

WHEREAS, the City of Los Angeles (City), acting by and through its Los Angeles Department of Water and Power (LADWP), wishes to enter into a Letter Agreement (Agreement) with Union Pacific Railroad Company (UPRC) to purchase 167.476 acres of unimproved land adjacent to Tinemaha Reservoir near Big Pine, Inyo County, California, and further identified as Assessor’s Parcel Numbers 018-110-12, 018-190-02, 018-220-02, and 018-230-11 (Property); and

WHEREAS, LADWP desires to purchase the Property for a sum of \$213,531.90 plus escrow fees, closing costs, and related expenses; and

WHEREAS, said Agreement includes a long-term indemnification of UPRC from liability arising from the “known or unknown” condition of the Property. The indemnification provisions in the Agreement have been reviewed by LADWP’s Risk Manager, and require approval by the Board of Water and Power Commissioners (Board) and the Los Angeles City Council.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves and recommends that the Los Angeles City Council approve this Agreement that includes a long-term indemnification provision, approved as to form and legality by the City Attorney and on file with the Secretary of the Board, as provided in Los Angeles City Charter Section 373 and Administrative Code Section 10.5.

BE IT FURTHER RESOLVED that upon approval by the Los Angeles City Council, the President, or the Vice President, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board are hereby authorized and directed to execute said Agreement, for and on behalf of LADWP, in accordance with Los Angeles City Charter Section 373 and Administrative Code 10.5.

BE IT FURTHER RESOLVED that upon approval by the Los Angeles City Council, the Manager of Los Angeles Aqueduct for LADWP is authorized, empowered, and directed to execute escrow and other related documents necessary to carry out the transaction in accordance with the Agreement for and on behalf of LADWP.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of LADWP, upon proper certification, is authorized and directed to draw demands on the Water Revenue Fund to pay the purchase price and related expenses for the transaction, which include escrow fees, closing costs, and related expenses.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a Resolution adopted by the Board of Water and Power Commissioners of the City of Los Angeles at its meeting held December 19, 2023

APPROVED AS TO FORM AND LEGALITY
HYDEE FELDSTEIN SOTO, CITY ATTORNEY

MAR 06 2023
BY John Bealum
JOHN BEALUM
DEPUTY CITY ATTORNEY

Shantia Mitchell

Secretary