

**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

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