”).

All other provisions of the agreement shall remain effective as set out in the 2015 executed documents. Nothing in this First Addendum shall repeal or amend by implication any provision not expressly set out in this Addendum.

IN WITNESS WHEREOF, the Parties have executed this Addendum as of the date of the last signature, below:

CITY OF CORVALLIS

OREGON STATE UNIVERSITY

BY: _____

BY: _____

Mark Shepard, City Manager

Ron Adams, Interim Vice President
Administration,

Date: _____

Date: _____