



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 1 6 - 0 3 1 0  
SEP 2 6 2016

**REPORT RE:**

**DRAFT ORDINANCE AUTHORIZING THE SALE OF REMNANT AND  
LANDLOCKED SURPLUS LADWP-OWNED PROPERTY LOCATED  
BEHIND THE RESIDENCES LOCATED AT 17462 SUMIYA DRIVE AND  
4510 ENCINO AVENUE, ENCINO, 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 authorizes the sale of two remnant and landlocked parcels of surplus property under the management and control of the Los Angeles Department of Water and Power (LADWP). The parcels are located behind, and will be sold to the owners of, the properties located at 17462 Sumiya Drive and 4510 Encino Avenue, Encino, California (collectively, the Residences).

Background

The LADWP Water System has determined that two parcels of property along the edge of the Encino Reservoir behind the residences at 17462 Sumiya Drive and 4510 Encino Avenue are no longer needed for LADWP purposes. The two parcels were previously licensed to the owners of the Residences to construct and maintain sound walls between their homes and the Encino Reservoir pump house and filtration station to mitigate noise impacts.

The owners of the Residences each requested that the parcels be sold to them so that they may permanently maintain the sound walls and landscaping. The parcels do not have direct access to any public street and can only be accessed via the Residences or LADWP's remaining Encino Reservoir property. The parcel behind the 17462 Sumiya Drive residence was appraised at \$65,000 and the property behind the 4510 Encino Avenue residence was appraised at \$37,000. The parcels will be sold to the owners of the respective residences at the appraised values. The sale of the parcels will generate \$102,000 for the LADWP's Water Revenue Fund. California Government Code section 54220(e) allows for the sale of the remnant landlocked parcels to the adjacent property owners.

#### Charter Requirements

The enclosed draft ordinance is transmitted for your approval pursuant to Charter Sections 385 and 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 (CEQA), it has been determined that the sale of this surplus property is exempt pursuant to the General Exemption described in CEQA Guidelines, Section 15061(b)(3). In addition, the sale of surplus property is categorically exempt pursuant to Article III, Class 12, in the CEQA Guidelines, and is further exempt under Title 14, California Code of Regulations, Chapter 3, Section 15312, Class 12, Surplus Government Property Sales.

#### Recommendation

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

#### Council Rule 38 Referral


This draft ordinance has been presented to the Board of Water and Power Commissioners of 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:jy  
Transmittal