

HOLLY L. WOLCOTT
CITY CLERK

City of Los Angeles
CALIFORNIA

OFFICE OF THE
CITY CLERK

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When making inquiries relative to
this matter, please refer to the
Council File No.: [17-0276-S2](#)

OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

February 23, 2018

Council File No.: [17-0276-S2](#)

Council Meeting Date: February 21, 2018

Agenda Item No.: 9

Agenda Description: ADMINISTRATIVE EXEMPTION, COMMUNICATION FROM THE BOARD OF AIRPORT COMMISSIONERS, and ORDINANCES FIRST CONSIDERATION relative to the acquisition by eminent domain of four properties located at 9606 Bellanca Avenue, 5651 West 96th Street, 5431 West 98th, and 9830 Bellanca Avenue for use by the Los Angeles World Airports to implement projects under the Landside Access Modernization Program.

Council Action: TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT AND ORDINANCES - ADOPTED

Council Vote:

YES	BLUMENFIELD	YES	HARRIS-DAWSON	YES	O'FARRELL
YES	BONIN	YES	HUIZAR	YES	PRICE
YES	BUSCAINO	YES	KORETZ	YES	RODRIGUEZ
YES	CEDILLO	YES	KREKORIAN	YES	RYU
YES	ENGLANDER	YES	MARTINEZ	YES	WESSON

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Pursuant to Charter/Los Angeles Administrative Code Section(s): 250

FILE SENT TO MAYOR:

LAST DAY FOR MAYOR TO ACT:

APPROVED

*DISAPPROVED

*VETO

02/27/2018

Mayor

DATE SIGNED

ADMINISTRATIVE EXEMPTION, TRADE, TRAVEL, AND TOURISM COMMITTEE REPORT, and ORDINANCES FIRST CONSIDERATION relative to the acquisition by eminent domain of four properties for use by the Los Angeles World Airports (LAWA) to implement projects under the Landside Access Modernization Program (LAMP).

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ADOPT the Board of Airport Commissioners findings that any activity (approval of bids, execution of contract, allocation of funds, etc.) for which the underlying project has previously been evaluated for environmental significance and processed according to the requirements of the California Environmental Quality Act (CEQA) is administratively exempt from further review pursuant to Article 11, Section 2.i of the Los Angeles City CEQA Guidelines and, further, that the taking of the subject properties is authorized by, *inter alia*, Section 19, Article I of the California Constitution, Sections 37350.5 and 4040(f) of the California Government Code, Public Utilities Code Section 21661.6, the Los Angeles City Charter Section 632(c), Section 1230.010 et seq., of the California Code of Civil Procedure, and all other applicable law as set forth herein.
2. APPROVE the accompanying RESOLUTIONS of Necessity Nos. 26407, 26408, 26409, and 26410, as adopted by the Board of Airport Commissioners at its meeting held January 18, 2018, making all necessary findings to authorize commencement of eminent domain proceedings to acquire four properties located in Los Angeles at 9606 Bellanca Avenue, 5651 West 96th Street, 9830 Bellanca Avenue, and 5431 West 98th Street for the Los Angeles International Airport (LAX) LAMP.
3. PRESENT and ADOPT the accompanying ORDINANCE dated February 8, 2018, finding that the public interest and necessity require the acquisition by eminent domain of property located at 9606 Bellanca Avenue, Los Angeles, California 90045, and bearing Assessor's Parcel Number (APN) 4125-021-026.
4. PRESENT and ADOPT the accompanying ORDINANCE dated February 6, 2018, finding that the public interest and necessity require the acquisition by eminent domain of property located at 5431 West 98th Street, Los Angeles, California 90045, and bearing APN 4128-012-900.
5. PRESENT and ADOPT the accompanying ORDINANCE dated February 8, 2018, finding that the public interest and necessity require the acquisition by eminent domain of property located at 5651 West 96th Street, Los Angeles, California 90045 and bearing APN 4125-021-025.
6. PRESENT and ADOPT the accompanying ORDINANCE dated February 8, 2018, finding that the public interest and necessity require the acquisition by eminent domain of property located at 9830 Bellanca Avenue, Los Angeles, California 90045 and bearing APNs 4125-026-009, 4125-026-801, and 4125-026-802.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that this action will not impact the General Fund or LAWA'S budget. The proposed acquisition of properties, in the

amount of \$29,643,650, will be funded through the LAX Revenue Fund be reimbursed with Passenger Facility Charges, subject to eligibility. The proposed acquisition of properties complies with LAWA's financial policies.

Community Impact Statement: None submitted.

TIME LIMIT FILE – FEBRUARY 23, 2018

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 23, 2018)

SUMMARY

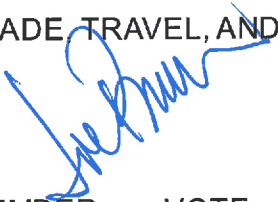
In a report to the Mayor dated February 13, 2018, the CAO states that LAWA requests authority to commence eminent domain proceedings as a means to help LAWA resolve an impasse in its negotiations to acquire four properties near LAX for LAMP projects. According to the CAO, in November and December 2017, LAWA provided to the property owners written offers of fair market value compensation derived from independent appraisals. The owners of record have either rejected or not (timely) accepted the LAWA offers. While LAWA is still willing to negotiate voluntary purchases of each property, staff has concluded that it is necessary to initiate eminent domain proceedings as an option if agreements are not reached. Complying with legal mandates and the adoption of the Resolutions of Necessity will authorize LAWA to acquire the properties by eminent domain upon Council approval.

On January 18, 2018, the Board of Airport Commissioners approved LAWA's request. The CAO concurs with this action.

At its special meeting held February 20, 2018, the Trade, Travel, and Tourism Committee recommended that Council approve LAWA's request to commence eminent domain proceedings for the four properties above and to approve the related Ordinances and findings, as recommended by the Board of Airport Commissioners and the CAO.

Respectfully Submitted,

TRADE, TRAVEL, AND TOURISM COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
BUSCAINO:	YES
BONIN:	YES
KREKORIAN:	YES

jaw

-NOT OFFICIAL UNTIL COUNCIL ACTS-