



Los Angeles  
Department of  
Water & Power

RESOLUTION NO. \_\_\_\_\_

BOARD LETTER APPROVAL

**ANSELMO G. COLLINS**  
Senior Assistant General Manager  
Water System

Aram Benyamini (Oct 24, 2024 14:45 PDT)

**ARAM BENYAMIN**  
Chief Operating Officer

**JANISSE QUIÑONES**  
Chief Executive Officer and Chief Engineer

**DATE:** October 11, 2024

**SUBJECT:** Right of Way Contract with State of California Department of Transportation for its North See Vee Signal Project

**SUMMARY**

Water System requests the approval of a Right of Way Contract-State Highway (Agreement) Document No. 4067/4068 with the State of California Department of Transportation (State) for the sale of certain real property interests owned by the City of Los Angeles (City) and under the management and control of LADWP.

The State is requesting right of way for its North See Vee Signal Project (Project) to improve public safety along U.S. Route 395. The Project will result in the installation of a traffic signal and sidewalks at the intersection of North See Vee Lane and U.S. Route 395 in the City of Bishop, County of Inyo, California.

Revenue generated from the sale is \$54,551.73.

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

The Agreement and deed conveying certain real property interests to the State have no expiration or termination date.

## **RECOMMENDATION**

It is requested that the Board of Water and Power Commissioners (Board) adopt the attached Resolution recommending City Council's approval of the Agreement for the sale of real property interests to the State and authorizing execution of the deed, attached as required in Charter Section 675(d)(2).

## **ALTERNATIVES CONSIDERED**

- Competitive bidding which is undesirable and impractical for public projects.
- Not selling the real property interests which will preclude the State from proceeding with its public project. This may result in the State attempting to acquire the property through the Eminent Domain process.

## **FINANCIAL INFORMATION**

The Agreement will result in revenue of \$54,551.73.

The State offered \$17,800 as the market value. LADWP hired a Real Estate Appraiser who estimated market value at \$67,400. LADWP and the State settled on a value of \$54,551.73.

## **BACKGROUND**

The Project is to install a traffic signal and sidewalks at the intersection of North See Vee Lane and U.S. Route 395 in the City of Bishop. The State requested to purchase fee and easement interests from LADWP for its Project. LADWP and the State have negotiated the Agreement for the sale of the real property interests to the State for its Project. LADWP staff believes that the proposed grant of real property interests will not impact LADWP's operational purposes of generating water or power, and the protection or conservation of water and power resources.

The Agreement will result in the State acquiring the following parcels as shown on the Project map:

- Fee interest on Parcel Nos. 4067-1, 4067-2, and 4068-1
- Underlying fee interest in an existing right-of-way easement
- An aerial easement over Parcel No. 4067-5
- Temporary access for construction laydown and staging purposes on Parcel Nos. 4067-3, 4067-4, 4068-2

A Right of Entry Agreement was entered into on May 4, 2017, permitting the State to enter City property and commence the Project understanding LADWP may convey an interest in real estate only with the express written permission of its Board and the Los Angeles City Council. Under the Right of Entry Agreement, the State assumes all

risks associated with such advance entry, and that the State may be required to remove all improvements and restore the property to its original condition.

In accordance with the Mayor's Executive Directive No. 4, the City Administrative Officer's Report (CAO) was approved on August 31, 2023.

### **ENVIRONMENTAL DETERMINATION**

Determine item is in compliance with the California Environmental Quality Act (CEQA) Guidelines 15070-15075 (Mitigated Negative Declaration (MND) previously adopted). In accordance with CEQA, a MND was prepared by Caltrans to analyze the impacts associated with the construction and operation of the North See Vee Signal Project (State Clearinghouse No. 2017011012). A Notice of Determination was filed with Inyo County on May 17, 2017.

### **CITY ATTORNEY**

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

### **ATTACHMENTS**

- Resolution
- Deed
- Agreement
- Ordinance
- CAO Report
- Map