

Los Angeles
World Airports

January 7, 2014

The Honorable City Council
of the City of Los Angeles
City Hall – Room 395
Los Angeles, CA 90012

LAX
LA/Ontario
Van Nuys
City of Los Angeles

Reference: CF 13-1699

Eric Garcetti
Mayor

This is to hereby transmit for your information the Mayor approved City Administrative Officer's report relative to Acceptance of Quitclaims of Vacated Existing Easements at LA/Ontario International Airport.

**Board of Airport
Commissioners**

Sincerely,

Sean O. Burton
President

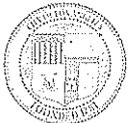
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Attachments



0150-10084-0000

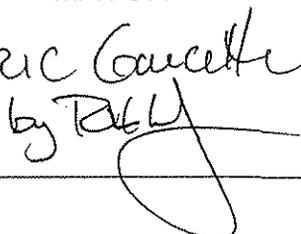
TRANSMITTAL

TO Gina Marie Lindsey, Executive Director Department of Airports	DATE JAN - 3 2014	COUNCIL FILE NO.
FROM The Mayor	COUNCIL DISTRICT City of Ontario	

**Request to Approve Utility Easements and Accept Quitclaims
For Vacated Easements on LA/Ontario International
Airport Property to Accommodate the Needs of the
City of Ontario**

Transmitted for further processing, including Council consideration. See the
City Administrative Officer report attached.

MAYOR

ERIC Gauette
by 

MAS:WDC: 10140076t

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: December 23, 2013

CAO File No. 0150-10084-0000
Council File No.
Council District: City of Ontario

To: The Mayor

From: Miguel A. Santana, City Administrative Officer



Reference: Transmittal from the Los Angeles World Airports dated September 26, 2013; referred by the Mayor for report on September 26, 2013

Subject: **REQUEST TO APPROVE UTILITY EASEMENTS AND ACCEPT QUITCLAIMS FOR VACATED EASEMENTS ON LA/ONTARIO INTERNATIONAL AIRPORT PROPERTY TO ACCOMMODATE THE NEEDS OF THE CITY OF ONTARIO**

SUMMARY

The Executive Director of the Los Angeles World Airports (LAWA; Department) requests approval to grant six utility easements and accept quitclaims of vacated utilities easements at the Los Angeles/Ontario International Airport (LA/ONT) in order to assist the City of Ontario with completion of its North Vineyard Avenue/Union Pacific Railroad Grade Separation project. As part of the utility easements and planned construction project (the relocation of existing utilities), minor modifications to the properties' legal descriptions may occur in instances where post-completion (also known as "as-built") land surveys indicate that utilities (e.g., water, reclaimed water, storm drain, and sewer lines; electrical lines, and telephone/telecommunications lines), or a portion thereof, may run outside the easement areas.

The City of Ontario, as part of a project to improve the North Vineyard Avenue intersection and Union Pacific Railroad crossing by eliminating the at-grade rail and vehicle intersection with the intent to improve traffic flow into LA/ONT, requires that the Department grant six utility easements, four to the City of Ontario, one to Verizon California, Inc., and one to the Southern California Edison Company. The City of Ontario will coordinate vacating of any easements that are abandoned as a consequence of the grade separation project.

The Board of Airport Commissioners (Board) agreed, in concept, to the granting of easements as memorialized in a May 7, 2013 Memorandum of Understanding (MOU) with the City of Ontario whereby LAWA agreed to prioritize the approval of the utility easements, at no cost, for the City of Ontario (water, reclaimed water, sewer, and storm drain lines), Verizon California, Inc. (for telephone/telecommunications lines), and Southern California Edison Company (for electrical power lines).

At its meeting of October 1, 2013, the Board approved granting four of the six easements—for water,

sewer, reclaimed water, and storm drain lines—to the City of Ontario since the easements for Verizon California and Southern California Edison (SCE) had not been signed by the utility companies at the time of the meeting. Subsequent to the October 1 Board meeting, both easements have been signed, and the Board approved granting the Verizon and SCE easements at its meeting of December 2, 2013. Consequently, a separate request has been submitted by LAWA to the Mayor for both Mayoral and Council consideration.

While the Department has submitted two separate Board reports (for actions that were taken at separate Board meetings over a two-month period) for consideration by the Mayor and Council, in the interest of time, this report is intended to consolidate both requests and address all six related easements at once.

Besides the granting of utility easements to the City of Ontario by LAWA, the Department is requesting authority to accept quitclaims (the act of transferring a title or right or claim to another) of vacated portions of various easements that comprise or affect the project. It is important to quantify the exact boundaries and feet, or square feet, of the easements to be vacated; consequently, the quitclaims may not be provided until a later date.

In that the easements are owned by the Department, the Board has previously approved the easements, the City of Ontario needs the easements to complete its at-grade crossing project, and the fact that there is no fiscal impact on the Department, LAWA believes that there is no alternative to granting the requested utility easements and accepting the quitclaims of vacated existing easements. Furthermore, the Department advises that the easements being granted to the City of Ontario are not anticipated to be needed for LAWA purposes.

The above-referenced aspects of the proposed utility easements and quitclaims, and this report, incorporate revised information received from the Department subsequent to the initial request submittal. Additionally, the proposed granting of utility easements and acceptance of quitclaims for existing, vacated easements by the Department is subject to approval as to form by the City Attorney.

Background

Los Angeles/Ontario International Airport is located approximately 35 miles from downtown Los Angeles in San Bernardino County. The airport is a mid-hub airport that encompasses approximately 1,463 acres with extensive aviation and supporting facilities for commercial, air cargo, and general aviation activities. The airport primarily serves residents of San Bernardino and Riverside Counties (collectively referred to as the Inland Empire) and a population of 4.2 million within an approximately 27,000 square mile area. The May 23, 2013 MOU between the City of Ontario and LAWA was implemented to help facilitate the grade separation at North Vineyard Avenue to the north of the airport. The five-year grade separation project, managed by the City of Ontario, is intended to relieve traffic congestion around the airport by eliminating delays caused by rail traffic.

The six easements under consideration are located within the project area and are summarized as follows:

- Water Line Easement, 3,431 feet: Owned by City of Ontario

- Reclaimed Water Line Easement, 1,124 feet: Owned by City of Ontario
- Storm Drain Line Easement, 5,420 feet: Owned by City of Ontario
- Sewer Line Easement, 2,600 feet: Owned by City of Ontario
- Electrical Power Lines Easement, 3,229 feet: Owned by Southern California Edison
- Telephone/Telecommunication Lines Easement, 3,147 feet: Owned by Verizon CA, Inc.

Compliance with City Administrative Requirements

Because the proposed granting of utility easements and acceptance of quitclaims for existing, vacated easements involve agreements between two municipal agencies, they are not subject to the provisions of Charter Section 1022 relative to the use of independent contractors. Likewise, granting of the utility easements and acceptance by LAWA of existing, vacated easements is not subject to the following Standard City Provisions: Service Contractor Worker Retention and Living Wage Ordinances, Affirmative Action Program, Business Tax Registration Certificate, Child Support Obligations Ordinance, the Department's insurance requirements, Contractor Responsibility Program, Equal Benefits Ordinance, First Source Hiring Program, Bidder Contributions CEC Form 55, and the Small Business Enterprise program.

Pursuant to Charter Section 385, the proposed conveyance of utility easements must be approved by the Board of Airport Commissioners and the City Council using the approval of property-specific ordinances as the vehicle by which the conveyance is authorized.

Compliance with CEQA Guidelines

The proposed utility easements and quitclaims of vacated existing easements are categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Los Angeles City CEQA Guidelines, Article III, Class 5 (4).

RECOMMENDATIONS

That the Mayor:

1. Approve, subject to City Attorney approval as to form, the granting of six proposed utility easements and acceptance of quitclaims for vacated easements by Ordinance for property located at the Los Angeles/Ontario International Airport in order to assist the City of Ontario with completion of its North Vineyard Avenue/Union Pacific Railroad Grade Separation project;
2. Approve, subject to approval by the Council, the granting, by Ordinance, of the above-referenced six utility easements and acceptance of quitclaims for vacated easements located at the Los Angeles/Ontario International Airport as part of the North Vineyard Avenue/Union Pacific Railroad Grade Separation Project; and
3. Return the proposed utility easements to the Department for further processing, including Council consideration.

FISCAL IMPACT STATEMENT

Granting of the proposed six property easements and acceptance of quitclaims for vacated easements at the Los Angeles/Ontario International Airport will have no impact on the General Fund; neither will they result in additional revenue for or costs to the Los Angeles World Airports. Granting of the subject easements and acceptance of the quitclaims complies with the Department of Airports adopted Financial Policies.

Time Limit for Council Action

Pursuant to Charter Section 385, "Sale of City Property," the proposed granting of property easements and acceptance of quitclaims for vacated easements must be approved by the Council before it can become effective. Likewise, the proposed Ordinances must be approved by the Council in order to complete the transfer or acceptance of City property. There is no time limitation on this action due to the ordinance approval requirement.

MAS:WDC:10140076