



## Legislation Text

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**File #:** 15-1045, **Version:** 2

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Recommendation to authorize City Manager to execute an Agreement with PPF AMLI 245 West Broadway, LLC, and all related documents necessary to perform storm drain relocation work in West 3rd Street, Pacific Avenue and West Broadway in an amount not to exceed \$1,703,653;

Increase appropriations in the General Fund (GF) in the Citywide Activities Department (XC) by \$1,703,653 for a transfer to the Capital Projects Fund (CP) in the Public Works Department (PW); and increase appropriations in the Capital Projects Fund (CP) in the Public Works Department (PW) by \$1,703,653 offset by revenue from bond proceeds. (Districts 1,2)

PPF AMLI 245 West Broadway, LLC (AMLI) has an approved Site Plan and a Tentative Tract Map for construction of a seven-story development consisting of 222 residential units, and 8,500 square feet of commercial lease space, at 245 West Broadway in the Downtown. The project site is located on a parcel north of Broadway, between Cedar Avenue (west), Pacific Avenue (east), and a City-owned parking lot to the north. The subject property is shown on the attached vicinity map. Beneath both the project site and the abutting City-owned parking lot parcel lays an existing 84-inch Los Angeles County storm drain. The presence of the storm drain results in a 40-foot "no build" easement, that runs north-south across both parcels parallel to Pacific Avenue. In order to comply with the Downtown Plan's zero lot-line requirements, and enhance the value of the City-owned parking lot parcel, vacation of the County storm drain easement, via storm drain relocation into rights-of-way of 3<sup>rd</sup> Street, Pacific Avenue and West Broadway is required.

AMLI acknowledged this scope of work requirement in the project's Conditions of Approval, which included the potential opportunity to share costs for storm drain relocation and removal with the City. AMLI has retained a civil engineer that prepared construction plans for the new 84-inch storm drain. These construction plans have been reviewed and approvals have been obtained from both Los Angeles County and the City of Long Beach Public Works (PW) Departments for the proposed improvements. Additionally, AMLI retained a construction management firm to privately bid the scope of work to three contractors known to have the capability to construct these improvements.

PW has reviewed the bid information that ranges from \$2,504,610 to \$2,562,280 and concluded with AMLI that the City's potential cost share for the storm drain relocation work will be 45 percent of the low bid amount of \$2,504,000, plus construction management, testing and inspection, consultant construction administration and a 20 percent contingency, for a total amount not to exceed \$1,703,653. Any remaining storm drain relocation costs will be borne by AMLI.

AMLI has completed its demolition of its building on the site and is required to have the storm drain relocation substantially completed prior to the start of construction of the new building. Before proceeding with its storm drain relocation work, AMLI has requested the City's confirmation of its approval to share storm drain relocation costs as envisioned in the Conditions of Approval for the project. If approved, the storm drain relocation project is expected to begin in late October or early November and will be completed by the end of August 2016. Staff will ensure that all streets are available for vehicular purposes during the Citywide events that occur in the Spring, including the Grand Prix and Pride celebration.

This matter was reviewed by Deputy City Attorney Amy R. Webber, and by Budget Management Officer Victoria Bell on September 30, 2015.

City Council action is requested on October 20, 2015 in order to promptly proceed with the project.

The City's share of the storm drain relocation Agreement is not to exceed \$1,703,653. Any remaining project costs will be borne with PPF AMLI 245 West Broadway, LLC. The Agreement is currently unbudgeted. An appropriation increase of \$1,703,653 is requested in the General Fund (GF) in the Citywide Activities Department (XC) to transfer funds to the Capital Projects Fund (CP) in the Public Works Department (PW) where an appropriation increase of \$1,703,653 is also requested for the project. As reported to the Budget Oversight Committee on August 18, 2015, the City's cost for the storm drain relocation could be included in the bond financing proposed for the demolition of the old Courthouse. The bond issuance is planned for City Council approval in early 2016. If the storm drain relocation project precedes the bond issuance, interim funding may be provided by General Fund reserve funds that will be reimbursed from the proceeds of the Courthouse demolition bonds, when issued. There is no local job impact associated with the recommended action.

Approve recommendation.

ARA MALOYAN, PE  
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MICHAEL P. CONWAY  
DIRECTOR OF ECONOMIC AND PROPERTY DEVELOPMENT

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APPROVED:

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