



# City of Huntington Beach

File #: 21-639

MEETING DATE: 9/7/2021

## 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 the execution and recordation of a License Agreement with Huntington Gateway Industrial, LLC for the Huntington Gateway Phase I Industrial Project**

**Statement of Issue:**

A License Agreement between the City and Huntington Gateway Industrial, LLC (owner/developer) is presented for City Council approval and execution for the Huntington Gateway Phase I industrial project located on the east side of Bolsa Chica Street, north of Bolsa 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 Huntington Gateway Industrial, LLC to Provide Installation and Maintenance of Landscaping and Landscaping Improvements in the Public Right-of-Way" for the Huntington Gateway Phase I industrial project (Attachment 1).

**Alternative Action(s):**

Do not authorize execution of the "License Agreement between the City of Huntington Beach and Huntington Gateway Industrial, LLC to Provide Installation and Maintenance of Landscaping and Landscaping Improvements in the Public Right-of-Way" for the Huntington Gateway Phase I industrial project, with findings for denial, and direct staff accordingly. Absent this agreement, the City would be responsible for maintenance of the improvements within the public right-of-way related to the subject project, which would result in increased future maintenance costs for the City. Additionally, without this Agreement, the developer would be unable to satisfy the project's Conditions of Approval.

**Analysis:**

The Huntington Gateway Phase I industrial project is a commercial/industrial development located on the east side of Bolsa Chica Street, north of Bolsa Avenue, and consists of 242,975 square feet of commercial/industrial warehouse space, outdoor parking and onsite/offsite utility upgrades. The

project's development requirements include the construction of and responsibilities for future maintenance of landscaping and hardscape improvements within the Bolsa Chica Street and Bolsa Avenue right-of-ways. To document this responsibility, the developer/owner is required to execute the appropriate landscape maintenance license agreement for all landscaping, irrigation, street furniture and hardscape that encroaches into the aforementioned City rights-of-way. 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 these areas, and that property ownership shall be responsible for all costs associated with this maintenance, repair, replacement and liability.

**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:**

Economic Development & Housing

**Attachment(s):**

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