

WHEREAS, the Los Angeles Department of Water and Power (LADWP) is the owner and operator of facilities throughout the City of Los Angeles, California, and the Western and Southwestern states; and

WHEREAS, it has been determined that a number of these properties have been impacted by historical hazardous materials business practices and are operating under regulatory oversight by agencies with a vested interest in cleanup and remediation; and

WHEREAS, LADWP will enter into Land Use Covenants and Deed Restrictions with regulatory agencies to oversee investigation and cleanup of these impacted sites; and

WHEREAS, the Land Use Covenants and Deed Restrictions with regulatory agencies may require LADWP to pay certain administrative and monitoring fees and costs of the regulatory agencies; and

WHEREAS, the cleanup of these sites currently in use by LADWP to standards allowing for unrestricted land use may not be feasible in order to ensure the productive use of the site.

NOW, THEREFORE, BE IT RESOLVED that the Board of Water and Power Commissioners (Board) hereby requests that the City Council adopt an ordinance granting the Board the authority to approve and enter into Land Use Covenants or Deed Restrictions on certain properties under the management and control of LADWP with federal and state regulatory authorities.

BE IT FURTHER RESOLVED that such Land Use Covenants or Deed Restrictions may include reasonable administrative and monitoring fees and costs imposed by the regulatory agencies and that the Board may approve and enter into such Land Use Covenants or Deed Restrictions containing such fees and costs.

BE IT FURTHER RESOLVED, after City Council approval of the ordinance authorizing the Board to enter into Environmental Covenants, that on March 1 of each year, LADWP shall report to the City Council the list of Environmental Covenants entered into in the previous 12 months.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of LADWP, upon certification, is authorized and directed to draw demands upon Power and Water Revenue Funds in accordance with the terms of such Land Use Covenants and Deed Restrictions and this Resolution for administrative and monitoring fees and costs required by such Land Use Covenants and Deed Restrictions.

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

APR 12 2022

Shantia Mitchell

Secretary

APPROVED AS TO FORM AND LEGALITY
MICHAEL N. FEUER, CITY ATTORNEY

BY 
TIMOTHY J. CHUNG
ASSISTANT CITY ATTORNEY