

ENERGY, CLIMATE CHANGE, AND ENVIRONMENTAL JUSTICE COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to authorizing an exchange of nonexclusive easements between the San Fernando Homes Corporation (SFHC) and the City of Los Angeles.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. CONCUR with the Board of Water and Power Commissioners' (Board) action of March 13, 2018, Resolution No. 018-157, authorizing the exchange of nonexclusive easements between SFHC and the City of Los Angeles.
2. PRESENT and ADOPT the accompanying ORDINANCE dated April 5, 2018 approving the Board's Resolution No. 018-157 and authorizing the grant of an easement to SFHC for storm water drainage facilities located on a portion of the Los Angeles Department of Water and Power's (LADWP) Mission Wells Facility, Los Angeles California in exchange for an emergency fire access road easement from SFHC.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that approval of Resolution No. 018-0157 does not result in a fiscal impact. The proposed action complies with the LADWP's adopted Financial Policies. There is no fiscal impact to the City General Fund.

Community Impact Statement: None submitted.

Summary:

On April 17, 2018, your Committee considered March 14, 2018 Board, January 18, 2018 CAO, and April 6, 2018 City Attorney reports, Resolution No. 018-157, and Ordinance relative to authorizing an exchange of nonexclusive easements between the SFHC and the City. According to the CAO, in 2014, the City of Los Angeles Planning Department required SFHC to obtain an encroachment easement from LADWP for drainage facilities as a condition on its tract map. The Easement would allow for storm water from SFHC's development to flow into the existing drainage system located on the Mission Wells Facility. The Mission Wells Facility property currently serves as the drainage system from a tributary area of approximately 100 acres north of the Mission Wells Facility.

To meet this condition, SFHC requested permission to install two seven-foot wide swales to transmit the storm water runoff. At that time, the LADWP had a single access road for ingress, egress, and emergency access. In order to expand the Mission Wells Facility, a second emergency access point would be required to meet Los Angeles Fire Department requirements. Preliminary investigations indicated that entry from Astoria Street would be difficult due to the existing drainage channel. Further, water quality regulations prohibit the use of vehicular traffic over the drainage channel when water is present. To ensure that future projects could be constructed at Mission Wells Facility, LADWP proposes to grant a permanent drainage easement to SFHC in exchange for SFHC granting the City an emergency fire access road through its property via filing of its tract map. On March 13, 2018, the Board adopted Resolution No. 018-157 authorizing execution of the Easement Deed and Agreement attached as Exhibit A to the draft Ordinance conveying the Easement to SFHC in exchange for SFHC conveying the

emergency fire access road easement to the City of Los Angeles.

After further consideration and having provided an opportunity for public comment, the Committee moved to recommend concurring with the Board's March 13, 2018 action and approving the Ordinance as described above in Recommendation No. 2. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

ENERGY, CLIMATE CHANGE, AND ENVIRONMENTAL JUSTICE COMMITTEE



| <u>MEMBER</u> | <u>VOTE</u> |
|---------------|-------------|
| MARTINEZ: | YES |
| KORETZ: | YES |
| KREKORIAN: | YES |
| CEDILLO: | ABSENT |
| O'FARRELL: | YES |

ARL
4/17/18

-NOT OFFICIAL UNTIL COUNCIL ACTS-