

0150-11662-0000

**TRANSMITTAL**

TO Martin L. Adams, General Manager	DATE 09/21/20	COUNCIL FILE NO.
FROM The Mayor	COUNCIL DISTRICT All	

**SALE OF TWO EASEMENTS TO THE STATE OF CALIFORNIA  
FOR  
THE OLANCHA-CARTAGO FOUR LANE EXPRESSWAY PROJECT – INYO COUNTY**

Approved and transmitted for further processing including Council consideration.  
See the City Administrative Officer report attached.

  
MAYOR (Ana Guerrero for)

RHL:IR:10200139

REPORT FROM

## OFFICE OF THE CITY ADMINISTRATIVE OFFICER

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Date: July 27, 2020

CAO File No.: 0150-11662-0000

Council File No.:

Council District:

To: The Mayor

From: Richard H. Llewellyn, Jr., City Administrative Officer

Reference: Communication from the Department of Water and Power dated May 20, 2020; referred by the Mayor for report on June 10, 2020

Subject: **SALE OF TWO EASEMENTS TO STATE OF CALIFORNIA FOR THE OLANCHA-CARTAGO FOUR LANE EXPRESSWAY PROJECT – INYO COUNTY**

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### RECOMMENDATION

That the Mayor:

1. Approve the proposed Resolution and Ordinance authorizing the sale of two Easements to the State of California for the Olancha-Cartago Four Lane Expressway Project by the Board of Water and Power Commissioners and the Los Angeles Department of Water and Power, and authorize the execution of the Easement Deeds; and,
2. Return the proposed Resolution and Ordinance to the Department for further processing, including Council consideration, and approval pursuant to Charter Section 675(d) (2).

### SUMMARY

Approval of the proposed Resolution and Ordinance will authorize the sale of two Easements for the conversion of a two lane highway (U.S. Highway 395) to a four lane expressway in the Olancha-Cartago area of Inyo County. The State of California, Department of Transportation is requesting to purchase two Easements for its Project, totaling 46.4 acres. The sale of the Easements will generate \$38,000 in revenue. The State requires immediate possession of the property to commence its Project and stay on schedule.

The City Council is required to approve this action pursuant to the City Charter Section 675 (d) (2)., no real property rights or interest held by the Board shall be sold, leased, or otherwise disposed of, or in any manner withdrawn from its control, unless authorized by the Board, and approved by the City Council.

## **BACKGROUND**

The State of California Department of Transportation will convert approximately 12.6 miles of existing U.S. Highway 395 from a two-lane highway to a four-lane expressway in the Olancho-Cartago area within the County of Inyo. The State is requesting to purchase two Easements over rural undeveloped land owned by the City for its Project. The first easement requested is 42.7 acres for highway purposes and the second easement is 3.7 acres for roadway purposes. Approximately, \$38,000 in revenue will be generated from the sale of the Easements.

The State requires immediate possession of the property to commence its Project and stay on schedule. On March 25, 2020 the California Transportation Commission adopted a Resolution of Necessity authorizing the State to acquire the Easements through eminent domain, however the State and LADWP have agreed to work together to obtain the necessary approvals for the voluntary sale of the Easements to the State. LADWP reserves all rights and remedies to challenge such legal proceedings.

In addition, the Project also requires that LADWP relocate power lines which will be addressed in a subsequent report. LADWP is working to negotiate additional agreements to further mitigate additional impact to its facilities and operations.

Pursuant to City Charter 675 (d) (2) no real property rights or interest held by the Board shall be sold, leased, or otherwise disposed of, or in any manner withdrawn from its control, unless authorized by the Board, and approved by the City Council

The City Attorney has approved the proposed Resolution and Ordinance as to form and legality.

## **FISCAL IMPACT STATEMENT**

There is no General Fund impact. Approval of the proposed Resolution and Ordinance allows for the conveyance of real property interest and rights to the State of California, Department of Transportation. The sale of the Easements will generate \$38,000 in revenue for the Water Revenue Fund. The proposed request complies with the LADWPs adopted Financial Policies.

*RHL:IR:10200139*

*Attachments*