

Authorizing The Chair To Execute A License Agreement With Santa Fe Uptown Restaurant For Usage Of County Owned Property For A Patio Project - Department Of Public Works (Buildings And Grounds)

Referred to: The Public Works, Capital Projects and Transportation Committee (Chair Nolan and Legislators Donaldson, Kovacs, Litts, and McCollough), and The Ways and Means Committee (Chairman Gavaris and Legislators Collins, Hansut, Kovacs, Nolan, and Roberts)

Chair of the Public Works, Capital Projects and Transportation Committee, Kathy Nolan, and Deputy Chair Herbert Litts, III offer the following:

WHEREAS, this resolution has been submitted at the request of the County Executive on behalf of the Department of Public Works; and

WHEREAS, the County of Ulster owns a lot on the northerly side of Main Street in the City of Kingston, adjacent to premises located at 11 Main Street, Kingston, New York; and

WHEREAS, Santa Fe Uptown Restaurant is currently operating on the ground floor of the structure at 11 Main Street pursuant to a lease agreement between David Weiss, James Demos, Andrea Demosthenes, and 11 Main Kingston LLC d/b/a Santa Fe Uptown; and

WHEREAS, James Demos (the Applicant) seeks to license the County-owned property located alongside the building, three (3) defined parking spaces situated in the front of the parking lot adjacent to the guardrail and front Main Street, for the purpose of operating an outdoor patio café; and

WHEREAS, as per section 2.26 of the County's Type II List, this action does not pose a significant potential environmental impact and may be progressed as a Type II action in accordance with 6 NYCRR Part 617 of SEQRA; and

WHEREAS, Ulster County has determined that this funding action does not pose a significant potential environmental impact and may be progressed as a Type II action in accordance with 6 NYCRR Part 617 of SEQRA, and does not require any further determination or procedure under SEQRA; now therefore, be it

RESOLVED, that the Ulster County Legislature hereby finds and determines that said parking spaces are not currently necessary for County use; and, be it further

Resolution No. 67 February 13, 2024

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RESOLVED, that the Chair of the Ulster County Legislature is hereby authorized to execute a five-year revocable License Agreement, and any amendments thereto, with the Applicant, granting the use of the above mentioned three defined parking spots, in the form as on file with the Clerk of the Legislature or as modified with the approval of the County Attorney; and, be it further

RESOLVED, that the Applicant shall pay the sum of \$6,400.00 annually for the License period; and, be it further

RESOLVED, the granting of the License shall be subject to the Applicants obtaining any and all permits or approvals from any governing entity that may have jurisdiction,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Public Works, Capital Projects and Transportation on _____.

Passed Committee: Ways and Means on _____.

FINANCIAL IMPACT:

\$6,400.00 – BUDGETED 2024 REVENUE DOLLARS

\$6,400.00 – ANTICIPATED 2025 REVENUE DOLLARS

\$6,400.00 – ANTICIPATED 2026 REVENUE DOLLARS

\$6,400.00 – ANTICIPATED 2027 REVENUE DOLLARS

\$6,400.00 – ANTICIPATED 2028 REVENUE DOLLARS