

WHEREAS, the Los Angeles Department of Water and Power (LADWP), as grantee, desires to enter into a Right of Way Agreement (Agreement) with Phillips 66 Company (Grantor) for installation, ingress/egress, maintenance, and operation of a recycled water pipeline and associated underground appurtenances on a segment of Grantor's property located in San Pedro, California, identified as portions of Assessor's Parcel Numbers 7412-022-008 and 7412-022-009; and

WHEREAS, the Agreement requires a one-time fee of ten dollars; and

WHEREAS, the term of the Agreement will be perpetual, commencing upon mutual execution of the Agreement; and

WHEREAS, said Agreement includes an indefinite-term indemnification of the Grantor against claims resulting from LADWP's exercise of the rights granted under the Agreement. The indemnification provision has been approved by LADWP's Risk Manager and requires approval by the Board of Water and Power Commissioners (Board); and

WHEREAS, pursuant to Los Angeles City Charter Section 373, approval by the Los Angeles City Council is required for LADWP to enter into this Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves and authorizes the execution of the Agreement for a one-time fee of ten dollars, approved as to form and legality by the City Attorney, and on file with the Secretary of the Board.

BE IT FUTHER RESOLVED that the Los Angeles City Council is requested to approve said Agreement as provided in Los Angeles City Charter Section 373.

BE IT FURTHER RESOLVED that upon approval by the Los Angeles City Council, the President or Vice President of this Board, 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.

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 for payment of the obligations arising under said Agreement.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of the Resolution adopted by the Board of Water and Power Commissioners of the City of Los Angeles at its meeting held May 28, 2024

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

FEB 13 2024

BY JOHN A. CARVALHO  
DEPUTY CITY ATTORNEY

*Shantia Mitchell*

Board Secretary