



# Albemarle County

## Legislation Details (With Text)

**File #:** 17-252      **Version:** 1      **Name:**  
**Type:** Appointment      **Status:** Passed  
**File created:** 3/4/2017      **In control:** Board of Supervisors  
**On agenda:** 4/5/2017      **Final action:** 4/5/2017  
**Title:** Hardy Parking License. To consider granting to R. Franklin Hardy an irrevocable license to 15 parking spaces in the parking deck behind the Juvenile & Domestic Relations District Courthouse, located at 409-411 East High Street, Charlottesville, Virginia 22902 (City of Charlottesville Parcels 530032000 and 530033000).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attach.A Hardy Acquisition Agreement (2004), 2. Attach.B Proposed Hardy Parking License Agreement, 3. Attach.C Proposed County-City Parking Agreement, 4. Attach.D Resolution

Date	Ver.	Action By	Action	Result
4/5/2017	1	Board of Supervisors	adopted	Pass

**AGENDA DATE:** 4/5/2017

**TITLE:**

Hardy Parking License

**SUBJECT/PROPOSAL/REQUEST:** Agreement to convey a license for 15 parking spaces at the Juvenile & Domestic Relations District Courthouse

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Walker, Letteri, Kamptner, Herrick

**PRESENTER (S):** Andy Herrick

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Douglas C. Walker

**BACKGROUND:** In 2004, the County and the City of Charlottesville contracted to renovate the Juvenile & Domestic Relations District Courthouse (the "Juvenile Court") shared by the two localities. As part of the project, a new reserved parking deck was constructed behind the renovated Courthouse. Completion of the parking deck required acquisition of portions of neighboring properties, including a property owned by R. Franklin Hardy. As part of the compensation offered to Mr. Hardy for his property and lost parking, the City and County agreed to convey an irrevocable license to 15 reserved spaces in the new Courthouse parking deck to him (Attachment A, Section 3). From the opening of the completed parking deck in 2008, by mutual agreement, the County, the City, and Mr. Hardy have each enjoyed the use of their respective designated parking spaces.

**STRATEGIC PLAN:** Infrastructure Investment: Prioritize, plan, and invest in critical infrastructure that

responds to past and future changes and improves the capacity to serve community needs.

**DISCUSSION:** Attorneys for the County, the City, and Mr. Hardy have agreed on proposed language for the required License Agreement (Attachment B), which both the City and Mr. Hardy have already signed. Despite the localities' existing contractual obligation to convey an irrevocable parking license, this "disposal" of public property requires a public hearing under *Virginia Code* § 15.2-1800(B).

In addition, attorneys for the County and City have also agreed on proposed language for an agreement between the two localities reflecting the allocated cost and use of the new deck (Attachment C).

**BUDGET IMPACT:** Because the City and County already (a) maintain the Juvenile Court parking deck and (b) are contractually obligated to convey a license for 15 parking spaces, the proposed License Agreement has no additional fiscal impact to the County.

**RECOMMENDATION:**

After the public hearing, staff recommends that the Board adopt the attached Resolution (Attachment D) to: 1) authorize granting an irrevocable license for 15 spaces in the Juvenile Court parking deck to R. Franklin Hardy; 2) approve the License Agreement (Attachment B) and the Parking Agreement (Attachment C) between the County and City; and 3) authorize the County Executive to sign all documents necessary to grant this license and to implement the terms and conditions thereof once they have been approved as to substance and form by the County Attorney.

**ATTACHMENTS:**

- A - Hardy Acquisition Agreement (2004)
- B - Proposed Hardy Parking License Agreement
- C - Proposed County-City Parking Agreement
- D - Resolution