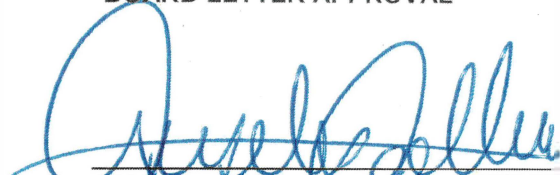




RESOLUTION NO. 023 191

BOARD LETTER APPROVAL


ANSELMO G. COLLINS
Senior Assistant General Manager
Water System


ARAM BENYAMIN
Chief Operating Officer


MARTIN L. ADAMS
General Manager and Chief Engineer

DATE: March 14, 2023

SUBJECT: Grant of Easement LADWP to the County of Inyo for Pine Creek Bridge Replacement Project - Round Valley – Inyo County, California

SUMMARY

Water System requests approval for the sale of an easement over certain real property owned by the City of Los Angeles (City), under the management and control of LADWP, to the County of Inyo (County) for its Pine Creek Bridge Replacement Project (Project). The Project involves rebuilding the Pine Creek Bridge that collapsed in 2017 due to high water flows in Pine Creek.

Revenue generated from the sale of the easement will be \$1,000.

City Council approval is required according to Charter Section 675(d)(2).

RECOMMENDATION

It is recommended that the Board of Water and Power Commissioners (Board) adopt the attached Resolution recommending City Council's approval for the sale of an easement to the County and authorizing execution of the Easement Deed, as required in Charter Section 675(d)(2).

ALTERNATIVES CONSIDERED

1. Sell the property in fee; however, an easement better protects the City's water rights and interest in Pine Creek.
2. Issue a License Agreement; however, this would not be conducive to the permanent nature of a bridge.

FINANCIAL INFORMATION

The sale of the Easement will generate revenue in the amount of \$1,000.

BACKGROUND

In the summer of 2017, high water flows in Pine Creek eroded soil behind the bridge abutments resulting in the collapse of Inyo County Bridge No. 48C0044 and the closure of North Round Valley Road. An emergency declaration was made and the County applied for and received funds from the California Governor's Office of Emergency Services through the California Disaster Assistance Act to start the Project of rebuilding the bridge. The Project will build a new bridge over a portion of Pine Creek and reopen North Round Valley Road to vehicular traffic as shown on the attached map. The County requested an easement to widen the existing road width from 60 feet to 140 feet to make room for the new bridge abutments, and to access City property and start the Project prior to Board and Council approval because time is of the essence and public necessity requires the reconstruction of the bridge prior to Board and City Council approval.

In March of 2021, LADWP entered into a right-of-entry agreement with the County, authorizing it to start the Project with the understanding that LADWP may only convey an interest in real property with the express written permission of the Board and the Los Angeles City Council and that the County accepts all risks associated with such advance entry, including the risk that the Board and City Council may not approve the sale of an easement and that the County may be required to remove all improvements and restore the Property to its original condition. The Easement Deed on file with the Board Secretary will be the instrument transferring said rights to the County for the Pine Creek Bridge.

In accordance with the Mayor's Executive Directive No. 4, the City Administrative Officer's Report (CAO) was approved on March 13, 2023.

ENVIRONMENTAL DETERMINATION

Determine item is in compliance with California Environmental Quality Act (CEQA) Guidelines Sections 15070-15075 (Mitigated Negative Declaration (MND) adopted on January 20, 2020). In accordance with CEQA, an MND was prepared to analyze the impacts associated with the construction and operation of the Project. On

January 20, 2020, the Inyo County Planning Department approved the project, adopted the MND, and filed a Notice of Determination.

CITY ATTORNEY

The Office of the City Attorney reviewed and approved the Easement Deed and Resolution as to form and legality.

ATTACHMENTS

- Resolution
- Easement Deed
- Ordinance
- CAO Report