

COMMUNICATION

File No. 11-1043

TO: LOS ANGELES CITY COUNCIL

FROM: COUNCILMEMBER JOE BUSCAINO, CHAIR
PUBLIC WORKS COMMITTEE

COMMUNICATION FROM CHAIR, PUBLIC WORKS COMMITTEE and ORDINANCE relative to a draft resolution of necessity finding that the public interest and necessity requires the acquisition of easement interests in real property located at 2301 - 2307 East Olympic Boulevard, 2315 East Olympic Boulevard, and 2331 East Olympic Boulevard for the construction of the Olympic Boulevard and Mateo Street Intersection Improvement Project.

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

1. FIND that, under State California Environmental Quality Act (CEQA) Guideline 15162, no further environmental review is required prior to approval of the draft ordinance because (a) no substantial changes are proposed that require major revisions to the previously adopted Negative Declaration due to the involvement of new significant environmental effects; (b) no substantial changes have occurred with respect to the circumstances under which the project is being undertaken that require major revisions of the previous Negative Declaration due to the involvement of new significant environmental effects; and (c) no new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the previous Negative Declaration was adopted, shows the project will have one or more significant environmental effects not discussed in the previously adopted Negative Declaration.
2. INSTRUCT staff to take all actions necessary to authorize payment for these acquisitions from Department 94, Fund 655, Account 94G276.
3. AUTHORIZE the City Attorney to make the necessary deposit of probable just compensation in the amounts of \$283,000, \$82,500 and \$49,500, respectively, for the three properties which will be subject to this condemnation, and to seek orders from the Court to obtain early possession of the Subject Properties' proposed take areas prior to trial.
4. AUTHORIZE the Bureau of Engineering's Real Estate Division to continue to attempt to acquire the Subject Properties, and all necessary interests therein, via negotiated purchases and, if successful, to execute all documents necessary to accomplish the transfer of those interests to the City.
5. PRESENT and ADOPT the accompanying ORDINANCE (Resolution of Necessity) authorizing the acquisition of the Subject Properties by eminent domain.

Fiscal Impact Statement: None submitted by the City Attorney. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

SUMMARY

At a regular meeting held on June 12, 2013, your Committee Chair considered a City Attorney report relative to a draft resolution of necessity finding that the public interest and necessity requires the acquisition of easement interests in real property located at 2301 - 2307 East Olympic Boulevard, 2315 East Olympic Boulevard, and 2331 East Olympic Boulevard for the construction of the Olympic Boulevard and Mateo Street Intersection Improvement Project.

City Attorney staff provided an overview of the matter. An opportunity for public comment was held. After a discussion of the item, the Committee Chair recommended that the Council approve the City Attorney's recommendations. This matter is now forwarded to the Council for its consideration.

Respectfully submitted,

COUNCILMEMBER JOE BUSCAINO, CHAIR
PUBLIC WORKS COMMITTEE

| <u>MEMBER</u> | <u>VOTE</u> |
|---------------|-------------|
| BUSCAINO: | YES |
| KREKORIAN: | ABSENT |
| GARGETTI: | ABSENT |

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- Not Official Until Council Acts -