



## Cover Memorandum/Staff Report

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**File #:** 20-590

**Agenda Date:** 8/11/2020

**Item #:** 7.G.

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**TO:** Mayor and Commissioners  
**FROM:** Lynn Gelin, City Attorney  
**DATE:** August 11, 2020

DISCUSSION AND DIRECTION REGARDING THE HANDLING OF REQUESTS RECEIVED FROM AMERISTAR FOR EXCUSAL OF PAYMENT

**Recommended Action:**

Staff seeks direction regarding the handling of the request from Ameristar for excusal of payment.

**Background:**

Ameristar Parking Solutions ("Ameristar"), through its representative Jon England, seeks an excusal of payments owed to the City in the amount of \$5,136. Currently, Ameristar rents forty (40) parking spaces located in the Federspiel Garage on a month to month basis. The outstanding balance reflects payments that would have been owed to the City for the months of April, May, and June of 2020.

Due to the COVID-19 state, county and local state of emergencies, valet parking was shut down and inoperable until June 2, 2020. Ameristar was unable to operate its valet business and consequently did not utilize the spaces in the Federspiel Garage. Ameristar now seeks excusal of payment based on its impossibility to perform.

**City Attorney Review:**

Approved as to form and sufficiency.

**Funding Source/Financial Impact:**

Ameristar currently owes \$5,136 according to City staff.

**Timing of Request:**

Payments for the months of April, May, and June of 2020 are due but have been deferred pending direction from the Commission.