



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 1 6 - 0 0 8 9  
MAR 1 5 2016

**REPORT RE:**

**DRAFT ORDINANCE TO APPROVE A RESOLUTION AUTHORIZING THE  
GRANT OF AN EASEMENT TO THE COUNTY OF KERN FOR PUBLIC ROAD  
PURPOSES TO RELOCATE A PORTION OF KATRINA STREET,  
KERN COUNTY, CALIFORNIA**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. This draft ordinance would approve Resolution No. 016 188, dated February 16, 2016, authorizing the grant of an easement (Easement) for public road purposes over an approximately 3.31 acre portion of City of Los Angeles (City) property located in Kern County, California, to the County of Kern (Kern County).

Background

The Los Angeles Department of Water and Power (LADWP) processed a street vacation application through Kern County due to an existing street (Katrina Street) to accommodate the construction of two new transmission towers for the Barren Ridge Renewables Transmission Project (BR RTP). As a condition of the street vacation, Kern County is requiring LADWP to dedicate an equivalent 60-foot easement within LADWP's Transmission Line right-of-way for public road purposes to allow full access to adjacent property owners. The Transmission Line right-of-way acquired by LADWP is 310 feet wide and has taken into account the 60-foot public road easement to be

granted to Kern County. The new road easement portion of the Transmission Line right-of-way to be granted to Kern County will not have an effect on the operations and maintenance of LADWP facilities.

On February 16, 2016, the Board of Water and Power Commissioners of the Department of Water and Power adopted Resolution No. 016 188 authorizing execution of an instrument in writing conveying the Easement to Kern County.

#### Charter Requirements

The enclosed draft ordinance is transmitted for your approval pursuant to Charter Section 675, after approval by the Board of Water and Power Commissioners of the Department of Water and Power.

#### CEQA Findings

In accordance with the California Environmental Quality Act and the National Environmental Policy Act, the LADWP along with its federal co-lead agencies, the United States Forest Service and Bureau of Land Management, prepared a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) to evaluate and disclose the potential environmental impacts associated with the construction and operation of the BRRTP. The Board of Water and Power Commissioners certified the EIR, adopted mitigation measures and approved the BRRTP on September 16, 2016.

#### Recommendation

Based on the foregoing, it is requested that the City Council adopt the enclosed draft ordinance. A copy of the Board Resolution is included in the Council File.

#### Council Rule 38 Referral

This draft ordinance has been presented to the Department of Water and Power pursuant to Council Rule 38.

If you have any questions regarding this matter, please contact Deputy City Attorney Timothy J. Chung at (213) 367-4518. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By   
DAVID MICHAELSON  
Chief Assistant City Attorney

DM:TJC:pj  
Transmittal