

0150-13025-0000

**T R A N S M I T T A L**

TO Janisse Quinones, General Manager Los Angeles Department of Water and Power	DATE 09/11/2025	COUNCIL FILE NO.
FROM The Mayor	COUNCIL DISTRICT N/A	

**LOS ANGELES DEPARTMENT OF WATER AND POWER PROPOSED RESOLUTION  
AUTHORIZING THE SALE OF APPROXIMATELY 11.24 ACRES OF CITY-OWNED  
PROPERTY, IDENTIFIED AS ASSESSOR PARCELS 012-100-28 AND 012-100-18 IN INYO  
COUNTY, CALIFORNIA, TO THE BISHOP PAIUTE TRIBE FOR \$57,500, IN COMPLIANCE  
WITH THE SURPLUS LAND ACT**

Transmitted for further processing, including Council consideration. See the  
City Administrative Officer report attached.



MAYOR  
(Jenny Delwood for)

REPORT FROM

## OFFICE OF THE CITY ADMINISTRATIVE OFFICER

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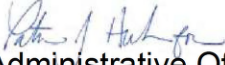
Date: August 28, 2025

CAO File No. 0150-13025-0000

Council File No.

Council District: N/A

To: The Mayor

From: Matthew W. Szabo, City Administrative Officer 

Reference: Communication from the Department of Water and Power dated July 1, 2025; referred by the Mayor for a report on July 2, 2025

Subject: **LOS ANGELES DEPARTMENT OF WATER AND POWER PROPOSED RESOLUTION AUTHORIZING THE SALE OF APPROXIMATELY 11.24 ACRES OF CITY-OWNED PROPERTY, IDENTIFIED AS ASSESSOR PARCELS 012-100-28 AND 012-100-18 IN INYO COUNTY, CALIFORNIA, TO THE BISHOP PAIUTE TRIBE FOR \$57,500, IN COMPLIANCE WITH THE SURPLUS LAND ACT**

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### RECOMMENDATION

That the Council

1. Approve the Los Angeles Department of Water and Power (LADWP; Department) proposed Resolution authorizing LADWP to execute an Agreement for Purchase and Sale of Real Property and Escrow Instructions (Agreement) for the sale of City-owned property in Inyo County, California, identified as portions of Assessor's Parcel Nos. 012-100-28 and 012-100-18, to the Bishop Paiute Tribe, in accordance with the Surplus Land Act, for \$57,500;
2. Adopt the California Environmental Quality Act (CEQA) determinations of the Los Angeles Board of Water and Power Commissioners that the sale of real property to the Bishop Paiute Tribe is exempt from CEQA pursuant to Section 15060(c)(3) and Section 15378(b)(4) that states an activity is not subject to CEQA if the activity does not meet the definition of a project and does not have a significant impact on the environment; and
3. Return the proposed Resolution and Escrow Instructions to LADWP for further processing, including Council consideration pursuant to Charter Section 675(d)(2).

### SUMMARY

The Los Angeles Department of Water and Power (LADWP) on behalf of the Water System requests approval of a proposed Resolution authorizing the Purchase and Sale of Real Property and Escrow Instructions (Agreement) to sell surplus City-owned property (Subject Property) located in Inyo County, California. The undeveloped vacant property, consisting of portions of Assessor's

Parcel Nos. 012-100-28 and 012-100-18 and measuring approximately 11.24 acres is currently managed and controlled by LADWP, has been determined to be surplus by LADWP and now proposed for sale to the Bishop Paiute Tribe (Tribe) for a total purchase price of \$57,500.

The proposed Agreement complies with California Government Code Section 54220 et seq., known as the Surplus Land Act (SLA), which requires local agencies to follow specific procedures before disposing of publicly-owned real property. Transfers of surplus land to federally recognized California Indian tribes are classified as exempt under the SLA. Approval of the Agreement will enable the Tribe, the owner of land contiguous to the LADWP, to expand its Sunland Cemetery.

The City Council is required to approve this action pursuant to Charter Section 675(d)(2), as no real property or any rights in real property held by the Board shall be sold, leased, or otherwise disposed of, or in any manner withdrawn from its control, unless by written instrument authorized by the Board, and approved by the City Council. The City Attorney has reviewed the Agreement as to form. Our Office has reviewed the request and recommends approval.

## **BACKGROUND**

The City of Los Angeles owns approximately 250,000 acres of land in Inyo County (known as "Eastern Sierra"), California. The LADWP manages this land, which was acquired in 1977 (Resolution #77-23) to develop and protect the water supply for the citizens of the Los Angeles and Eastern Sierra communities. A large portion of this land additionally serves community infrastructure needs, including parks and recreational facilities with significant portions remaining undeveloped. LADWP has had management and control since the acquisition.

*LADWP Review of the Tribe's Land Purchase Request* - On February 12, 2020, the Bishop Paiute Tribe, a federally recognized California Indian tribe, initiated discussions with LADWP to informally request additional land to expand the Sunland Cemetery (Cemetery), which is at capacity. After identifying a specific location, the Tribe formally requested to purchase the additional property on June 13, 2022. In September 2022, LADWP launched a comprehensive evaluation process, encompassing title research, environmental assessments, property surveys, and surplus designation procedures. In May 2023, the Department completed its review, designated the land as surplus given that it is not necessary for LADWP's operations, and approved negotiations for a sale to the Bishop Paiute Tribe to expand its cemetery.

*Proposed Surplus Property Sale* - The property, located at the end of South Barlow Lane in Inyo County, California, is vacant, undeveloped, totals approximately 11.24 acres, and consists of portions of Assessor Parcel Nos. 012-100-28 and 012-100-18. Through the surplus determination and negotiation process, LADWP and the Tribe have negotiated a purchase price of \$57,500 for the surplus land transfer. The City will incur only administrative costs to process the property sale.

*Policy on City Property Sales in Eastern Sierra* - In 1938, the Board adopted a declaration to promote goodwill with the Eastern Sierra communities. This initiative established that surplus City-owned properties in Inyo and Mono Counties be sold at reasonable market prices, provided that the City's water rights and interests remain protected as prescribed by the Board and in accordance

with Charter Section 385 - Sale of City Property.

*Surplus Land Act* – The SLA, codified in California Government Code Section 54220 et seq., was enacted in 1968 to govern the disposal of publicly owned real property. Under the SLA, surplus land is defined as property owned by a local agency that the agency’s governing body has formally declared, in a public meeting, as no longer necessary for the agency’s operational purposes. The declaration process requires the governing body to designate the property as either “surplus land” or “exempt surplus land,” each category subject to different procedural requirements for disposal.

*Property Surplus Designation and Policy Compliance* - The Department has determined that the subject property is no longer required for operational purposes related to water and power generation, delivery, or resource protection and conservation. The property is vacant and there are neither current uses nor future plans for its use. There are also no maintenance requirements attached. In accordance with the SLA procedural requirements, the property designation must be transmitted to the Board for formal action. The Board must then declare whether the land qualifies as surplus land or exempt surplus land before any disposal proceedings may commence.

*Surplus Land Sale to California Indian Tribes* - Under California Government Code Section 54221(f)(1)(D), the subject property qualifies for exempt surplus land status due to its proposed transfer to a federally recognized California Indian tribe. Exempt surplus land is not subject to SLA provisions regarding public notice and competitive bidding procedures, which allows for streamlined disposal of surplus property. This exemption allows the LADWP to conduct direct sales to Indian tribes in accordance with both SLA requirements and established City policies and procedures without the standard competitive bidding process required for non-exempt surplus property disposals. The proposed sale of the surplus property is detailed in Article 2 of the attached Agreement.

*Tribal Approval and Surplus Land Declaration Requirements* - The Bishop Paiute Tribal Council approved the Agreement at its meeting on December 12, 2024. The proposed sale remains contingent upon the Board’s formal declaration of the property as exempt surplus land in accordance with the SLA requirements and the City Council’s approval.

*Owens Valley Tribal Engagement Policy Implementation* - The proposed surplus property sale directly advances LADWP’s Owens Valley Tribal Engagement Policy objectives by fostering effective long-term partnerships with local tribal nations in the Eastern Sierra. This transaction demonstrates the Department’s commitment to supporting tribal social, economic, and government development goals through facilitating productive use of surplus municipal assets.

*Alternatives Considered* – The Department evaluated three alternatives for the subject property: 1) No Sale – Retain City ownership, which would prevent the Tribe from expanding the cemetery for cultural and burial purposes; 2) Easement Sale – Grant the Tribe usage rights while maintaining City ownership. This option would preserve ongoing municipal liability and operational obligations over sensitive culturally significant burial grounds; and 3) Property Lease – Provide the Tribe with temporary use rights under a lease agreement while maintaining City ownership. Similar to the easement option, this alternative would maintain City liability and continuing obligations regarding

the sensitive cultural site.

After evaluating the alternatives, the Department determined that a direct sale to the Tribe represents the most feasible option as there is no planned future use for the property. This approach enables the Tribe to expand the cemetery operations for cultural purposes. Additionally, the direct sale ensures compliance with Surplus Land Act requirements and eliminates the City's exposure to culturally significant burial grounds.

## **CITY COMPLIANCE**

*Small Business Enterprise (SBE), Disabled Veterans Business Enterprise (DVBE), Minority Business Enterprise (MBE), Women Business Enterprise (WBE), and Other Business Enterprise (OBE) Subcontracting Participation* – The sale of real property is not subject to the provisions of the Business Enterprise Programs, subsequently, no mandatory business inclusion goals were established.

*California Environmental Quality Act (CEQA)* – The Los Angeles Board of Water and Power Commissioners determined that this item is exempt from CEQA pursuant to Section 15060(c)(3) that states an activity is not subject to CEQA if the activity is not a project. Section 15378(b)(4) states that government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment do not meet the definition of a project. Therefore, the sale of 11.24 acres of real property to the Bishop Paiute Tribe is not subject to CEQA.

The City Attorney has reviewed and approved the proposed Resolution and the Agreement as to form. Pursuant to Charter Section 675(d)(2), no real property or any rights or interest in real property held by the Board shall be sold, leased, or otherwise disposed of, or in any manner withdrawn from its control, unless by written instrument authorized by the Board, and approved by the City Council. Our Office has reviewed the request and recommends approval.

## **FISCAL IMPACT STATEMENT**

There is no impact on the City General Fund. The LADWP Water Revenue Fund will receive revenue of \$57,500 from the sale of 11.24 acres of undeveloped land to the Bishop Paiute Tribe for the expansion of the Tribe's cemetery. The recommendations in this report comply with the Los Angeles Department of Water and Power's adopted Financial Policies.

Attachments – LADWP July 1, 2025 Transmittal, May 27, 2025 Board Letter and Proposed Resolution, and Agreement for Purchase and Sale of Real Property and Escrow Instructions