

Agenda Report

TO: CITY COUNCIL

Date: June 1, 1998

FROM: Acting City Manager

SUBJECT: Cancellation of License Agreement No. 11,453 and Approval of New License Agreement Between the City of Pasadena and Altos Arroyos Owners Association Permitting the Use and Maintenance of a Retaining Wall, Driveway Ramp, Landscaping, an Address Monument, and Appurtenant Structures Within A Portion of North Arroyo Boulevard

RECOMMENDATION:

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

1. Cancel, upon thirty (30) day's written notice, License Agreement No. 11,453.
2. Adopt a resolution approving a new License Agreement with Altos Arroyos Owners Association transferring the terms and conditions set forth in the original License Agreement to the Association.
3. Authorize the Acting City Manager to execute and the City Clerk to attest, said new License Agreement, on behalf of the City of Pasadena.

BACKGROUND:

On June 23, 1981, the City Council approved Final Tract Map No. 37683 at 50-78 North Arroyo Boulevard which was for the purpose of creating a 15-unit condominium project with access from Arroyo Boulevard. The development required construction of a retaining wall, driveway access ramp, landscaping, an address monument, and appurtenant structures within the unusually wide parkway area along the east side of North Arroyo Boulevard. On January 11, 1983, the City approved License Agreement No. 11,453 with RHO Pacific Corporation, the developer for the condominium project, which allowed the above described encroachments in the public right-of-way. License Agreement No. 11,453 was recorded at the County Recorder's Office on January 31, 1983, as Instrument No. 83-125990.

MEETING OF 6/1/98

AGENDA ITEM NO. 4.A.(1)

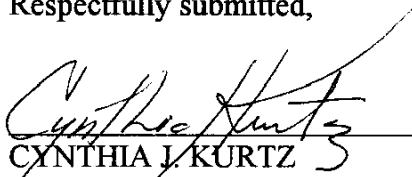
Since that time, the developer has transferred property ownership of the condominium development to the Altos Arroyos Owners Association which represents and is comprised of the condominium owners. In order to allow the continued encroachment in the public right-of-way by the current property owners of the condominium development, the City must cancel the original license agreement according to cancellation procedures as stated in License Agreement No. 11,453, and approve a new license agreement with the Altos Arroyos Owners Association. Upon approval of the above stated recommendations, the City will issue a thirty (30) day cancellation notice to RHO Pacific Corporation and after the thirty (30) days, will route for final signature and record with the County, the new license agreement.

The license area is described in Exhibit "A" (attached hereto) and is shown on Exhibit "B" (Public Works and Transportation Department Drawing No. 4978, attached hereto). The term of the license shall be indefinite, but revocable upon thirty (30) day's written notice by either the Licensee or the City. The license agreement requires that the City be insured and indemnified against any claims arising from use of the area licensed and makes the Licensee responsible for maintenance, up keep and restoration of the license area.


FISCAL IMPACT:

The Altos Arroyos Owners Association has paid staff's time to prepare and process the License Agreement.

Respectfully submitted,


CYNTHIA J. KURTZ
Acting City Manager

Prepared by:

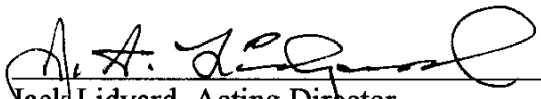

Bonnie L. Bettison
Principal Engineer

Reviewed by:



For Daniel A. Rix
City Engineer

Approved by:


Jack Lidyard, Acting Director
Public Works and Transportation

JM:bs