

CITY OF LOS ANGELES  
CALIFORNIA

**JUNE LAGMAY**  
City Clerk

**HOLLY L. WOLCOTT**  
Executive Officer



**ANTONIO R. VILLARAIGOSA**  
MAYOR

Office of the  
CITY CLERK

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Council and Public Services  
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[www.cityclerk.lacity.org](http://www.cityclerk.lacity.org)

When making inquiries relative to  
this matter, please refer to the  
Council File No.

April 11, 2013

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 12-1098,  
at its meeting held March 20, 2013.

  
City Clerk  
kw

TIME LIMIT FILES  
ORDINANCES

Mayor's Time Stamp  
OFFICE OF THE MAYOR  
RECEIVED  
2013 MAR 26 AM 11:55  
CITY OF LOS ANGELES

City Clerk's Time Stamp  
CITY CLERK'S OFFICE  
2013 MAR 26 AM 11:52  
CITY CLERK  
BY \_\_\_\_\_  
DEPUTY

COUNCIL FILE NUMBER 12-1098 COUNCIL DISTRICT \_\_\_\_\_

COUNCIL APPROVAL DATE MARCH 20, 2013 LAST DAY FOR MAYOR TO ACT APR 05 2013

ORDINANCE TYPE:  Ord of Intent  Zoning  Personnel  General  
 Improvement  LAMC  LAAC  CU or Var Appeals - CPC No. \_\_\_\_\_

SUBJECT MATTER: SALE OF AN EASEMENT FOR PUBLIC HIGHWAY PURPOSES TO THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

	APPROVED	DISAPPROVED	BY _____ CITY CLERK DEPUTY
PLANNING COMMISSION	_____	_____	RECEIVED CITY CLERK'S OFFICE 2013 APR -4 PM 2:16
DIRECTOR OF PLANNING	_____	_____	
CITY ATTORNEY	<u>X</u>	_____	
CITY ADMINISTRATIVE OFFICER	_____	_____	
OTHER	_____	_____	

DATE OF MAYOR APPROVAL, DEEMED APPROVED OR \*VETO APR 03 2013  
(\*VETOED ORDINANCES MUST BE ACCOMPANIED WITH OBJECTIONS IN WRITING PURSUANT TO CHARTER SEC. 250(b) (c))

**(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)**

DATE RECEIVED FROM MAYOR APR - 4 2013 ORDINANCE NO. 182493  
DATE PUBLISHED APR 10 2013 DATE POSTED \_\_\_\_\_ EFFECTIVE DATE MAY 11 2013  
ORD OF INTENT: HEARING DATE \_\_\_\_\_ ASSESSMENT CONFIRMATION \_\_\_\_\_  
ORDINANCE FOR DISTRIBUTION: YES  NO

TO THE COUNCIL OF THE  
CITY OF LOS ANGELES

Your **ENERGY AND ENVIRONMENT** Committee

reports as follows:

CATEGORICAL EXEMPTION, ENERGY AND ENVIRONMENT COMMITTEE REPORT and ORDINANCE relative to the sale of an easement for public highway purposes to the State of California Department of Transportation.

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

1. FIND that this action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article III, Class 12 of the Los Angeles City CEQA Guidelines, and is further exempt under 14 California Administrative Code, Section 15312 (Class 12) Surplus Government Property Sales.
2. PRESENT and ADOPT the accompanying ORDINANCE, dated January 3, 2013, approving a Resolution of the Board of Water and Power Commissioners for the sale of an easement for public highway purposes to the State of California Department of Transportation.
3. CONCUR with the Board of Water and Power Commissioners action of July 17, 2012, authorizing the approval as to form and legality by the City Attorney, Resolution No. 013-013, for the sale of easements to the State of California Department of Transportation for highway drainage purposes.

Fiscal Impact Statement: The City Administrative Officer reports that approval of the proposed resolution will result in revenue to the Water Revenue Fund totaling \$91,450. The Department of Water and Power Debt Management Policies are not applicable. Approval of the proposed resolution will have no impact on the City's General Fund.

Community Impact Statement: None submitted.

SUMMARY

At a regular meeting held on March 6, 2013, the Energy and Environment Committee considered a Board of Water and Power Commissioners, City Attorney, and City Administrative Officer reports and Ordinance relative to the sale of an easement for public highway purposes to the State of California Department of Transportation.

The City Administrative Officer reports that the Los Angeles Department of Water and Power (LADWP) requests approval of a proposed resolution authorizing an Ordinance for the sale of seven easements for highway and drainage purposes across City owned land located along U.S. Highway 395 in Inyo and Mono Counties to the State of California Department of Transportation (Caltrans). The LADWP has determined that this vacant land is not necessary for current or future LADWP operations, as defined in the City Charter Section 601 - property needed for the production, delivery, or conservation of water or power resources. Charter Section 675(d)(2) requires Council approval to dispose of real property.

The City Attorney has approved the proposed resolution as to form and legality. The conveyance of easements to Caltrans is necessary due right-of-way issues involving two highway projects that have already been completed. The projects are known as the Caltrans Big Pine Rehabilitation Project and the Rush Creek 4-Lane Project. The specific projects included the widening of the highway by four-feet, construction of a middle turn lane, and construction of sidewalks and drainage improvements. Most of the project work was performed with the existing right-of-way and on privately owned property, however, Caltrans did request numerous temporary construction easements for the duration of the project. Within some of the temporary construction easement areas, permanent improvements were constructed. The temporary construction easements terminated upon completion of the projects and an encroachment issue was created. The sale of the proposed easements will correct the issue and convert the temporary construction easements to permanent easements. An appraisal was performed by Caltrans, which was reviewed and accepted by the LADWP and determined that the value is \$91,450.

After providing an opportunity for public comment, the Committee recommended that Council concur with the recommendations as reflected above. This matter is now forwarded to the Council for its consideration.

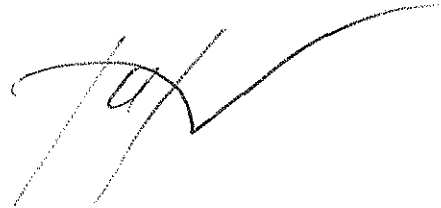
Respectfully submitted,

ENERGY AND ENVIRONMENT COMMITTEE

*ORD*  
**ADOPTED**

MAR 20 2013

**LOS ANGELES CITY COUNCIL**



<u>MEMBER</u>	<u>VOTE</u>
HUIZAR:	YES
ZINE:	ABSENT
ALARCÓN:	ABSENT
KORETZ:	YES
LABONGE	YES

EV  
12-1098\_rpt\_ee\_3-6-13 c

**Not Official Until Council Acts**

**MAYOR WITH FILE**