

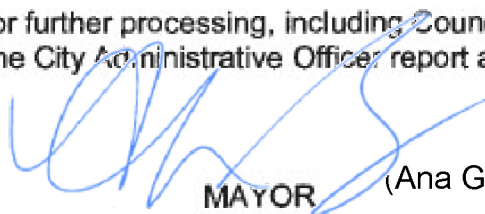
0150-11273-0000

TRANSMITTAL

TO Deborah Flint, Chief Executive Officer Los Angeles World Airports	DATE 1/14/19	COUNCIL FILE NO.
FROM The Mayor	COUNCIL DISTRICT 11	

Adopt An Ordinance Approving A Resolution of Necessity to Request Authorization to Commence An Eminent Domain Proceeding to Acquire a Portion of Property at 9200 Aviation Boulevard, Los Angeles, Near Los Angeles International Airport

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


MAYOR (Ana Guerrero) for

RHL:AVM:10190059t

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: January 10, 2019

CAO File No. 0150-11273-0000

Council File No.

Council District: 11

To: The Mayor

From: Richard H. Llewellyn, Jr., City Administrative Officer

Reference: Communication from the Los Angeles World Airports dated December 4, 2018; referred for a report on December 4, 2018

Subject: **ADOPT AN ORDINANCE APPROVING A RESOLUTION OF NECESSITY TO REQUEST AUTHORIZATION TO COMMENCE AN EMINENT DOMAIN PROCEEDING TO ACQUIRE A PORTION OF PROPERTY AT 9200 AVIATION BOULEVARD, LOS ANGELES, NEAR LOS ANGELES INTERNATIONAL AIRPORT**

RECOMMENDATIONS

That the Mayor requests the Council to:

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 exempt from further review pursuant to Article II, Section 2.i of the Los Angeles City CEQA Guidelines. The action requested is within the scope of the certified Environmental Impact Report (EIR) [ENV-2016-3391-EIR]. Further, that the taking of the Subject Property is authorized by, *inter alia*, Section 19, Article I of the California Constitution, Sections 37350.5 and 40404(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 Resolution of Necessity No. 26650, as adopted by the Board of Airport Commissioners (BOAC) at its meeting of December 6, 2018, making all necessary findings to authorize commencement of eminent domain proceedings to acquire a portion of property at 9200 Aviation Boulevard, Los Angeles, including an Urban "Rotate" Bulletin, single face billboard, for the Los Angeles International Airport Landside Access Modernization Program; in accordance with Code of Civil Procedure sections 1245.235 and a hearing was conducted by the BOAC on the matters herein; and,
3. Adopt a final Ordinance to be prepared and transmitted by the City Attorney approving the Resolution of Necessity and commencement of eminent domain proceedings.

SUMMARY

Pursuant to Charter Section 632(c), "Powers and Duties of the Board," the Chief Executive Officer of the Los Angeles World Airports (Department; LAWA) requests approval to commence eminent domain proceedings as a means to acquire land for the Landside Access Modernization Program (LAMP) Project and to help LAWA resolve an impasse in its negotiations to acquire a portion of property near Los Angeles International Airport (LAX). The initiation of eminent domain proceedings also requires adoption of an Ordinance by the Council (Attachment A) approving a Resolution of Necessity (Attachment B) that was approved by the Board of Airport Commissioners (BOAC) at its meeting of December 6, 2018. The Resolution of Necessity is required to authorize the Department to acquire the subject property.

The property is located at 9200 Aviation Boulevard, Los Angeles, and includes an Urban "Rotate" Bulletin, single face billboard. The LAMP projects will provide new transportation options and facilities to help mitigate LAX traffic congestion and parking issues. In accordance with California eminent domain law, the subject property sought to be acquired by the Department is necessary for the LAMP projects, which is planned or located in a manner compatible with the greatest public good and the least private injury. One of the BOAC's authorized powers and duties is its approval and oversight of Capital Improvement projects, including the purchase of properties to develop airports. The LAMP projects to be built in and around LAX will consist of: an Automated People Mover System, Intermodal Transportation Facilities, a Consolidated Rent-A-Car Center, along with Metro Rail and Bus Connections.

On October 19, 2018, a written offer to acquire the subject property was made by LAWA to the owners of record for the approved appraisals of the fair market value of the property portion and the billboard. Department staff report that, to date, the owners of record of the subject property and Airports staff have not been able to reach negotiated acceptance of an offer. The cost for LAWA to acquire a portion of the subject property and the billboard is estimated to be \$2,768,806. The two components of that total cost are approximately: \$2,666,000 to purchase the required land, and \$102,806 to acquire the billboard. As LAWA staff continues to pursue negotiations of an agreement with the property owners, the Department requests authorization to initiate eminent domain proceedings. The public hearing and adoption of the Resolution of Necessity will authorize LAWA to acquire the subject property, needed for the LAMP projects, by eminent domain upon Council approval.

FISCAL IMPACT STATEMENT

Commencement of eminent domain proceedings for a portion of property at 9200 Aviation Boulevard, Los Angeles, including an Urban "Rotate" Bulletin, single face billboard, in the area of the Los Angeles International Airport and adoption of an Ordinance approving a Resolution of Necessity that was approved by the Board of Airport Commissioners at its meeting of December 6, 2018, will have no impact on the City's General Fund or the Department's Operating budget. The proposed property and billboard acquisitions, for an estimated amount of \$2,768,806 will be funded

through the LAX Revenue Fund to be reimbursed with Passenger Facility Charges, subject to eligibility. The proposed acquisition of properties complies with the Department of Airports' Financial Policies.

RHL:AVM:10190059

Attachments