

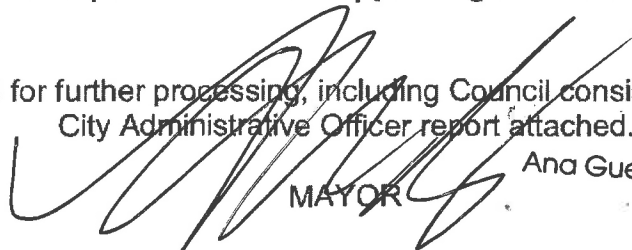
0150-11074-0001

TRANSMITTAL

TO Deborah Flint, Chief Executive Officer Department of Airports	DATE AUG 30 2018	COUNCIL FILE NO.
FROM The Mayor	COUNCIL DISTRICT 11	

**Request to Authorize the Commencement of Eminent Domain Proceedings
To Acquire Portions of a Property Located at 9790 Bellanca Avenue, Los
Angeles and Adopt an Ordinance Approving a Resolution of Necessity**

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


MAYOR Ana Guerrero

RHL:WDC: 101900121

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: August 30, 2018

CAO File No. 0150-11074-0001

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 August 13, 2018; referred by the Mayor for report on August 15, 2018

Subject: **REQUEST TO AUTHORIZE THE COMMENCEMENT OF EMINENT DOMAIN PROCEEDINGS TO ACQUIRE PORTIONS OF A PROPERTY LOCATED AT 9790 BELLANCA AVENUE, LOS ANGELES AND ADOPT AN ORDINANCE APPROVING A RESOLUTION OF NECESSITY**

RECOMMENDATIONS

That the Mayor Request the Council to:

1. Adopt the Board of Airport Commissioners findings that this action is within the scope of the project covered by the LAX LAMP (Landside Access Modernization Program) Project Environmental Impact Report (EIR), that the proposed property acquisition is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2.i of the City CEQA Guidelines; and that there are no changes to the Project that would require additional review under CEQA pursuant to Public Resources Code Section 21166 and of the CEQA Guidelines Section 15162;
2. Approve the accompanying Resolution of Necessity No. 26576, as adopted by the Board of Airport Commissioners at its meeting of August 16, 2018, making all necessary findings to authorize the commencement of eminent domain proceedings to acquire portions of the property located at 9790 Bellanca Avenue in Los Angeles, California pursuant to Code of Civil Procedure Sections 1240.610 and 1240.510; and
3. Adopt a final Ordinance to be transmitted by the City Attorney approving the Resolution of Necessity and the commencement of eminent domain proceedings to acquire the parcel at 9790 Bellanca Avenue, Los Angeles in compliance with federal and state law and the LAX LAMP Project EIR.

SUMMARY

Pursuant to Charter Section 632(c), the Chief Executive Officer of the Los Angeles World Airports (Department; LAWA) requests approval to commence eminent domain proceedings to acquire a 0.208-acre property located at 9790 Bellanca Avenue near the Los Angeles International Airport (LAX) required for construction of the \$5.5 billion LAMP (Landside Access Modernization Program) project. The proposed acquisition includes an additional 0.017 acres for a permanent wall footing

easement and 0.063 acres for a temporary construction easement.

The requested eminent domain proceedings require adoption of an Ordinance (Attachment A) approving Resolution of Necessity No. 26576 (Attachment B) that was unanimously approved by the Board of Airport Commissioners (Board) at its meeting of August 16, 2018.

The property is located due east of the Central Terminal Area in Los Angeles near LAX and has been the subject of an effort by LAWA—beginning in June/July 2018—to purchase land needed for construction of required roadway improvements in support of the LAMP project’s 98th Street extension. Successfully purchasing the property will allow LAWA to conclude a year-long effort to buy several private properties that are essential for the 98th Street extension project. The proposed property purchase and planned use are deemed to be “a more necessary public use than the use to which the Subject Property is already devoted; or, in the alternative, a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Subject Property is already devoted.”

To date, the property owners have not accepted the Department’s Fair Market Value offers totaling \$2,322,000. Consequently, LAWA is requesting authority to initiate eminent domain proceedings in the event that the two parties are unable to reach an agreement.

The \$5.5 billion LAX LAMP Project consists of three primary elements: Automated People Mover (APM), Consolidated Rental Car Facility (ConRAC), and Intermodal Transportation Facility (ITF) to be constructed over a multi-year period concluding in 2024. Numerous roadway improvements are also included, such as the 98th Street extension, which require the acquisition of the subject property.

While the Board adopted Resolution of Necessity No. 26576 and approved LAWA’s exercise of eminent domain to acquire portions of the 9790 Bellanca Avenue property at its August 16, 2018 meeting, a public hearing must still be held by the City Council in conformance with Code of Civil Procedure Section 1245.235.

FISCAL IMPACT STATEMENT

Commencement of eminent domain proceedings to acquire portions of the property at 9790 Bellanca Avenue, Los Angeles, near the Los Angeles International Airport to enable the construction of required roadway improvements in support of the LAMP project will have no impact on the City’s General Fund or the Department’s Operating Budget. The proposed property acquisition, in the amount of \$2,322,000, will be funded through the LAX Revenue Fund to be reimbursed with Passenger Facility Charges, subject to eligibility. The proposed property acquisition complies with the Department of Airports’ Financial Policies.

RHL:WDC:10190012

Attachments