



## **CITY COUNCIL STAFF REPORT**

**MEETING DATE:** March 27, 2023

**ITEM TITLE:** Adopt a Resolution Authorizing the City Attorney to Draft a Revocable License Agreement with Bianchini's Supermarket Inc. for the Installation of a Shopping Cart Security System Within the Right of Way of a Public Parking Lot that is Owned by the City of San Carlos (APN: 050-163-500), and Authorize the City Manager to Sign and Approve the Agreement.

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### RECOMMENDATION:

Staff recommends that the City Council direct staff to draft a revocable license agreement with Bianchini's Supermarket Inc. for the installation of a shopping cart security system within the right of way of a public parking lot that is owned by the City of San Carlos (APN: 050-163-500), and authorize the City Manager to sign and approve the agreement.

### FISCAL IMPLICATIONS:

There is no fiscal impact associated with this recommendation. Bianchini's Supermarket Inc. will provide improvements to the site at no cost to the City.

### BACKGROUND:

Bianchini's Supermarket Inc. ("Bianchini's") operates at 810 Laurel Street, adjacent to a parking lot owned by the City that is open to the public and used by customers of the supermarket. The supermarket provides shopping carts to its customers with the expectation that they are returned to designated areas. However, there has been an increase in the number of shopping carts leaving the premises.

To address this issue, Bianchini's wishes to install a shopping cart security system around the perimeter of the parking areas, including the City-owned parking lot. The proposed improvements would include sensors, underground locking cables, and parking lot signage installed throughout the parking lot perimeter. These improvements would allow the shopping carts to be activated and locked when passing the boundary. A small transmitter, mounted inside the store, sends a locking signal through an embedded cable that runs around the perimeter of the parking lot. In order to embed the cable, a precision saw cut measuring 1 ½ inches deep by ¼ inch wide will be made and then sealed with a weatherproof sealant that closely matches the original appearance of the parking lot.

### ANALYSIS:

To formalize the use of the parking lot for this purpose, staff recommends the use of a revocable license agreement. The agreement would provide City-owned property for use by Bianchini's at

no cost and would outline the responsibilities for construction and maintenance, as well as include insurance and indemnification clauses. The technical plans will also include pavement restoration and underground service alerts (USA) for any utility conflicts.

The shopping cart security system will cover the entire parking area, including the City-owned parking lot. This is necessary because customers of Bianchini's use both parking lots for shopping. This shopping cart security system will help prevent shopping carts from being removed from the premises and left around the city.

ALTERNATIVES:

The alternatives available to the City Council include:

1. Adopt a Resolution Authorizing the City Attorney to Draft a Revocable License Agreement with Bianchini's Supermarket Inc. for the Installation of a Shopping Cart Security System Within the Right of Way of a Public Parking Lot that is Owned by the City of San Carlos (APN: 050-163-500), and Authorize the City Manager to Sign and Approve the Agreement; or
2. Do not adopt a Resolution; or
3. Provide staff with alternative direction.

Respectfully submitted by:

Al Savay, Community Development Director

Approved for submission by:



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Jeff Maltbie, City Manager

ATTACHMENT(S):

1. Resolution