



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R26-0185
APR 01 2026

REPORT RE:

**DRAFT ORDINANCE APPROVING RESOLUTION 026 188 OF THE BOARD OF
WATER AND POWER COMMISSIONERS AUTHORIZING THE
SALE OF CITY OF LOS ANGELES PROPERTY TO THE BISHOP PAIUTE TRIBE**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 26-0459

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. This draft ordinance would approve Resolution 026 188, dated March 24, 2026, authorizing the approval of an Agreement for Purchase and Sale of Real Property and Escrow Instructions (Agreement) for the sale of certain real property (Property) owned by the City of Los Angeles (City), and under the management and control of the Los Angeles Department of Water and Power (LADWP), to the Bishop Paiute Tribe (Tribe), a federally recognized California Indian tribe, for a negotiated price of \$57,500.

Background

The Tribe requested to purchase the Property for the expansion of its existing Sunland Cemetery (Cemetery) located at the end of South Barlow Lane in the County of Inyo, California. The Property is 11.24 acres of undeveloped land identified as portions of Assessor Parcel Numbers 012-100-28, and 012-100-18, and is located adjacent to the Cemetery. The Cemetery is near its full capacity. LADWP owns all of the land

surrounding the Cemetery and agreed to sell the Property to the Tribe at a negotiated purchase price of \$57,500.

The Surplus Land Act (California Government Code Section 54220 et seq.) requires a local agency's governing body to take formal action in a regular public meeting declaring that the land is "surplus land" or "exempt surplus land" and is not necessary for the agency's use before a local agency may take any action to dispose of it consistent with an agency's policies or procedures. Surplus land that a local agency is transferring to another local, state, or federal agency for the agency's use, or to a federally recognized California Indian tribe qualifies as exempt surplus land and the Surplus Land Act shall not apply. Sale of the Property to the Tribe qualifies as exempt surplus land, allowing LADWP to process a direct sale to the Tribe in conformance with the Surplus Land Act and the City's policies and procedures.

LADWP has determined that it no longer requires the Property for operational purposes of generating and delivering water or power, or for the protection or conservation of water and power resources, and that the sale of the Property will satisfy a public interest need. This sale promotes the goals of LADWP's Owens Valley Tribal Engagement Policy, which seeks to foster an effective long-term partnership with local tribal nations, demonstrates a commitment to enhance tribal social, economic and institutional goals, and strives to preserve and maintain tribal heritage and culturally significant places. As required by Los Angeles Charter (Charter) Section 673, any and all water rights attached to the Property are being exempted from the sale and will be reserved to City, whether surface, subsurface, or of any other kind.

A Phase I Environmental Site Assessment report by Tetra Tech, Inc., dated December 22, 2022, indicates that no adverse environmental conditions exist at the Property.

The Bishop Paiute Tribal Council approved the Agreement at its meeting held on December 12, 2024.

The enclosed draft ordinance, having been presented to the Board of Water and Power Commissioners (Board), is hereby transmitted for your approval pursuant to Charter Sections 385 and 675(d)(2).

CEQA Findings

The Board recommends that you determine item is exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15060(c)(3). In accordance with this section, an activity is not subject to CEQA if it does not meet the definition of 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 that definition. Therefore,

the sale of 11.24 acres of real property to the Bishop Paiute Tribe is not subject to CEQA.

Council Rule 38 Referral

LADWP is the proposing department, and the proposed action to sell the Property was considered and approved in a full public hearing of the Board on March 24, 2026.

If you have any questions regarding this matter, please contact Deputy City Attorney John O. Beanum at (213) 367-4535. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By



MICHAEL J. DUNDAS
Chief Assistant City Attorney

MJD:JOB:ld
Transmittal