

0150-12324-0000

T R A N S M I T T A L

TO Martin L. Adams, General Manager Los Angeles Department of Water and Power	DATE 09/28/2023	COUNCIL FILE
FROM The Mayor	COUNCIL DISTRICT	

**LOS ANGELES DEPARTMENT OF WATER AND POWER PROPOSED RESOLUTION
AUTHORIZING THE SALE OF AN UNDERGROUND WATER LINE EASEMENT IDENTIFIED
AS PORTIONS OF ASSESSOR'S PARCEL NUMBERS 011-390-03, 011-390-04, AND 008-
020-02 FOR A TOTAL OF \$618 TO THE CITY OF BISHOP FOR THE NORTH SIERRA
HIGHWAY WATER LINE PROJECT**

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


MAYOR
(Chris Thompson for)

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: August 22, 2023

CAO File No. 0150-12324-0000

Council File No.

Council District:

To: The Mayor



From: Matthew W. Szabo, City Administrative Officer

Reference: Communication from the Department of Water and Power dated April 13, 2023; referred by the Mayor for report on April 20, 2023

Subject: **LOS ANGELES DEPARTMENT OF WATER AND POWER PROPOSED RESOLUTION AUTHORIZING THE SALE OF AN UNDERGROUND WATER LINE EASEMENT IDENTIFIED AS PORTIONS OF ASSESSOR'S PARCEL NUMBERS 011-390-03, 011-390-04, AND 008-020-02 FOR A TOTAL OF \$618 TO THE CITY OF BISHOP FOR THE NORTH SIERRA HIGHWAY WATER LINE PROJECT**

RECOMMENDATION

That the Mayor:

1. Approve the Los Angeles Department of Water and Power (LADWP) proposed Resolution authorizing the sale of an underground water line easement under the control and management of LADWP identified as portions of Assessor's Parcel Numbers 011-390-03, 011-390-04, and 008-020-02, located in the City of Bishop, Inyo County, California, constituting approximately 0.94 acres for a total of \$618 for the North Sierra Highway Water Line Project (Project);
2. Adopt the California Environmental Quality Act (CEQA) determinations of the Los Angeles Board of Water and Power Commissioners that the sale of the easement is exempt from CEQA pursuant to Section 15060(c)(3) and Section 15378(b)(4) that states an activity is not subject to CEQA if the activity is not a project and that the Project is in compliance with CEQA Guidelines Sections 15070-15075; and,
3. Return the proposed Resolution to LADWP for further processing, including Council consideration.

SUMMARY

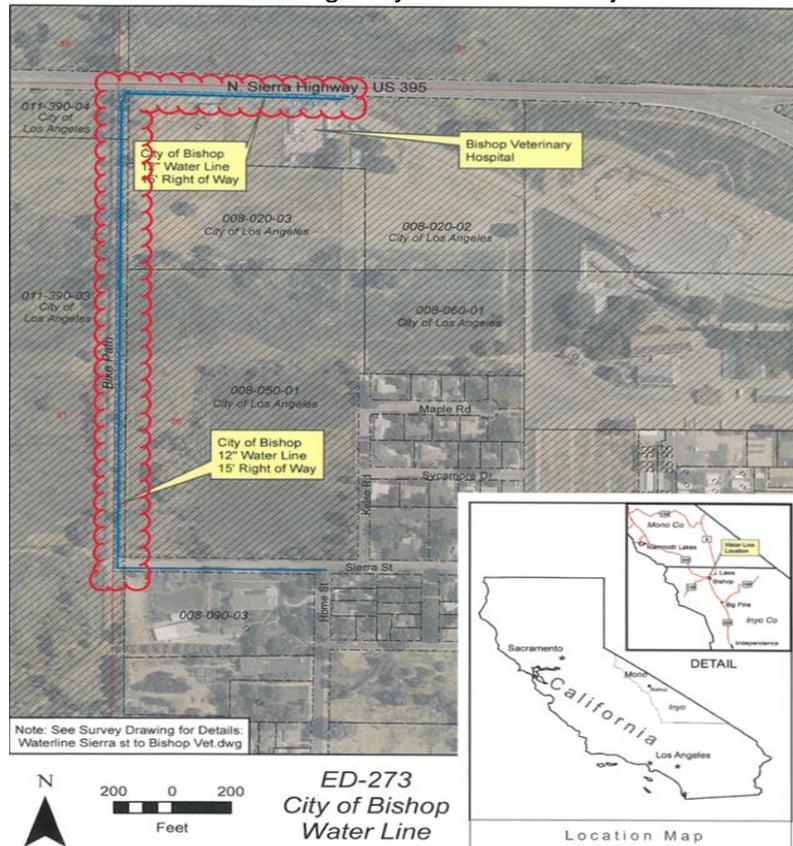
The Los Angeles Department of Water and Power (LADWP) requests approval of the sale of an underground water line easement to the City of Bishop (Bishop) for a total of \$618 to facilitate the North Sierra Highway Water Line Project (Project). Currently, not all City property in the area has access to municipal water, which limits development and utility of these lands. The North Sierra Highway Water Line Project (Project) will extend Bishop's municipal water system to certain City

property in the area and provide domestic water supply and fire protection. To complete the Project, Bishop needs the easement. In addition to the purchase of the easement, the Project will consist of Bishop investing \$420,000 to install a new water line to expand its water system and Bishop connecting the Bishop Veterinary Hospital, which is on City property and a LADWP lessee, to Bishop's municipal water system.

LADWP and Bishop both foresaw a future need to develop and utilize these lands. In January 2021, to make lands more development friendly, Bishop obtained grant funds to install necessary water infrastructure in the area. In March 2021, LADWP issued a license agreement to Bishop to provide temporary access to City property so that Bishop could begin the Project while LADWP worked toward obtaining approval for the easement.

Land Description – The Project is approximately 15 feet wide and 2,732 feet in length for a total of 0.94 acres located in the City of Bishop, Inyo County, California. The Project does not have a recorded street address and consists of portions of Assessor's Parcel Numbers 011-390-03, 011-390-04, and 008-020-02. An aerial view of the Project is below and contained in Attachment 1 to this report.

North Sierra Highway Water Line Project Site



Benefits of the Project to LADWP – 1) the lands can be developed without the need to first make certain public improvements; 2) LADWP will no longer need to supply well water to Bishop Veterinary Hospital; and 3) the value of the property will increase because of the proposed new access to a municipal water supply. LADWP had determined that selling the easement to Bishop for the Project will not interfere with LADWP’s operational purpose of generating water and power, and the protection or conservation of water and power resources.

Alternatives Considered – LADWP considered granting a long-term license agreement. However, a new long term license agreement does not align with the long-term expected use of the water line. LADWP also considered denying Bishop’s request for an easement. However, the City owns all of the surrounding property between the existing water system and where Bishop needs to supply water. Without the easement, the project could not be completed. Ultimately, the Project is in LADWP’s and the public’s best interests because it increases the utility and value of City property.

CITY COMPLIANCE

California Environmental Quality Act (CEQA) – The Los Angeles Board of Water and Power Commissioners determined that the item is exempt from CEQA pursuant to Section 15060(c)(3) that states an activity is not subject to CEQA if the activity is not a project. Section 15378(b)(4) states government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment does not meet the definition of a project. Therefore, the sale of an easement is not subject to CEQA.

The Board also determined that the project was in compliance with CEQA Guidelines Sections 15070-15075. In Accordance with CEQA, a Mitigated Negative Declaration (MND) was prepared by the City of Bishop to analyze the impacts associated with the construction and operation of the Project. On January 27, 2020, the City of Bishop adopted the MND and approved the project. On February 2, 2021, a Notice of Determination was filed with Inyo County.

The proposed agreement has been reviewed and approved as to form by the City Attorney. Pursuant to Charter Section 675(d)(2), the sale of real property rights requires written approval of the City Council approval. Our office has reviewed the request and recommends approval.

FISCAL IMPACT STATEMENT

LADWP received the \$618 when LADWP issued the license agreement which provided temporary access to City property so that Bishop could begin the Project. Those funds were deposited in the Water Revenue Fund. There is no impact to the General Fund.

MWS:PJH/JVW:CMM:10240022

Attachments - LADWP April 13, 2023 Report; Board Correspondence, Resolution, Ordinance, and Easement Deed