

Department of Public Works

ADOPTED BY THE BOARD
PUBLIC WORKS OF THE CITY
of Los Angeles California

Bureau of Engineering
Report No. 1

MAR 16 2022

March 16, 2022
CD No. All


Executive Officer
Board of Public Works

REQUEST FOR THE BOARD OF PUBLIC WORKS TO AUTHORIZE THE CITY ENGINEER TO TERMINATE REVOCABLE PERMITS AND RELEASE WAIVER OF DAMAGES FOR REVOCABLE PERMITS WHEN ENCROACHMENTS HAVE BEEN REMOVED

RECOMMENDING THE BOARD OF PUBLIC WORKS (BOARD):

AUTHORIZE the City Engineer to act on behalf of the Board to terminate Revocable Permits and the associated Waiver of Damages for Revocable Permits (R Permits) in cases where the encroachments have been removed and there is no longer a need for the permit and the associated Waiver of Damages.

TRANSMITTAL

Redacted Sample Waiver of Damages

DISCUSSION

Background

The Bureau of Engineering (BOE) has recently updated the Waiver of Damages form to be recorded as part of R permit issuance after discussions with the City Attorney to allow the City Engineer to terminate the Waiver of Damages in the event that those encroachments installed as part of the R permit are removed. However, in the past, the Board was the entity that granted R permits. The Waiver of Damages issued with those permits had also indicated that terminating the waiver would be affected by the Board. It has also been the policy to request Board authorization to revoke permits that had been initially authorized by the Board. This is a longer and more expensive process, as the BOE would need to prepare a board report to terminate each permit and the associated waiver. This language related to the termination of the Waiver of Damages can be found as item No. 7 on the example Waiver of Damages (Transmittal).

Upon further discussion with the City Attorney, a potentially better solution was identified to have BOE request Board authorization to act on behalf of the Board in terminating Revocable permits and the associated Waiver of Damages for which the encroachments have been removed.

This delegation of authority is only being requested for cases where the encroachments have been removed and there is clearly no longer a need for the Revocable permit and the associated Waiver of Damages. The BOE intends to continue to bring terminations of

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Revocable permits and associated Waiver of Damages to the Board for those scenarios under Board jurisdiction in which the encroachments remain or there is some type of disagreement over the termination between BOE and the owner.

(BM RMK TA)

Report reviewed by:

Respectfully submitted,

BOE (ADM)



Report prepared by:

Gary Lee Moore, PE, ENV SP
City Engineer

Permit Case Management Division

Bertram Moklebust, PE
Division Engineer
Phone No. 213-378-1265

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Questions regarding this
report may be referred to:
Christine Sotelo, Civil Engineer
Phone No. 213-378-1263
E-mail: christine.sotelo@lacity.org