

**CITY OF CLOVERDALE
CITY COUNCIL**

RESOLUTION NO. 035-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE AUTHORIZING THE CITY MANAGER TO EXECUTE A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF CLOVERDALE AND DWAYNE MORAN FOR AN OUTDOOR SEATING/DINING AREA ON A PORTION OF THE CITY PROPERTY

WHEREAS, the City of Cloverdale, a California municipal corporation ("Licensor" or "City") and Dwayne Moran, an individual ("Licensee") desire to enter into a Revocable License Agreement for the use of City property located adjacent to 131 E. First Street, Cloverdale, California, for the uses specified and subject to the terms and conditions set forth in the License Agreement; and

WHEREAS, the Licensee leases real property located on 131 E. First Street. in the City of Cloverdale, County of Sonoma, State of California (" Property"), on which Licensee proposes to operate a food services establishment; and

WHEREAS, Moran's business is adjacent to City owned sidewalks in the City of Cloverdale, California ("City Property"); and

WHEREAS, Licensee wishes to operate an outdoor dining area on a portion of the City Property; and

WHEREAS, the City of Cloverdale is willing to grant a Revocable License Agreement ("License") to Licensee for use of a portion of the City Property ("License Area") on the terms and conditions hereinafter set forth; and

WHEREAS, the License Agreement is for an initial term of five (5) years and the Parties may agree in writing to extend the Term for successive terms not exceeding five years each; and

WHEREAS, Mr. Moran proposes to enclose an area totaling approximately 540 square feet of property frontage within the License Area adjacent to the building located at 131 N. Cloverdale Blvd.; and

WHEREAS, the License Area is proposed to be enclosed with a pedestrian oriented perimeter railing with one point of ingress/egress to the dining area property; and

WHEREAS, street furnishings including chairs, tables proposed to be placed within the outdoor dining area to accommodate the brewpub patrons; and

WHEREAS, the proposed brewpub is expected to provide a gathering place for existing residents while helping to create a destination and draw new visitors to Downtown Cloverdale; and

WHEREAS, the Licensee's approximately 2,000 sq. ft. commercial building is within the Downtown Commercial District (DTC) which permits restaurants / brew pub and outdoor seating accessory to a restaurant; and

WHEREAS, the City finds that the entering into a License Agreement with the licensee is considered an important economic catalyst for Downtown Cloverdale and is consistent with the intent of the DTC Zoning District to provide for downtown commercial and cultural uses which are compatible with the historical, small town nature of the downtown area; and

NOW, THEREFORE, BE IT RESOLVED that the Cloverdale City Council authorizes the City Manager to execute the License Agreement between the City of Cloverdale and Mr. Moran for the use of public property located adjacent to 131 E. First Street.

It is hereby certified that the foregoing Resolution No. 035-2020 was duly introduced and adopted as amended by the City Council of the City of Cloverdale at its regular meeting held on the 25th day of March 2020, by the following roll call vote:

AYES:	(5)	Councilmembers Bagby, Brigham and Cruz, Vice Mayor Turner, and Mayor Wolter
NOES:	(0)	None
ABSTAIN:	(0)	None
ABSENT:	(0)	None

Approved:



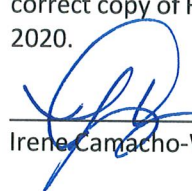
Gus Wolter, Mayor

Attested:



Irene Camacho-Werby, City Clerk

I, IRENE CAMACHO-WERBY, City Clerk of the City of Cloverdale, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 035-2020, adopted by the City Council of the City of Cloverdale on the 25th day of March 2020.


Irene Camacho-Werby, City Clerk