

REPORT OF GENERAL MANAGER

NO. 01-154

DATE May 16, 2001

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BOARD OF RECREATION AND PARKS COMMISSIONERS

SUBJECT: JESSE OWENS PARK: OVERHEAD POWER FACILITY EASEMENT TO THE DEPARTMENT OF WATER AND POWER OF THE CITY OF LOS ANGELES

J. Combs _____
A. Corrales _____
J. Duggan JD
J. Kolb _____

H. Fujita _____
*M. Tamuri MT
M. Matthews _____

E. Oppenheim
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

It is recommended that the Board:

1. Approve a Resolution and draft ordinance granting an easement for the installation and maintenance of an overhead power facility and a guy wire on a section of Jesse Owens Park to the Los Angeles Department of Water and Power;
2. Direct the Board Secretary to forward the documents to the City Attorney and Mayor for review and approval; and subsequently request that the City Attorney forward the documents to the City Council for adoption of the ordinance;
3. Authorize the Board President and Secretary to execute the easement documents upon adoption of the ordinance; and,
4. Authorize the General Manager to issue an interim right-of-entry permit to the Department of Water and Power of the City of Los Angeles to allow the installation of an overhead power facility and a guy wire while the easement documents move through the approval process.

SUMMARY:

The Department of Water and Power (DWP) has identified a need to enhance power service to the community surrounding Jesse Owens Park. The proposed enhancement service includes installation of an additional power facility to alleviate the overload of the existing overhead facilities in the area; and provide alternative routing capabilities of service in emergencies. DWP currently has a service pole located just outside of the Jesse Owens Park property line with a ground cable anchored about 5-feet onto the park ground. The park also accommodates an existing pole on the public walkway close to the street curb.

REPORT OF GENERAL MANAGER

PG. 2

No. 01-154

DWP proposes expanding service from the existing pole adjacent to the park, however, if the expansion of service is not feasible through this method, the alternative option will necessitate installation of a new pole and guy wire, approximately 5-feet onto the park property in the same area of the existing ground cable. The enhancement of service may also require installation of a second pole and/or moving the existing pole located at the public walkway adjacent to the curb. Since it is unknown which of the two options will be attainable until the actual work commences, DWP has requested a 10-foot right of way from the Department of Recreation and Parks. The area is at the most southerly part of the park, a strip of land that runs between the property and tree lines. The area is not a common-use-park-zone and currently accommodates the ground cable of an existing pole. Easement utilization may include installation of a new power facility and guy wire; and accessing of the area to conduct emergency and/or routine maintenance of the power facility. DWP will use reasonable efforts to preserve and protect park trees during the installation, operation, and maintenance of overhead power facilities at Jesse Owens Park. DWP will coordinate their maintenance schedule with the Department of Recreation and Parks, Valley Region, Park Maintenance Section with no less than 5-days notice.

The Valley Region Principal Grounds Maintenance Supervisor has been consulted on the proposed easement and power facility installation and concurs with the proposed approval. The Resolution and draft ordinance are on file with the Board Secretary.

This report was prepared by Blanca Gomez-Revelles, Management Analyst II, Real Estate and Asset Management Division.

RESOLUTION NO. _____

WHEREAS, the Los Angeles Department of Water and Power is required to construct and maintain power facilities for the residents of the City of Los Angeles including the area within proximity of Jesse Owens Park and said park is under the jurisdiction of the Board of Recreation and Park Commissioners; and

WHEREAS, the Los Angeles Department of Water and Power requires a permanent easement to install, operate, and maintain said power facilities and Section 594 (c) (1) of the Los Angeles City Charter permits such easements to be issued.

NOW, THEREFORE, BE IT RESOLVED by the Board of Recreation and Park Commissioners of the City of Los Angeles that:

1. Pursuant to Section 594 (c) (1) of the Charter of the City of Los Angeles, the Board of Recreation and Park Commissioners of the City of Los Angeles finds and determines that the public's interest, convenience, and necessity requires that an Easement be issued to the Los Angeles Department of Water and Power for the installation and maintenance of overhead power facilities on a 10-foot wide portion of Jesse Owens Park, subject however, to the approval by the City Council of the City of Los Angeles by ordinance; and
2. The real property interests which are the subject of this Easement is the right to install, operate and maintain overhead power facilities on, over, and across the location described on Exhibit "A", which is attached and made a part hereof; and
3. The Department of Recreation and Parks will exercise only such reserved rights in said land as will not interfere with or prohibit the free and complete use and enjoyment by the Los Angeles Department of Water and Power, its successors or assigns, of the rights hereby granted.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Secretary of the Board of Recreation and Park Commissioners be and hereby is authorized to transmit a certified copy of this Resolution to the City Attorney of the City of Los Angeles for transmittal to the City Council for approval by ordinance.

I HEREBY CERTIFY that the foregoing is a full, true and correct copy of a Resolution adopted by the Board of Recreation and Park Commissioners of the City of Los Angeles at its meeting held on _____, 2001.

, Secretary

Resolution No. _____

ORDINANCE NO. _____

An ordinance authorizing the transfer of jurisdiction for an easement for portions of the Jesse Owens Park to the Los Angeles Department of Water and Power for the installation, operation, and maintenance of an overhead power facilities.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Resolution No. _____ of the Board of Recreation and Park Commissioners of the City of Los Angeles adopted on _____, 2001, requesting the transfer of jurisdiction and the issuance of an easement to the Los Angeles Department of Water and Power for the installation, operation and maintenance of an overhead power facilities is hereby approved. The Resolution is on file with the Secretary of the Board of Recreation and Park Commissioners of the City of Los Angeles. The real properties to be conveyed or transferred is a 10-foot wide easement within Jesse Owens Park.

Section 2. The Council of the City of Los Angeles hereby finds and determines that the public interest, convenience and necessity requires the issuance of an easement, as set forth above, without notice of sale or advertisement for bids, in accordance with Section 393 of the Los Angeles City Charter and Section 7.27 of the Los Angeles Administrative Code.

Section 3. The real property to be subject to the easement is fully described in the said Resolution, which is incorporated by reference.

Section 4. The President and Secretary of the Board of Recreation and Park Commissioners of the City of Los Angeles are hereby authorized to execute the easement, and the City Clerk is authorized to attest thereto.

Section 5. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the City Council of the City of Los Angeles, by a majority vote of its members, at its meeting of _____, 2001.

City Clerk,

by _____

Approved _____

MAYOR

Approved as to Form and Legality

, City Attorney

By _____
Assistant City Attorney

File No. _____

POWER DISTRIBUTION EASEMENT
LOT 676, TRACT 1000
R/W 39861, FILE P-77218

The southerly 10 feet of the westerly 210 feet of Lot 676 of Tract No. 1000, in the County of Los Angeles, State of California, as per map recorded in Book 19, Pages 1 through 34 of Maps, in the office of the County Recorder of said County.

EXCEPTING therefrom the westerly 25 feet of said Lot 676.

Written by <u>RW</u>
Checked by <u>ASB</u>
Date <u>4-16-01</u>

CITY OF LOS ANGELES
PLANNING & CONSTRUCTION
REAL ESTATE & ASSET MGMT.
RECEIVED

APR 19 2001

