



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R 25 - 0279
JUN 02 2025

REPORT RE:

**DRAFT ORDINANCE FINDING THAT THE PUBLIC INTEREST AND
NECESSITY REQUIRE THE ACQUISITION BY EMINENT DOMAIN OF
PORTIONS OF PROPERTY LOCATED AT 5928 WEST 96TH STREET AND 9775
AIRPORT BOULEVARD**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, CA 90012

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality, approving a Resolution of Necessity making statutory findings and authorizing the acquisition by eminent domain of property located at 5928 West 96th Street and 9775 Airport Boulevard (Subject Property), as described in the draft ordinance. The public use for which the Subject Property is being considered is to implement the projects under the Landside Access Modernization Program (LAMP or Project).

The adoption of this draft ordinance may require a hearing with an opportunity for the property owners to be heard and will require an affirmative vote of at least two-thirds of the members of the full City Council.

Background

Los Angeles World Airports (LAWA) is modernizing LAX to improve passenger quality of service and provide world-class facilities for its customers. Through the

Project, LAWA provides new transportation options and facilities to mitigate congestion and parking issues at LAX, including: (1) an Automated People Mover; (2) a Consolidated Rent-A-Car Facility; and (3) an Intermodal Transportation Facility close to the 405 freeway and Sepulveda Boulevard to allow for pick-up and drop-off of passengers. The Subject Property is necessary to make roadway improvements intended to reduce airport-related congestion in the Central Terminal Area and surrounding public streets.

Negotiations with Owners

From June to December 2024, LAWA made written offers for not less than the fair market value to the owners of record of the Subject Property. To date, the owners of record of the Subject Property have not accepted LAWA's offers. LAWA remains willing to negotiate a voluntary purchase of the Subject Property, but LAWA requests authorization to initiate the eminent domain process to acquire the Subject Property.

Notice and Opportunity to Be Heard

Pursuant to Code of Civil Procedure Section 1245.235, the City Council is required to provide written notice of the right to a hearing on the resolution of necessity to the persons whose properties are to be acquired. The owners of the properties then have 15 days to request that hearing. The required notice and any requested hearing will be provided in compliance with state law.

Summary of Ordinance Provisions

Charter Section 632(c) provides that the Board of Airport Commissioners (Board) shall have the power to purchase, lease, acquire, condemn, design, erect, maintain, improve, repair, and operate all property, improvements, utilities, equipment, supplies, or facilities as it may deem necessary or convenient for departmental purposes. The power of condemnation shall only be exercised with approval of the City Council. The draft ordinance makes the findings required under California Eminent Domain Law and approves LAWA's use of eminent domain to acquire the Subject Property. The draft ordinance also authorizes this Office to take all actions necessary to commence, prosecute, and settle the legal proceedings, and to obtain pre-judgment possession of the Subject Properties.

CEQA Findings

The environmental impacts of the acquisition of the Subject Property were evaluated in the previously adopted LAMP Environmental Impact Report (EIR), ENV-2016-3391-EIR. The LAMP EIR was adopted by the Board on March 2, 2017 (Resolution No. 26185), and certified and adopted by the City Council on June 7, 2017. The acquisition of the Subject Property is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2.i of the Los Angeles City CEQA Guidelines. It is also within the scope of the certified LAMP

EIR and does not include any changes to the Project that would require further review under CEQA pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162.

If you have any questions regarding this matter, please contact Deputy City Attorney Cynthia Alexander at (424) 646-5196. A member of this Office will be available when you consider this matter to answer any questions you may have.

Sincerely,

HYDEE FELDSTEIN-SOTO, City Attorney

By



MICHAEL J. DUNDAS
Senior Assistant City Attorney

MJD:CAA
Transmittal