



Legislation Details (With Text)

File #: 20-1831 **Version:** 1
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File created: 8/17/2020 **In control:** City Council/Public Financing Authority
On agenda: 9/21/2020 **Final action:** 9/21/2020
Title: Approve and authorize the execution of a License Agreement with Palermo Investments, LLC, for the 401 Main Street Project
Attachments: 1. Att#1 License Agreement

Date	Ver.	Action By	Action	Result
9/21/2020	1	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Oliver Chi, City Manager

PREPARED BY: Sean Crumby, Director of Public Works

Subject:

Approve and authorize the execution of a License Agreement with Palermo Investments, LLC, for the 401 Main Street Project

Statement of Issue:

A License Agreement between the City and Palermo Investments, LLC (owner/developer), is presented for City Council approval and execution for the 401 Main Street Project at the intersection of Main Street and Orange Avenue.

Financial Impact:

No funding is required for this action.

Recommended Action:

Approve and authorize the Mayor and City Clerk to execute and record the "License Agreement Between the City of Huntington Beach and Palermo Investments, LLC, to Provide Installation and Maintenance of Landscaping and Landscaping Improvements in the Public Right-of-Way" for the 401 Main Street Project.

Alternative Action(s):

Do not authorize execution of the License Agreement between the City of Huntington Beach and Palermo Investments, LLC, with findings for denial, and direct staff accordingly. Absent this agreement, the City would be responsible for construction and maintenance of the improvements within the public right-of-way related to the subject project. This alternative action would result in

increased future maintenance costs for the City and will prevent the developer from satisfying the project's Conditions of Approval.

Analysis:

The 401 Main Street project is a redevelopment project located at the northwest corner of Main Street and Orange Avenue. The project's development requirements included the construction and responsibilities for future maintenance of landscaping and hardscape improvements within the public right-of-way along its street frontages on Main Street and Orange Avenue. To document this responsibility, the developer/owner is required to execute the appropriate landscape maintenance agreement for all landscaping, irrigation, street furniture, and enhanced hardscape that encroaches into the City right-of-way along the aforementioned street frontages. In addition to landscaping and irrigation, the agreement also addresses sidewalk cleaning, trash cans, disposal of trash, signs, tree replacement, and all other aspects of maintenance for areas in the City right-of-way.

Public Works Commission Action: Not applicable for this request.

Environmental Status:

The agreement is categorically exempt from the California Environmental Quality Act, pursuant to City Council Resolution No. 4501.

Strategic Plan Goal:

Enhance and maintain infrastructure

Attachment(s):

1. License Agreement between the City of Huntington Beach and Palermo Investments, LLC, to Provide Installation and Maintenance of Landscaping and Landscaping Improvements in the Public Right-of-Way