



Pelican Harbor Senior Apartments

**Approve License Agreement and
Project Specific Maintenance
Agreement**

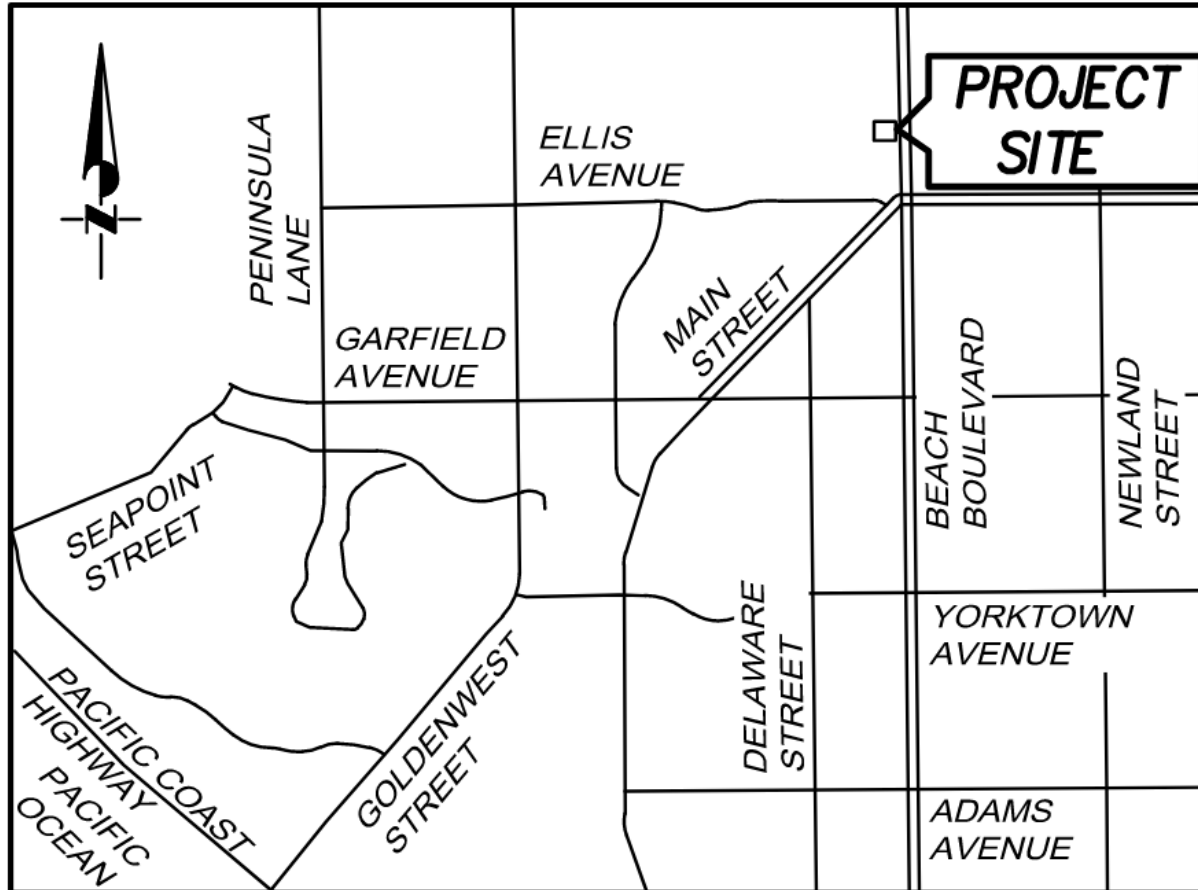
Department of Public Works

BACKGROUND

- The Pelican Harbor Senior Apartments project is located at 18431 Beach Boulevard, near the intersection with Ellis Avenue (Attachment 1). Developed by Jamboree Housing, the project will provide affordable housing for seniors. The project consists of 43 total units with a subterranean parking garage and four stories of residential. There are also outdoor amenities such as a courtyard, dog run, open space, and fitness stations.
- As part of the development requirements, the developer was required to construct a streetlight and new concrete walkways in State Route 39 (Beach Boulevard) along the project frontage. State Route 39 is operated by the California Department of Transportation (Caltrans).
- The developer was also required to assume maintenance responsibilities of the constructed improvements in State Route 39. Caltrans will not directly sign agreements with developers, only governmental agencies. To satisfy the maintenance requirements, the City signs a maintenance agreement with Caltrans, and then signs another separate maintenance agreement with the developer to pass maintenance responsibility to the developer.



LOCATION MAP



VICINITY MAP
NOT TO SCALE



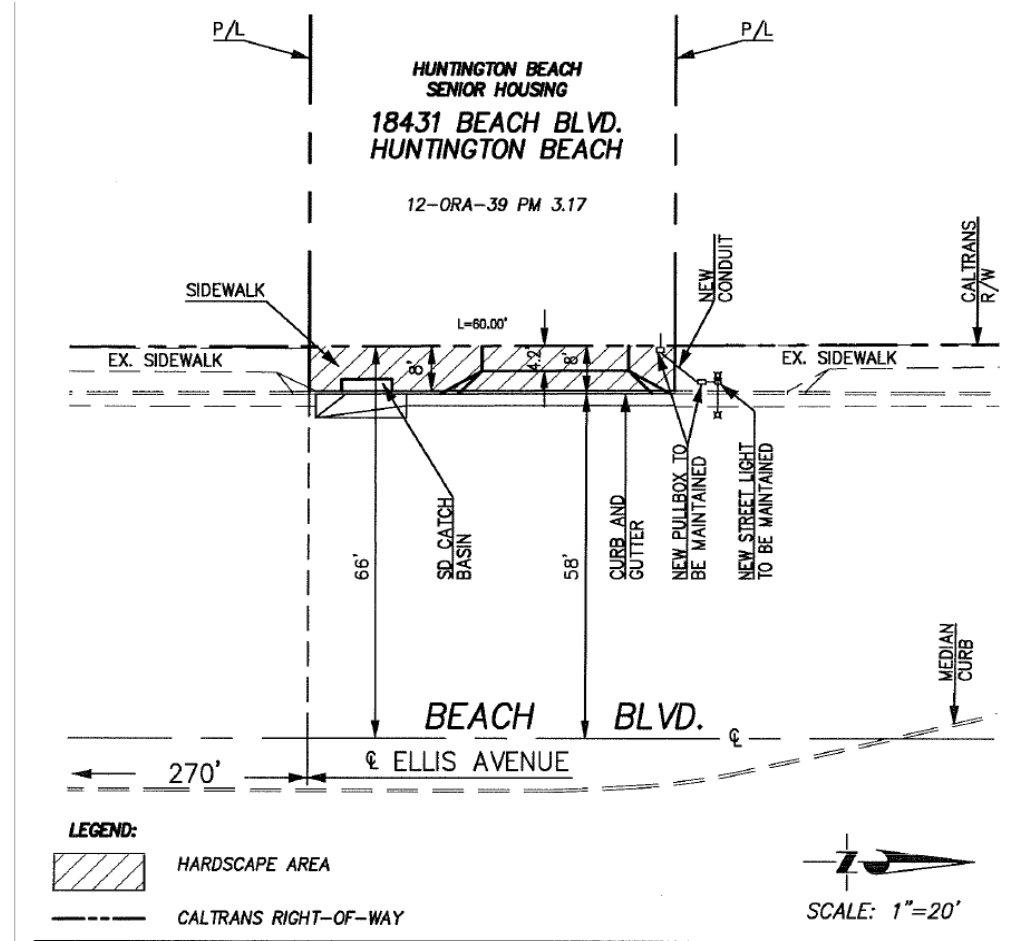
NEED/WHY/BENEFITS

- The project's development requirements included the maintenance responsibilities of hardscape and street lighting improvements within State Route 39 along the project frontage. To document this responsibility, the project developer is required to execute a License Agreement for all hardscape and street lighting within State Route 39 Right-of-Way. This agreement also addresses sidewalk cleaning, disposal of trash, and all other aspects of maintenance.
- The California Department of Transportation (Caltrans), the owner of State Route 39 Right-of-Way, will only enter into maintenance agreements with governmental agencies, not private developers. Consequently, there are two agreements necessary to adequately address maintenance responsibility. The Project Specific Maintenance Agreement between the City and Caltrans passes maintenance responsibilities from Caltrans to the City, and the License Agreement between the City and Beach Housing Partners, L.P. (Jamboree Housing), passes maintenance responsibilities from the City to the developer.
- Executing these agreements allows the developer to meet the development requirements and transfers maintenance responsibility to the developer, which results in no maintenance responsibilities for the City.



DETAILS

- The constructed improvements along the project frontage within Caltrans Right-of-Way on State Route 39 (Beach Boulevard) include concrete walkways, streetlight, conduit, and pull boxes.
- Maintenance responsibilities include the previously mentioned improvements and also include sidewalk cleaning and disposal of trash.
- Executing both agreements will pass all maintenance responsibilities to the developer and free the City of maintenance responsibility. The City signs two separate agreements with Caltrans and the developer due to Caltrans not signing agreements directly with developers, only governmental agencies like the City.



RECOMMENDATION

- A) Approve and authorize the Mayor and City Clerk to execute the License Agreement between the City of Huntington Beach and Beach Housing Partners, L.P. (Jamboree Housing, the project developer), to provide maintenance of improvements within State Highway Right-of-Way on State Route 39 (Beach Boulevard) for the Pelican Harbor Senior Apartments project (Attachment 2); and

- B) Approve and authorize the Mayor and City Clerk to execute the Project Specific Maintenance Agreement between the City of Huntington Beach and State of California (Caltrans) for improvements within State Highway Right-of-Way on State Route 39 (Beach Boulevard) for the Pelican Harbor Senior Apartments project (Attachment 3).



Questions?

