ADMINISTRATIVE EXEMPTION and COMMUNICATION FROM CHAIR AND MEMBER, INNOVATION, GRANTS, TECHNOLOGY, COMMERCE, AND TRADE COMMITTEE, RESOLUTION OF NECESSITY and ORDINANCE FIRST consideration relative to finding that the public interest and necessity require the acquisition by eminent domain of 37 properties in the Manchester Square area of the City.

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

1. ADOPT the determination by the Board of Airport Commissioners (Board) that the findings of this action is within the scope of the project covered by the Los Angeles International Airport (LAX) Master Plan Environmental Impact Statement/Environmental Impact Report (EIR/EIS), State Clearing House No. 1997061047, and the Manchester Square and Airport/Belford Area Voluntary Acquisition Program, Mitigated Negative Declaration (MND) 094-00, and no new environmental documentation is required pursuant to Section 15168(c) of the State California Environmental Quality Act (CEQA) Guidelines; and no new environmental effects would occur or new mitigation measures would be required pursuant to Section 15162 of the State CEQA Guidelines due to events occurring since the 2004 certification of the LAX Master Plan EIR/EIS or the 2000 adoption of the MND. The underlying project was previously evaluated for environmental significance by MND 094-00, adopted by Board on July 18, 2000 and the Final LAX Master Plan certification and adoption of the Final EIR/EIS, State Clearing House No. 1997061047, by the Council on December 2004, and therefore is exempt from the requirements of the CEQA pursuant to Article II, Section 2.I of the Los Angeles City CEQA Guidelines.

2. APPROVE the Resolution of Necessity, No. 26250, as adopted by the Board on June 15, 2017, attached to the Council file, making all necessary findings to authorize the commencement of eminent domain proceedings to acquire the properties located in Manchester Square area of the City complete land acquisition under the Airport Noise Mitigation Program in compliance with 14 CFR Part 150 and California Code of Regulations, Title 21, Section 5000 et seq.

3. PRESENT and ADOPT the accompanying ORDINANCE, dated June 15, 2017, finding that the public interest and necessity require the acquisition by eminent domain of 37 properties in the Manchester Square area of the City.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that commencement of eminent domain proceedings for 37 properties in the Manchester Square area of the City and adoption of an Ordinance approving a Resolution of Necessity that was approved by the Board at its meeting of June 15, 2017, will have no impact on the City’s General Fund or the Los Angeles World Airports (LAWA) Operating Budget. The proposed property acquisition, in the amount of $108,186,150, 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 LAWA Financial Policies.

Community Impact Statement: None submitted.
SUMMARY

At a meeting held on June 20, 2017, the Chair and member of the Innovation, Grants, Technology, Commerce and Trade Committee considered a Board and City Attorney report and Ordinance relative to finding that the public interest and necessity require the acquisition by eminent domain of 37 properties in the Manchester Square area of the City. The CAO reports that pursuant to Charter Section 632(c), Powers and Duties of the Board, the Chief Executive Officer of LAWA requests approval to commence eminent domain proceedings as a means to help LAWA resolve an impasse in its negotiations to acquire 37 properties near LAX. The initiation of eminent domain proceedings also requires adoption of an Ordinance by the Council approving a Resolution of Necessity that was unanimously approved by the Board at its meeting of June 15, 2017. The Resolution of Necessity is required to authorize LAWA to acquire the subject properties. The properties, which are located east of LAX runways 6L-24R and 6R-24L in an area known as Manchester Square, are the subject of a multi-year effort by LAWA to address its responsibility to comply with federal and state airport noise mitigation and incompatible land use regulations through its Voluntary Residential Acquisition and Relocation Program. By purchasing residences in areas adjacent to the airport where land use is deemed to be incompatible with noise levels arising from aircraft operations above and nearby, LAWA is using what the LAX Master Plan considers the most appropriate and practical measures available to mitigate the effects of aircraft noise on nearby residents and promote compatibility between LAX and the surrounding neighborhoods. After an opportunity for public comment was provided, the Committee Chair and member moved to approve the Ordinance submitted by the City Attorney and Board recommendations, as detailed above. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

INNOVATION, GRANTS, TECHNOLOGY, COMMERCE AND TRADE COMMITTEE

MEMBER VOTE
BLUMENFIELD: YES
BONIN: ABSENT
KREKORIAN: YES
BUSCAINO: ABSENT

-NOT OFFICIAL UNTIL COUNCIL ACTS-