

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: February 8, 2016

CAO File No.: 0610-03713-0000

Council File No.:

Council District:

To: The Mayor

From: Miguel A. Santana, City Administrative Officer *PIH
PLW*

Reference: Communication from the Department of Water and Power dated January 29, 2016; referred by the Mayor for report on February 2, 2016

Subject: **AUTHORIZATION OF A PERMANENT EASEMENT DEED TO THE COUNTY OF KERN, CALIFORNIA, FOR PUBLIC ROADWAY PURPOSES**

SUMMARY

The Department of Water and Power (DWP; Department) requests approval of a proposed resolution authorizing a permanent easement deed for public roadway purposes to the County of Kern, California (Kern County). The proposed easement consists of a 60-foot wide strip of undeveloped land, with an area of approximately 3.31 acres, owned by the City of Los Angeles (City) and located in Kern County.

Approval of the proposed easement is a condition of Kern County vacating a similar 60-foot wide public roadway identified by DWP as necessary for completion of the DWP Barren Ridge Renewables Transmission Project (BR RTP). Kern County approved vacating the roadway; however, it required DWP to replace the roadway with an equivalent 60-foot easement for public road purposes. The proposed easement will allow for continued access across the transmission line right of way.

No alternatives are considered economically feasible. Failure to approve this easement could result in increased costs and inefficiency caused by DWP rerouting the BR RTP around Kern County's public road.

DWP has determined that the proposed easement presents no adverse operational impacts or maintenance expenses associated with the current or anticipated operational needs of the Department. The proposed easement will be conveyed at no cost to Kern County.

Charter Section 675(d)(2) requires Council approval to sell, lease, or otherwise dispose of, or in any manner withdraw from the control of the Board of Water and Power Commissioners real property. The City Attorney has approved the proposed resolution as to form and legality.

RECOMMENDATIONS

That the Mayor:

1. Approve the proposed resolution which authorizes the Department of Water and Power to execute a permanent easement deed for public roadway purposes to the County of Kern, California, consisting of a 60-foot wide strip of undeveloped land, with an area of approximately 3.31 acres, owned by the City of Los Angeles and located in County of Kern, California; and
2. Return the proposed resolution to the Department for further processing, including Council consideration.

FISCAL IMPACT STATEMENT

Approval of the proposed resolution will not impact the Water Revenue Fund or the Power Revenue Fund. The proposed agreement complies with the Department's adopted Financial Policies. Approval of the proposed resolution does not impact the City General Fund.

TIME LIMIT FOR COUNCIL ACTION

Pursuant to Charter Section 675(d)(2), "Powers and Duties of the Board – Real Estate Interests," subject to the water rights of the City, there is no time limit for Council action on agreements for real property or any rights in real property held by DWP that will be sold, leased or withdrawn from the Department's control.