

0150-11629-0000

**TRANSMITTAL**

TO Martin L. Adams, General Manager	DATE	COUNCIL FILE NO.
FROM The Mayor	COUNCIL DISTRICT All	
<p><b>LOS ANGELES DEPARTMENT OF WATER AND POWER - GRANT EASEMENT TO THE COUNTY OF INYO FOR PUBLIC ROADWAY PURPOSES</b></p> <p>Approved and transmitted for further processing including Council consideration. See the City Administrative Officer report attached.</p> <p>MAYOR</p> <p>RHL:IR:10210039</p>		

REPORT FROM

## OFFICE OF THE CITY ADMINISTRATIVE OFFICER

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Date: October 7, 2020

CAO File No.: 0150-11629-0000

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 March 19, 2020; referred by the Mayor for report on April 13, 2020

Subject: **LOS ANGELES DEPARTMENT OF WATER AND POWER - GRANT EASEMENT TO THE COUNTY OF INYO FOR PUBLIC ROADWAY PURPOSES**

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### RECOMMENDATION

That the Mayor:

1. Approve the proposed Resolution and Ordinance granting an easement to the County of Inyo for public roadway purposes relative to the construction of the North Haiwee Dam Project, and authorize the Board of Water and Power Commissioners and the Los Angeles Department of Water and Power to execute the Easement Deed; 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 granting of an easement for public roadway purposes to the County of Inyo, as part of the Los Angeles Department of Water and Power's (LADWP) proposed project to construct the new North Haiwee Dam No. 2, requiring the realignment of Cactus Flats Road and the construction of a new roadway for use.

There is no expense to the City other than an administrative cost of processing the easement.

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no real property rights or interest held by the Board shall be sold, leased, or otherwise disposed of, or in any manner withdrawn from its control, unless authorized by the Board, and approved by the City Council.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

LADWP intends to replace the North Haiwee Dam proposed to be located north of the existing dam, due to outdated design standards and seismic deficiencies. The location of the new dam requires the relocation of a portion of Cactus Flats Road, a county maintained road. In addition, the California Department of Water Resources – Division of Safety of Dams has imposed temporary operating restrictions on permitted water elevations until a new dam is constructed.

LADWP has negotiated with Inyo County to realign a portion of the County road under the following conditions:

- LADWP will realign a portion of Cactus Flats Road by constructing a new road on City property located outside of the Project area;
- LADWP will grant to the County of Inyo an easement for the new road alignment and the County will quitclaim any interest in that portion of Cactus Flats Road where LADWP will construct the new North Haiwee Dam. The easement is for public roadway purposes. Inyo County will incorporate the road into its inventory of Inyo County roads and will be responsible for all maintenance.

The County of Inyo originally constructed Cactus Flats Road on the city's property without an official dedication or grant of right-of-way and was subsequently officially adopted in the County Road Register in March 1948. The City has never dedicated or conveyed an easement for Cactus Flats Road with an official boundary described by legal description. The new easement will officially recognize the historic and continuous use of Cactus Flats Road.

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 granting of a new easement to the County of Inyo for public roadway purposes. The proposed request complies with the LADWPs adopted Financial Policies.

*RHL:IR:10210039*

*Attachments*