

ORDINANCE NO. 183345

An ordinance finding that the public interest and necessity require the acquisition by eminent domain of those certain real properties located in the vicinity southwest of Rosamond in Kern County, to the Los Angeles County Line and south to the area west of Lancaster and then south to the vicinity of the California Aqueduct in Los Angeles County and legally described in Attachment A (attached hereto and incorporated by reference) (Properties) for the Barren Ridge Renewables Transmission Project (BR RTP).

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. The City Council of the City of Los Angeles hereby approves, ratifies and makes the findings and authorizations set forth in Resolution No. 015-090, adopted by the Board of Water and Power Commissioners of the Department of Water and Power of the City of Los Angeles (LADWP Board).

Sec. 2. The City Council finds and determines that:

- (a) The environmental impacts of the BR RTP were evaluated in the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) adopted and certified by the LADWP Board on September 18, 2012.
- (b) In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162, no subsequent or supplemental Environmental Impact Report is required for the BR RTP, and the City Council has reviewed and considered the EIS/EIR as part of the process of determining whether to acquire the Properties.

Sec. 3. The City Council further finds and determines that:

- (a) The public interest and necessity require the BR RTP.
- (b) The BR RTP is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- (c) The Properties described in this ordinance (Attachment A) are necessary for the BR RTP.
- (d) That either the offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record, or the offer has not been made because the owner cannot be located with reasonable diligence.


- (e) Remnants of some of the Properties being acquired may be left in such size, shape or condition to render them of little or no value and are, accordingly, acquired as uneconomic remnants as provided by Code of Civil Procedure Section 1240.410.

Sec. 4. The City Attorney is hereby authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the Properties by eminent domain. Counsel is also authorized and directed to seek and obtain Orders for Prejudgment Possession of said Properties in accordance with the Eminent Domain law. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real properties that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Properties. Counsel, with the concurrence and approval of LADWP management, shall have the authority to make and agree to minor adjustments to the location of property to be acquired and to provide for physical improvements or alterations, such as access roads, culverts and other facilities, so as to mitigate Project effects to remainder property while accommodating the elements and necessities of the BRRTP. Counsel is further authorized, subject to the approval of LADWP's Board when required, to compromise and settle such eminent domain proceedings, if such negotiated settlement can be reached, and in that event, to take all necessary action to complete the acquisition, including entering into stipulations as to judgment and other matters, and to cause all such payments to be made.

Sec. 5. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles DEC 12 2014, and was passed at its meeting of DEC 16 2014.

HOLLY L. WOLCOTT, City Clerk


By 
Deputy

Approved DEC 22 2014


Mayor
ACTING

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
TIMOTHY J. CHUNG
Deputy City Attorney

Date 12/3/14

File No. 13-1562-53