

Agenda Report

TO: CITY COUNCIL

Date: July 11, 2005

FROM: CITY MANAGER

SUBJECT: ADOPT A RESOLUTION APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF PASADENA AND GREEN STREET VENTURE, LLC, FOR THE INSTALLATION OF TIE-BACKS UNDER THE PUBLIC RIGHT-OF-WAY FOR SUBTERRANEAN PARKING ALONG GREEN STREET, DELACEY AVENUE AND DAYTON STREET

RECOMMENDATION

It is recommended that the City Council take the following actions:

1. Adopt the attached resolution approving a License Agreement with Green Street Venture, LLC, for property located at 100 West Green Street, with terms and conditions as set forth in the background section of this report.
2. Authorize the City Manager to execute and the City Clerk to attest, said License Agreement, on behalf of the City of Pasadena.

BACKGROUND

Green Street Venture, LLC ("Licensee") is the owner of the property located at 100 West Green Street. The Licensee is developing a multi-story mixed use building that will include 61 residential condominium units, one commercial space on the ground floor and a two-level subterranean parking garage.

The Licensee requests permission to use and occupy a portion of Green Street, DeLacey Avenue and Dayton Street to install tie-backs 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, as well as terms for assumption of risk and indemnification of the City for

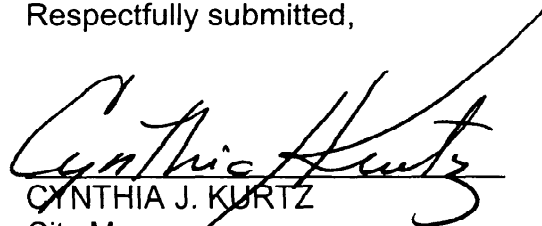
any activity in the public right-of-way associated with the installation, removal, and abandonment of the tie-backs.

The proposed License Agreement area is described in the Legal Description (Exhibit "A") and is shown on the City of Pasadena Department of Public Works Drawing No. 5488 (Exhibit "B"). All exhibits are attached.

FISCAL IMPACT

All costs for processing the license agreement have been paid for by the developer.

Respectfully submitted,



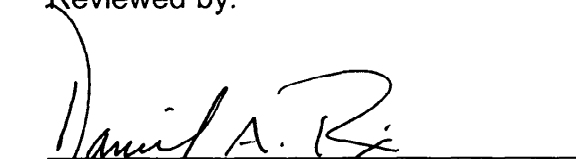
CYNTHIA J. KURTZ
City Manager

Prepared by:



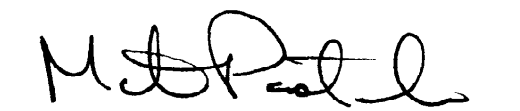
Bonnie L. Hopkins
Principal Engineer

Reviewed by:



Daniel A. Rix
City Engineer

Approved by:



Martin Pastucha, Director
Department of Public Works

BLH
Attachments

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH GREEN STREET VENTURE, LLC, FOR THE INSTALLATION OF TIE-BACKS UNDER THE PUBLIC RIGHT-OF-WAY FOR AN UNDERGROUND PARKING STRUCTURE AT 100 WEST GREEN STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA

WHEREAS, the City of Pasadena is a municipal corporation which is empowered to carry out the provisions of its Charter and to perform all duties and obligation of the City as imposed by the laws of the State of California; and

WHEREAS, the City is supportive of the construction of the Mixed-Use Building and Underground Parking Structure located at 100 West Green Street; and

WHEREAS, in order for Green Street Venture, LLC, to perform its obligations of construction of the Mixed-Use Building and Parking Structure in a timely manner, it is necessary for Green Street Venture, LLC, to use and occupy a portion of Green Street, DeLacey Avenue, and Dayton Street to install tie-backs under the public right-of-way; and

WEHREAS, the License Agreement between Green Street Venture, LLC, and the City sets for the terms of automatic termination once the subsurface improvements area no longer needed.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Pasadena:

1. The License Agreement granting Green Street Venture, LLC, permission to install and maintain tie-backs along a portion of Green Street, DeLacey Avenue , and Dayton Street in the City of Pasadena, as described on the Legal Description (Exhibit "A") and as shown on the Department of Public Works Drawing No. 5488 (Exhibit "B") is hereby approved; and
2. The City Manager is authorized and directed to execute and acknowledge the same for and on behalf of the City, and the City Clerk is directed to attest the City Manager's signature and affix the corporate seal of the City thereto, and once fully executed in recordable form, to cause the License Agreement to be recorded in the Official Records of Los Angeles County.

Adopted at the _____ meeting of the City Council on the _____ day of _____, 2005, by the following vote:

AYES:

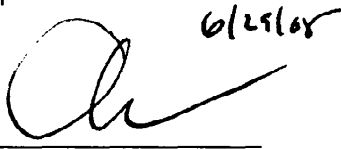
NOES:

ABSENT:

ABSTAIN:

JANE L. RODRIGUEZ, City Clerk

Approved as to form:



6/29/05

Nicholas G. Rodriguez
Assistant City Attorney

EXHIBIT 'A'
LEGAL DESCRIPTION

**FOR THE INSTALLATION OF TEMPORARY TIEBACKS AND SOLDIER BEAMS
IN THE CITY OF PASADENA**

PARCEL 1

THAT PORTION OF GREEN STREET, IN THE CITY OF PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON THE MULLIN'S TRACT, FILED IN BOOK 5, PAGE 360, OF MAP RECORDS, IN THE OFFICE OF THE COUNTY RECORDER, OF SAID COUNTY, DESCRIBED AS FOLLOWS;

BEGINNING AT THE CENTERLINE INTERSECTION OF GREEN STREET AND DELACEY AVENUE, AS NOW ESTABLISHED BY THE CITY ENGINEER; THENCE ALONG SAID CENTERLINE OF GREEN STREET, SOUTH 89°31'29" WEST, 154.76 TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 00°28'21" EAST, 35.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF SAID GREEN STREET; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY, SOUTH 89°31'39" WEST, 60.42 FEET; THENCE NORTH 00°28'21" WEST, 35.00 FEET TO A POINT ON THE CENTERLINE OF SAID GREEN STREET; THENCE ALONG SAID CENTERLINE, NORTH 89°31'39" EAST, 60.42 FEET; TO SAID TRUE POINT OF BEGINNING.

SAID PARCEL 1 CONTAINS APPROXIMATELY 0.049 ACRES

AS SHOWN ON EXHIBIT 'B ATTACHED HERETO AND MADE A PART HEREOF.

PARCEL 2

THAT PORTION OF DAYTON STREET, IN THE CITY OF PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON J.H. BAKER'S SUBDIVISION, FILED IN BOOK 5 PAGE 523, OF MAP RECORDS, IN THE OFFICE OF THE COUNTY RECORDER, OF SAID COUNTY, DESCRIBED AS FOLLOWS;

BEGINNING AT THE CENTERLINE INTERSECTION OF DAYTON STREET AND DELACEY STREET, AS NOW ESTABLISHED BY THE CITY ENGINEER; THENCE ALONG SAID CENTERLINE OF DAYTON STREET SOUTH 89°30'55" WEST, 25.01 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CENTERLINE, SOUTH 89°30'55" WEST, 193.51 FEET; THENCE NORTH 00°29'05" WEST, 25.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF SAID DAYTON STREET; THENCE ALONG SAID RIGHT-OF-WAY NORTH 89°30'55" EAST, 193.51 FEET; THENCE SOUTH 00°29'05" EAST, 25.00 FEET TO SAID TRUE POINT OF BEGINNING.

SAID PARCEL 2 CONTAINS APPROXIMATELY 0.111 ACRES

AS SHOWN ON EXHIBIT 'B ATTACHED HERETO AND MADE A PART HEREOF.

PARCEL 3

THAT PORTION OF DELACEY STREET, AS NOW ESTABLISHED BE THE CITY ENGINEER, IN THE CITY OF PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING A PORTION OF LOT 20, AS SHOWN ON THE MULLIN'S TRACT, FILED IN BOOK 5, PAGE 360, AND A PORTION OF LOT 11, AS SHOWN ON J.H. BAKER'S SUBDIVISION, FILED IN BOOK 5 PAGE 523, BOTH OF MAP RECORDS, IN THE OFFICE OF THE COUNTY RECORDER, OF SAID COUNTY, DESCRIBED AS FOLLOWS;

3/10/2005

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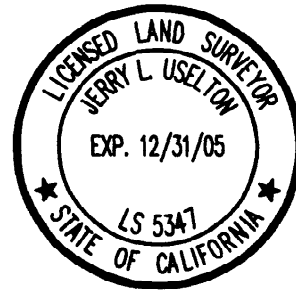
BEGINNING AT THE CENTERLINE INTERSECTION OF GREEN STREET AND SAID DELACEY AVENUE; THENCE ALONG SAID CENTERLINE OF DELACEY AVENUE SOUTH 00°29'55" EAST, 101.55 FEET; THENCE SOUTH 89°30'05" WEST, 15.00 FEET TO A POINT ON A LINE 15.00 FEET WESTERLY AND PARALLEL WITH SAID CENTERLINE OF DELACEY AVENUE. SAID POINT BEING THE **TRUE POINT OF BEGINNING**; THENCE SOUTH 00°29'55" EAST, 58.42 FEET, ALONG SAID PARALLEL LINE; THENCE NORTH 89°30'05" EAST, 10.00 FEET TO A POINT ON A LINE 5.00 FEET WESTERLY AND PARALLEL WITH SAID CENTERLINE; THENCE SOUTH 00°29'55" EAST, 124.92 FEET, ALONG SAID PARALLEL LINE TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF DAYTON STREET AS SHOWN ON SAID J.H. BAKER'S SUBDIVISION; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY SOUTH 89°30'05" WEST, 20.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF SAID DELACEY AVENUE; THENCE ALONG SAID WESTERLY RIGHT OF WAY NORTH 00°29'55" WEST, 183.34 FEET; THENCE NORTH 89°30'05" EAST, 10.00 FEET TO SAID **TRUE POINT OF BEGINNING**.

SAID PARCEL 3 CONTAINS APPROXIMATELY 0.071 ACRES

AS SHOWN ON EXHIBIT 'B ATTACHED HERETO AND MADE A PART HEREOF.

DATED THIS ____ DAY OF _____, 2005

JERRY L. USELTON, L.S. 5347, EXP. 12/31/05

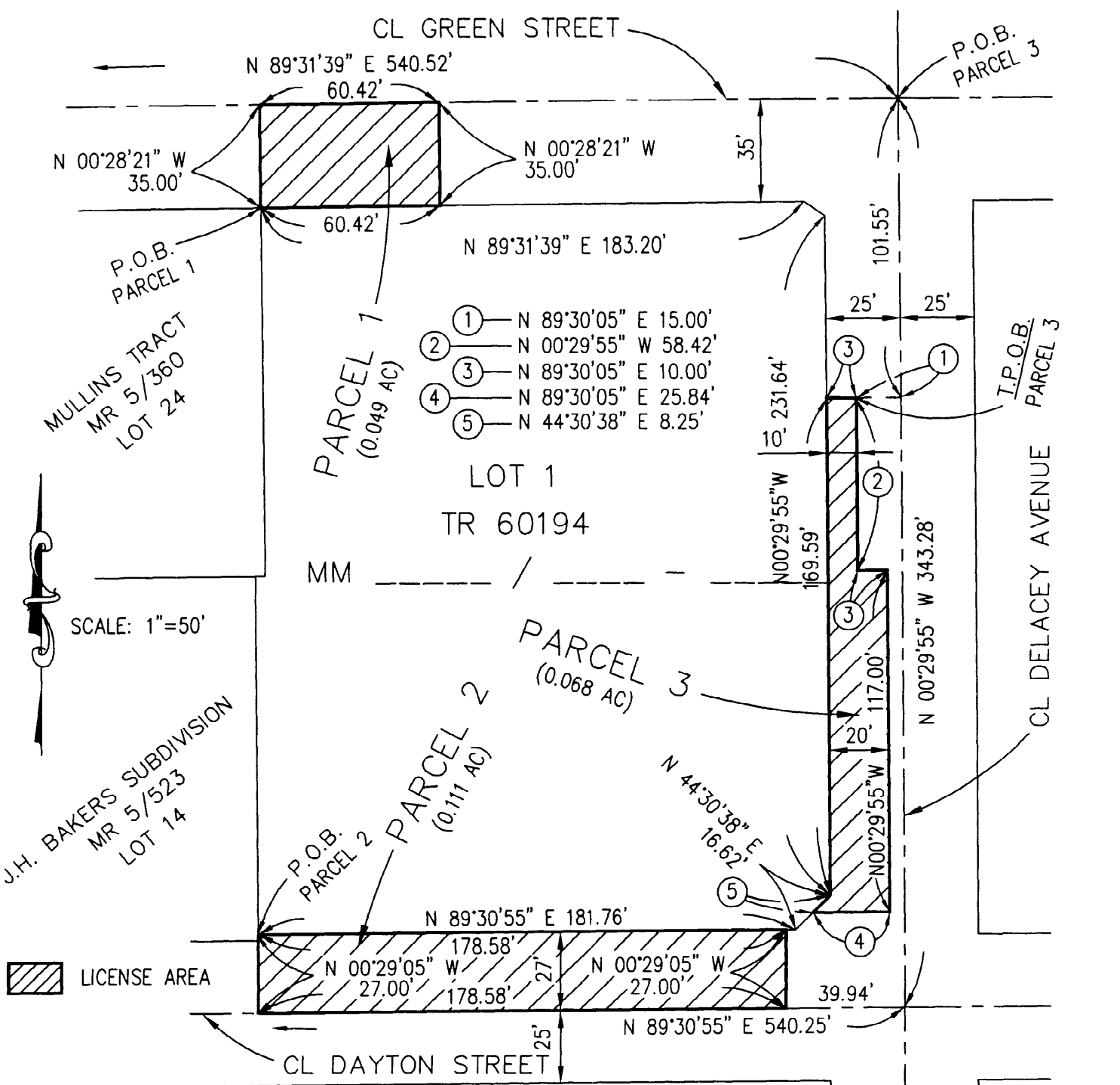


3/10/2005

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EXHIBIT 'B'

CL GREEN STREET



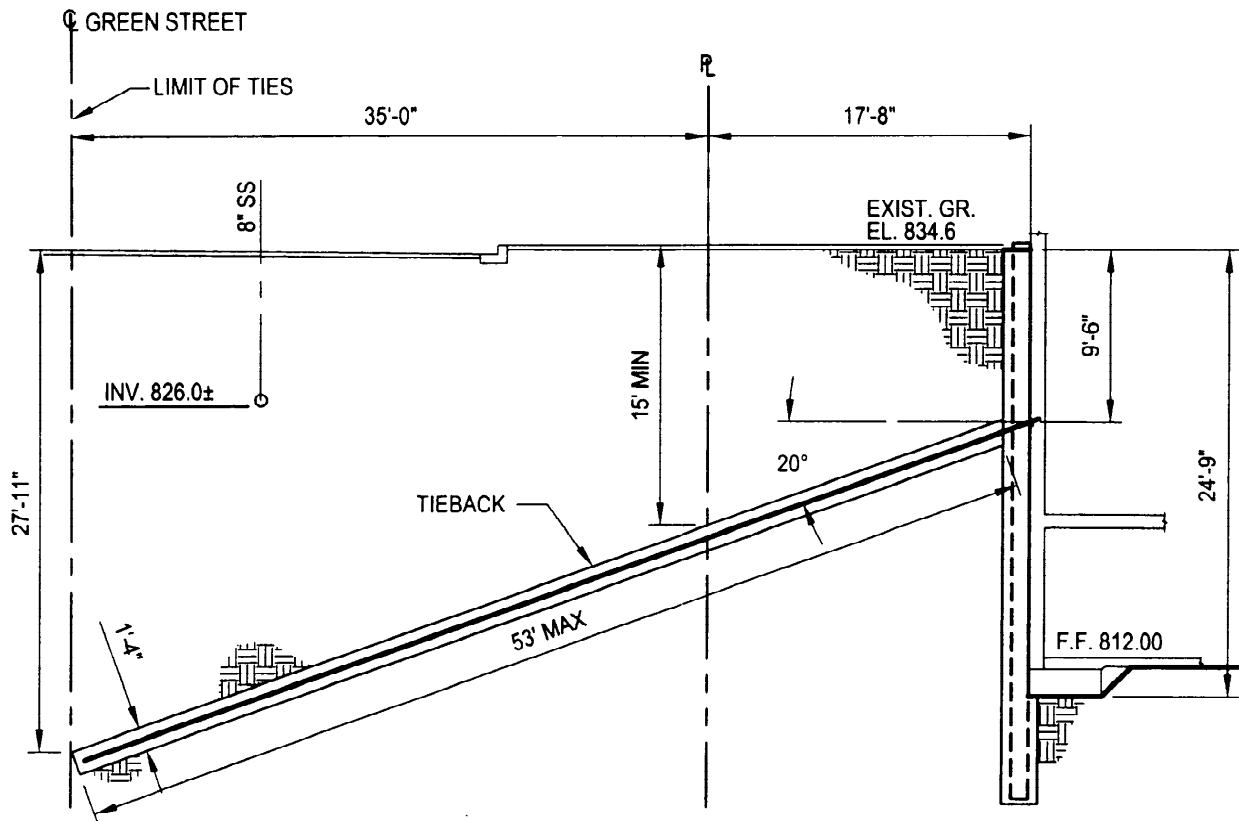
SCALE: 1"=50'

10-01-04 rev

MAPPING/569/01/EASEMENTS/56901-TIE-PUB

CITY OF PASADENA - DEPARTMENT OF PUBLIC WORKS

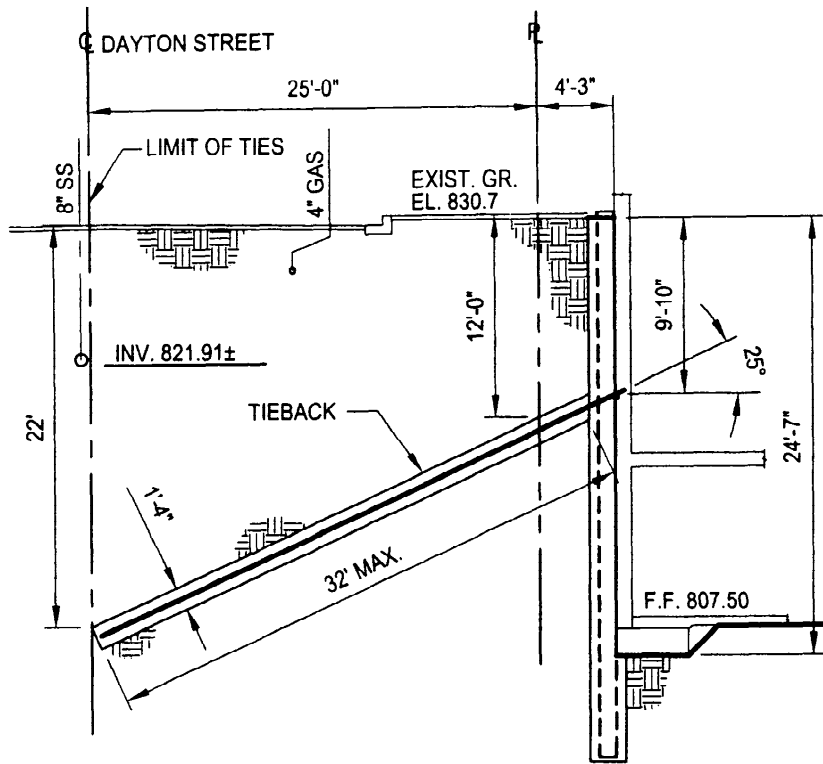
DRAWN BY: G.F.L. (PRIVATE)	LICENSE AGREEMENT FOR ENCROACHMENT OF TIE-BACKS AND SOLDIER BEAMS 100 WEST GREEN STREET	SCALE: AS SHOWN
CHECKED BY: B.L.H.		DATED: 08/11/04
SUBMITTED BY: B.L.H.	APPROVED BY:	<h1>5488</h1> SHEET 1 OF 5
FIELD BOOK NO. NONE	CITY ENGINEER _____ DATE _____	



GREEN STREET
TYPICAL CROSS SECTION FOR PARCEL 1

CITY OF PASADENA - DEPARTMENT OF PUBLIC WORKS

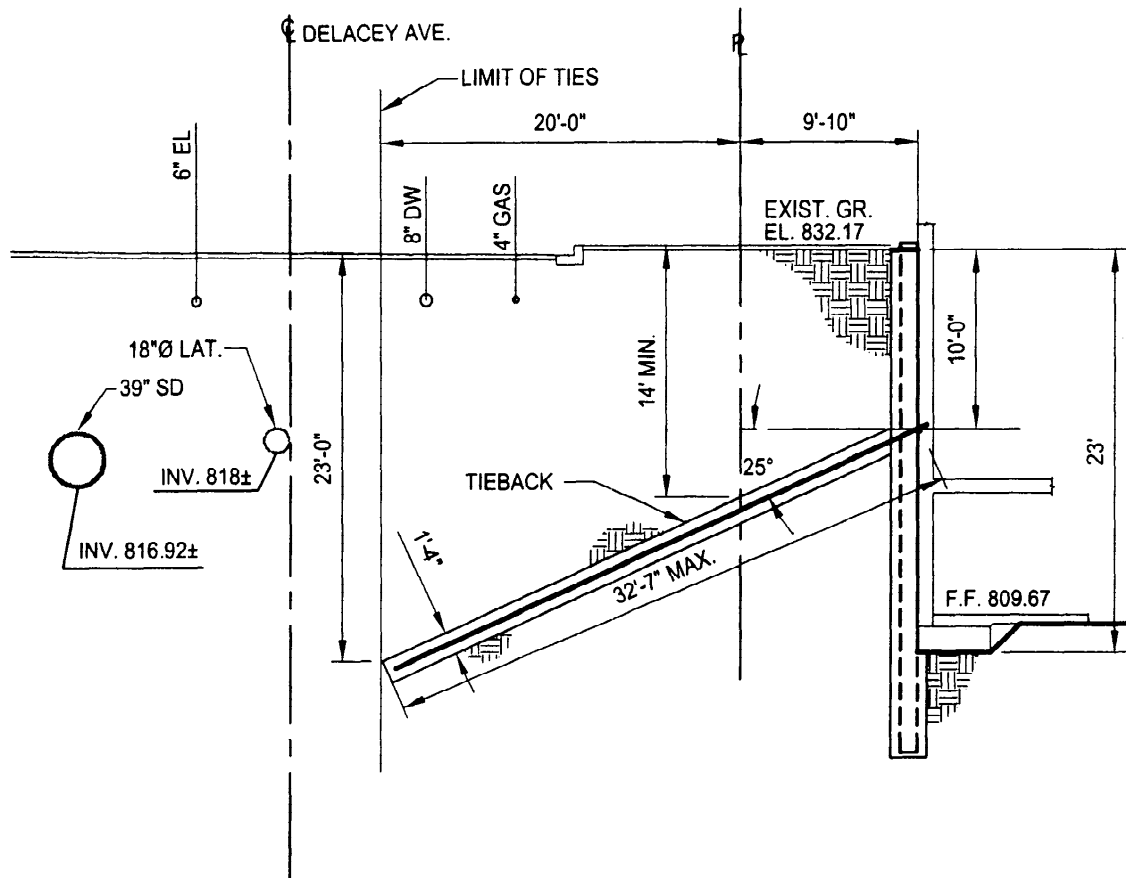
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CHECKED BY: B.L.H.	APPROVED BY:	DATED: 08/11/04
SUBMITTED BY: B.L.H.		5488
FIELD BOOK NO. NONE	CITY ENGINEER	DATE
		SHEET 2 OF 5



DAYTON STREET
 TYPICAL CROSS SECTION FOR PARCEL 2

CITY OF PASADENA - DEPARTMENT OF PUBLIC WORKS

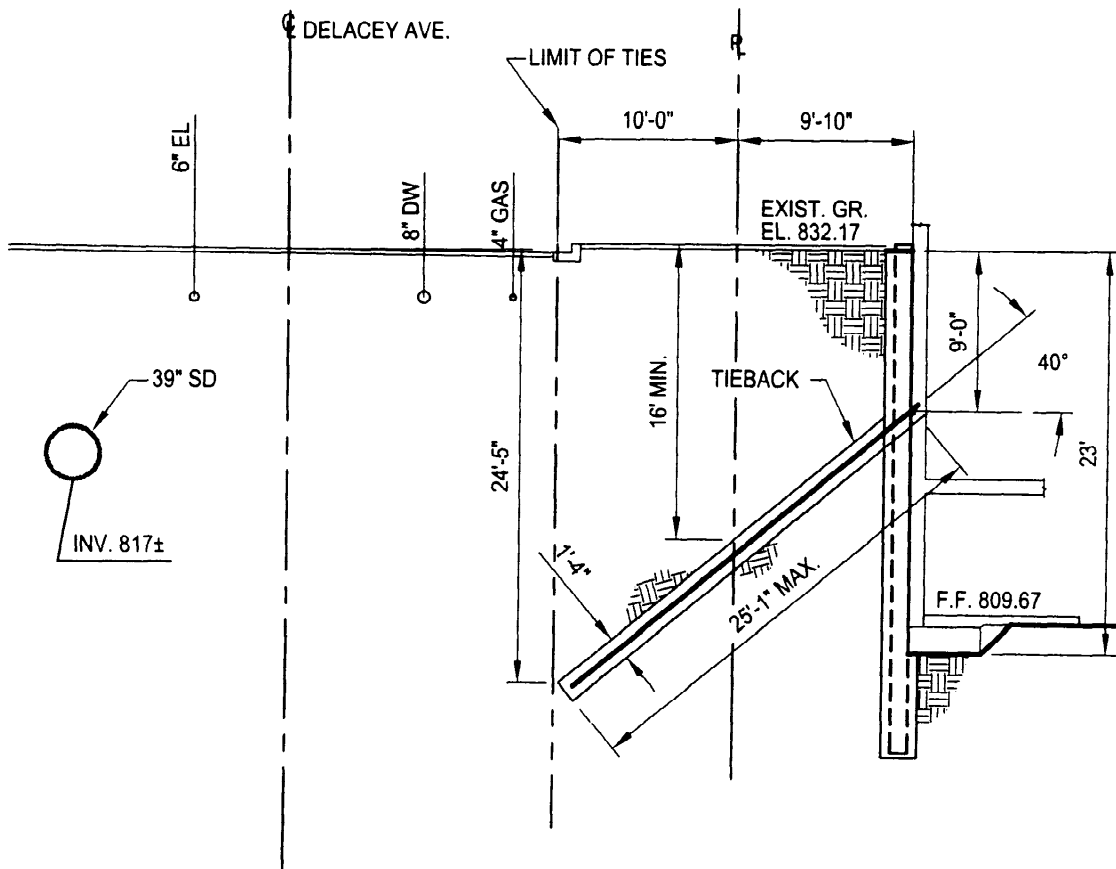
DRAWN BY: G.F.L. (PRIVATE)	LICENSE AGREEMENT FOR ENCROACHMENT OF TIE-BACKS AND SOLDIER BEAMS 100 WEST GREEN STREET	SCALE: NTS
CHECKED BY: B.L.H.		DATED: 08/11/04
SUBMITTED BY: B.L.H.	APPROVED BY:	5488 SHEET 3 OF 5
FIELD BOOK NO. NONE	CITY ENGINEER _____ DATE _____	



DELACEY STREET
TYPICAL CROSS SECTION FOR PARCEL 3

CITY OF PASADENA - DEPARTMENT OF PUBLIC WORKS

DRAWN BY: G.F.L. (PRIVATE)	LICENSE AGREEMENT FOR ENCROACHMENT OF TIE-BACKS AND SOLDIER BEAMS 100 WEST GREEN STREET	SCALE: NTS
CHECKED BY: B.L.H.		DATED: 08/11/04
SUBMITTED BY: B.L.H.	APPROVED BY:	5488 SHEET 4 OF 5
FIELD BOOK NO. NONE	CITY ENGINEER _____ DATE _____	



DELACEY STREET
TYPICAL CROSS SECTION FOR PARCEL 3

CITY OF PASADENA - DEPARTMENT OF PUBLIC WORKS

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CHECKED BY: B.L.H.		DATED: 08/11/04
SUBMITTED BY: B.L.H.		5488
FIELD BOOK NO. NONE	APPROVED BY: _____ CITY ENGINEER	DATE _____
		SHEET 5 OF 5