Agenda Report

TO: **CITY COUNCIL** **Date:** July 1, 2002

FROM: City Manager

SUBJECT: License Agreement Between the City of Pasadena and JSM 2110 4th Street LLC, for the Installation of Temporary Tie-Backs and Soldier Beams Under the Public Right-of-Way for Subterranean Parking at 65 West Dayton Street

RECOMMENDATION:

It is recommended that the City Council adopt the following resolution approving a License Agreement with JSM 2110 4th Street LLC, for property located at 65 West Dayton Street, with the terms and conditions as set forth in the background section of this report, and authorize the City Manager to execute and the City Clerk to attest, said License Agreement, on behalf of the City of Pasadena.

BACKGROUND:

JSM 2110 4th Street LLC ("Licensee") is the owner of property located at 65 West Dayton Street. The Licensee is proposing to develop a 5-story mixed-use building that will include 42 apartments, 2,881 square feet of commercial space and a two-level subterranean parking garage.

The Licensee requests permission to use and occupy a portion of Dayton Street to install tie-backs and soldier beams under the public right-of-way. These subsurface improvements will be used to temporarily support the subterranean walls of the parking garage during construction. The License Agreement sets forth terms of automatic termination once the subsurface improvements are no longer necessary.

The proposed License Agreement area is described in the Legal Description (Exhibit "A") and shown on the City of Pasadena Public Works and Transportation Department Drawing No. 5203 (Exhibit "B"). All exhibits are attached.

FISCAL IMPACT:

The developer has paid for staff's time to prepare and process the License Agreement.
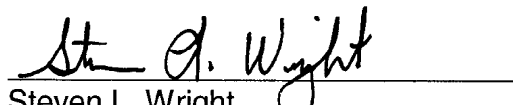
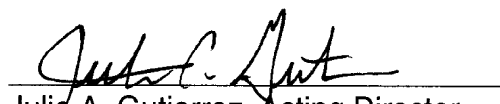Respectfully submitted,

CYNTHIA J. KURTZ
City Manager

Prepared by:

Bonnie L. Hopkins
Principal Engineer

Reviewed by:

Steven L. Wright
Acting City Engineer

Approved by:

Julie A. Gutierrez, Acting Director
Public Works and Transportation

CAM:bs