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CITY ATTORNEY

REPORT NO. R 2 2 - 0 1 4 3
APR 2 8 2022

REPORT RE:

**DRAFT ORDINANCE FINDING THAT THE PUBLIC INTEREST AND
NECESSITY REQUIRE THE GRANTING OF AN EASEMENT
FOR OPERATION AND MAINTENANCE OF A SEWER**

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

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance would authorize the City of Los Angeles to grant to Daniel Y. Loh and Janet U. Loh as Trustees For THE LOH TRUST ("Grantee") a non-exclusive Easement for the purpose of permitting the Grantee to use and maintain a sewer line thereon, along, under, across, over or through a portion of the property located at 5535 West Century Boulevard in Los Angeles, from the City of Los Angeles with APN 4128-024-901 and APN 4128-024-902 (collectively, "Subject Properties"). The public use for which the Subject Properties are being considered is to implement the projects ("Project") under the Landside Access Modernization Program ("LAMP") at Los Angeles International Airport ("LAX").

Background

The City's Department of Airports ("Los Angeles World Airports" or "LAWA") is implementing LAMP, a multi-billion capital improvement project that will relieve congestion and improve passenger experience. In addition to the construction of an Automated People Mover, Consolidated Rental Car Facility, and other improvements, LAMP includes roadway improvements, one of which will impact the sewer line of a gas

station at 5551 West Century Boulevard Los Angeles, CA 90045. Specifically, the 98th Street Extension portion of LAMP requires the relocation/reconstruction of the gas station's existing private sewer lateral and public sewer main.

A new sanitary sewer lateral will be constructed on the adjacent property owned by LAWA at 5535 West Century Boulevard. Therefore, LAWA is requesting this approval of the Private Sewer Easement Agreement for the Grantee, which is the owner of the gas station.

CEQA Findings

Determine item 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 Environmental Impact Report (State Clearinghouse 2015021014) 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.

In compliance with CEQA Guidelines Sections 15080-15097 (EIR previously adopted), an Environmental Impact Report (EIR) was prepared to analyze the impacts associated with the construction of impacted utilities. See State Clearinghouse 2015021014, page 2-168). Further, an easement was contemplated at property 5551 West Century Boulevard. (ID, 2-172).

On March 2, 2017, The Board of Airport Commissioners (Board) certified the Final EIR (ENV-2016-3391-ENV, State Clearing House No. 2015021014) for LAMP, in compliance with State and City CEQA Guidelines. (See, Resolution No. 26185 (Board file 2028)). The Final EIR was adopted by the Los Angeles City Council on June 7, 2017.

Council Rule 38 Referral

A copy of the draft ordinance was presented to the Board of Airport Commissioners, and the Board concurs with this recommendation.

If you have any questions regarding this matter, please contact Deputy City Attorney Michael Ty at (424) 646-5071. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON
Chief Assistant City Attorney

DM:MT:zb
Transmittal