



Board Report

File #: 2024-1082, File Type: Resolution

Agenda Number: 37.

REGULAR BOARD MEETING
JANUARY 23, 2025

SUBJECT: PUBLIC HEARING ON RESOLUTION OF NECESSITY FOR EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT PROJECT

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

ADOPT the Resolution of Necessity authorizing the commencement of an eminent domain action to acquire the fee simple interest and the improvements pertaining to realty (“Property Interests”) for the property identified in Attachment A and described as 14646 Raymer St., Van Nuys, CA; APN: 2210-025-007, ESFV-E-012-1 (“Parcel 12”).

(REQUIRES TWO-THIRDS VOTE OF THE FULL BOARD)

ISSUE

Acquisition of the Property Interests is required for the construction and operation of the East San Fernando Valley Light Rail Transit Project (“Project”), specifically the Maintenance and Storage Facility (“MSF”). After testimony and evidence has been received from all interested parties at the hearings, Los Angeles County Metropolitan Transportation Authority (“LACMTA”), by a vote of two-thirds of its Board of Directors (“Board”), must make a determination as to whether to adopt the proposed Resolution of Necessity (Attachment B) to acquire the Property Interests by eminent domain. Attached is evidence submitted by staff that supports the adoption of the resolution and which sets forth the required findings.

BACKGROUND

The Project extends north from the Van Nuys Metro G-Line station to the Sylmar/San Fernando Metrolink Station, a total of 9.2 miles of a dual-track light rail transit (“LRT”) system with 14 at-grade stations. The LACMTA Board certified the Final Environmental Impact Report on December 3, 2020, and the Federal Transit Administration signed a Record of Decision on January 29, 2021, for the Project. Included in the Final Environmental Impact Statement/ Environmental Impact Report was the initial operating segment (IOS) defined as the southern 6.7 miles of the Project alignment. The IOS is street-running in the middle of Van Nuys Boulevard and includes 11 at-grade center platform stations,

10 traction power substations, and a Maintenance and Storage Facility (MSF) for the LRT vehicles.

The Project will improve mobility in the area by:

- introducing an improved north-south transit connection between key transit hubs/routes;
- enhancing transit accessibility/connectivity for residents to local and regional destinations and activity centers;
- increasing transit service efficiency; and
- encouraging a modal shift from driving in order to achieve reductions in greenhouse gas emissions.

The MSF will be constructed on the west side of Van Nuys Boulevard on approximately 21 acres, which is bounded by Keswick Street on the south, Raymer Street on the east and north, and the Pacoima Wash on the west. The MSF will house the fleet of 34 light rail vehicles that will be procured to initiate service on the line. The MSF will also accommodate rail car washing, a paint shop, wheel truing, material storage, cleaning platform, and main shop.

Acquisition of the Property Interests is required for the MSF.

DISCUSSION

Parcel 12 is a commercial property with one tenant, a recycling business (“Tenant”). A written offer of Just Compensation to purchase the real property was presented to the Owner of Record (“Owner”) on February 20, 2024, as required by California Government Code Section 7267.2. For Improvements Pertaining to Realty (“IPR”), LACMTA presented both the Owner and Tenant with a written offer of Just Compensation, in compliance with California Government Code Section 7267.2.

A negotiated, conditional agreement for the purchase and sale of the real property was reached with the Owner on June 10, 2024, and the parties opened escrow. One of the conditions to complete the transaction was LACMTA’s environmental due diligence and a negotiated purchase price holdback to cover remediation costs if contamination were found within the Property Interests. During LACMTA’s environmental due diligence, soil contamination was found within the Property Interests, which requires remediation. A dispute over the costs of remediation and the purchase price holdback between the parties prevented the parties from closing escrow.

In addition, Owner and Tenant failed to reach an agreement between themselves with regard to the ownership of the IPR, and therefore, LACMTA is unable to determine the owner and proper recipient of compensation for the IPR.

Staff recommends the acquisition of the Property Interests through eminent domain in order to maintain the Project’s schedule.

In accordance with provisions of the California Eminent Domain Law and Section 30503, 30600, 130051.13, 130220.5 and 132610 of the California Public Utilities Code, (which authorizes the public

acquisition of private property by eminent domain/n), LACMTA has prepared and mailed notice of this hearing to the Owner and Tenant, informing them of their right to appear at this hearing and be heard on the following issues: (1) whether the public interest and necessity require the Project; (2) whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; (3) whether the Property Interests are necessary for the Project; (4) whether either the offer required by Section 7267.2 of the Government Code has been made to the owner(s) of the Property Interests, or the offer has not been made because the owner(s) cannot be located with reasonable diligence; (5) whether any environmental review of the Project, as may be necessary, pursuant to the California Environmental Quality Act (CEQA), has occurred and (6) whether LACMTA has given the notice(s) and followed the procedures that are a prerequisite to the exercise of the power of eminent domain. In order to adopt the Resolution, LACMTA must, based on the evidence before it, and by a vote of two-thirds of its Board, find and determine that the conditions stated in items 1 - 6 above exist.

Attached is the Staff Report prepared by staff and legal counsel setting forth the required findings for acquiring the Property Interests through the use of eminent domain (Attachment A).

Acquisition of the Property Interests will require relocation of the Tenant. A dedicated relocation agent is working with the Tenant to explain the benefits, provide referrals for replacement properties, and process payments for search, moving, and reestablishment costs. Prior to being required to relocate, the business will be provided 90-day and 30-day notices.

DETERMINATION OF SAFETY IMPACT

The Board's action will not have an impact on LACMTA's safety standards.

FINANCIAL IMPACT

The funds required to support the acquisition, relocation activities, and the recommended right of way action for the properties referenced in this report are included in the adopted Project's Preconstruction budget under Cost Center 8510 Project number 865521, East San Fernando Valley Light Rail Transit Corridor.

Impact to Budget

Sources of funds for the recommended action are Measure R 35%, Measure M 35%, and State Grants. These fund sources are not operations-eligible funding.

EQUITY PLATFORM

The Project will serve 11 new stations along Van Nuys Blvd, and will improve connections and access to key destinations for several Equity Focus Communities (EFC's) along the Project. To date, LACMTA Community Relations (CR) staff, who include bilingual Spanish and English-speaking staff,

have met with the local neighborhood councils and representatives from the local council district offices on upcoming construction, mitigation plans/efforts, and outreach efforts to the local community. CR staff have also been visiting the small businesses along the alignment and have been providing bilingual Spanish and English project information along with business resources. Also, the Project has established a Community Leadership Council (CLC), an advisory body to the Project, and plans to implement a CBO partnership that aligns with LACMTA's CBO Partnering Strategy.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Project is consistent with the following Metro Vision 2028 Strategic Plan Goals:

Goal 1: Provide high-quality mobility options that enable people to spend less time traveling. Goal 2: Deliver outstanding trip experiences for all users of the transportation system. Goal 3: Enhance communities and lives through mobility and access to opportunity. Goal 4: Transform LA County through regional collaboration and national leadership.

ALTERNATIVES CONSIDERED

The Board may choose not to approve the recommendation. This is not recommended as it would result in significant delays and cost increases for the Project. Furthermore, delay to the Project will have detrimental effects on the available Federal and State Grant funding dollars.

NEXT STEPS

If this action is approved by the Board, LACMTA's condemnation counsel will be instructed to take all steps necessary to commence legal proceedings in a court of competent jurisdiction to acquire the Property Interests by eminent domain and to conclude those proceedings either by settlement or jury trial. Counsel will also be directed to seek and obtain Orders of Prejudgment Possession in accordance with the provisions of the Eminent Domain Law. Staff will continue to negotiate with the property owner with the goal of reaching a voluntary settlement while concurrently pursuing the eminent domain process to preserve the project schedule. LACMTA will continue to work with the Tenant to find a suitable replacement location.

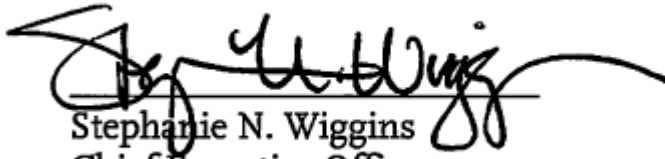
ATTACHMENTS

Attachment A - Staff Report

Attachment B - Resolution of Necessity

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Reviewed by: Ray Sosa, Chief Planning Officer, (213) 922-2920



Stephanie N. Wiggins
Chief Executive Officer

**STAFF REPORT REGARDING THE NECESSITY FOR THE ACQUISITION OF THE
PROPERTY REQUIRED FOR THE EAST SAN FERNANDO VALLEY LIGHT RAIL
TRANSIT PROJECT (“PROJECT”) PROJECT PARCEL ESFV-012-1**

BACKGROUND

The property interests sought to be acquired are required by the Los Angeles County Metropolitan Transportation Authority (“LACMTA”) for the construction and operation of the Project. The assessor parcel number, project parcel number, address, record property owner and tenant, purpose of the acquisition, and nature of the property interests sought to be acquired for the Project are summarized as follows:

Summary Table 1

Assessor's Parcel Number	Project Parcel Number	Parcel Address	Property Owner/Tenant	Purpose of Acquisition	Property Interest(s) Sought
2210-025-007	ESFV-E-012-1	14646 Raymer St., Van Nuys, CA	Real Property Owner (“Owner”): Franz J. Neuwirth and Gretchen V. Newell, Trustees of The Etzel Trust UTA January 7, 2021	Construction and operation of the East San Fernando Valley Light Rail Transit Project	Fee Interest; and Improvements Pertaining to Realty
2210-025-007	ESFV-E-012-1	14654 Raymer St., Van Nuys, CA	Tenant (“Tenant”): SVC RECYCLING	Construction and operation of the East San Fernando Valley Light Rail Transit Project	Improvements Pertaining to Realty

Property Requirements:

Purpose of Acquisitions: Construction and operation of the East San Fernando Valley Light Rail Transit Project.

Property Interests Sought:

With regard to Project parcel ESFV-E-012-1, LACMTA seeks to acquire a fee interest in the real property, as well as the Improvements Pertaining to Realty (IPR). These interests are required to construct the Maintenance and Storage Facility (MSF) for the Project. The MSF will be constructed on the west side of Van Nuys Boulevard on approximately 21 acres, which is bounded by Keswick Street on the south, Raymer Street on the east and

north, and the Pacoima Wash on the west. In order to connect the main line alignment to the MSF site, the guideway will curve west off of Van Nuys Boulevard along Keswick Street. These acquisitions of a fee interest and of IPR are collectively referred to herein as the Property Interests.

A written offer of Just Compensation to purchase the fee interest was presented to the Owner of record on: February 20, 2024 for ESFV-E-012-1 as required by California Government Code Section 7267.2. Similarly, and in compliance with California Government Code Section 7267.2, a written offer of Just Compensation to purchase the IPR on the parcel was presented to the Owner and Tenant.¹

A. The public interest and necessity require the Project.

The Project is a vital public transit infrastructure investment that will provide improved transit service along the busy Van Nuys Boulevard and San Fernando Road corridors serving the eastern San Fernando Valley. The Project will ultimately provide a 9.2-mile light rail transit system to connect from the Van Nuys LACMTA G Line (Orange Line) Station in the community of Van Nuys to the Sylmar/San Fernando Metrolink Station in the City of San Fernando, providing commuters with significantly more options when navigating Los Angeles County.

The Project will improve mobility in the eastern San Fernando Valley by introducing an improved north-south transit connection between key transit hubs/routes including direct access to Metrolink/Amtrak and G-line stations, enhancing transit accessibility/connectivity for residents to local and regional destinations and activity centers, increasing transit service efficiency, and encouraging a modal shift from driving to achieve reductions in greenhouse gas emissions. It is projected that by the year 2035, there will be 37,759 daily transit trips on the completed Project. The Project will provide new transit service and improved transit connectivity in future years. The Project is consistent with one of LACMTA's overall goals of providing high quality mobility options that enable people to spend less time traveling.

Based on an evaluation of socioeconomic, congestion growth trends, travel conditions, and feedback from the project stakeholder meetings, it is demonstrated that existing and projected levels of traffic congestion in the corridor limit mobility will increase the demand for reliable transit services. In light of these conditions, the Project supports the public interest and necessity through its ability to:

- Improve mobility in the eastern San Fernando Valley by introducing an improved north-south transit connection between key transit hubs/routes;
- Enhance transit accessibility/connectivity for residents within the eastern San Fernando Valley to local and regional destinations;
- Provide more reliable transit service within the eastern San Fernando Valley;

¹ As between Owner and Tenant, LACMTA does not know who claims ownership of the IPR, and for that reason, the offer to purchase the IPR was made to both the Owner and the Tenant.

- Provide additional transit options in an area with a large transit dependent population and high number of transit riders; and
- Encourage modal shift to transit in the eastern San Fernando Valley, thereby improving air quality.

It is recommended that based on the above evidence, the Board find and determine that the public interest and necessity require the Project.

B The Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury.

In September and October of 2017, the Draft Environmental Impact Study/Draft Environmental Impact Report (DEIS/DEIR) was circulated for public review and comment for 60 days. The following six alternatives were evaluated in the DEIS/DEIR:

- No-Build Alternative;
- TSM Alternative;

BRT Alternatives:

- Alternative 1 – Curb-Running BRT Alternative;
- Alternative 2 – Median-Running BRT Alternative;

Rail Alternatives:

- Alternative 3 – Low-Floor Light Rail Transit (LRT)/Tram Alternative;
- Alternative 4 – LRT Alternative.

All build alternatives considered within the DEIS/DEIR (Alternatives 1 through 4) would operate at grade over 9.2 miles, either in a dedicated busway or dedicated guideway (6.7 miles) and/or in mixed-flow traffic lanes (2.5 miles), from the Sylmar/San Fernando Metrolink station on the north to the Van Nuys Metro Orange Line station on the south, with the exception of Alternative 4, which included a 2.5-mile segment within Metro-owned railroad right-of-way adjacent to San Fernando Road and Truman Street and a 2.5-mile underground segment beneath portions of the City of Los Angeles communities of Panorama City and Van Nuys.

Metro applied the objectives below in evaluating potential alternatives for the Project:

- Provide new service and/or infrastructure that improves passenger mobility and connectivity to regional activity centers;
- Increase transit service efficiency (speeds and passenger throughput) in the project study area; and
- Make transit service more environmentally beneficial by providing alternatives to auto-centric travel modes and other environmental benefits, such as reduced air pollutants, including reductions in greenhouse gas emissions in the project study area.

These goals draw upon those presented in the Alternatives Analysis Report completed in 2012. For the purposes of the DEIS/DEIR, these goals were updated and refined to reflect public involvement and further analysis of the proposed project, the project area, and the background transportation system. Based on the project objectives and the public comments received during the 60-day comment period for the DEIS/DEIR, a modified version of Alternative 4 (Alternative 4 Modified: At-Grade LRT) was developed on June 28, 2018, and the Metro Board of Directors formally identified Alternative 4 Modified: At-Grade LRT as the Locally Preferred Alternative (LPA). The primary difference between DEIS/DEIR Alternative 4 and the LPA is the elimination of the 2.5-mile subway portion of DEIS/DEIR Alternative 4. Under the LPA, the entire 9.2-mile alignment would be constructed at grade. The subway portion was eliminated because it would be very expensive, have significant construction impacts, and result in little time savings compared with a fully at-grade alignment.

In addition, Metro determined that the LPA best fulfilled the project's purpose and need to:

- Improve north–south mobility;
- Provide more reliable operations and connections between key transit hubs/routes;
- Enhance transit accessibility/connectivity to local and regional destinations;
- Provide additional transit options in a largely transit-dependent area, and
- Encourage mode shift to transit.

Additional factors that were considered by Metro in identifying Alternative 4 Modified as the LPA include: the greater capacity of LRT compared to the BRT alternatives, the LPA could be constructed in less time and at reduced cost compared to the DEIS/DEIR Alternative 4, fewer construction impacts compared to DEIS/DEIR Alternative 4, and strong community support for a rail alternative.

The Project will cause private injury, however, no other alternative locations for the Project provide greater public good with less private injury. Therefore, the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

It is recommended that, based upon the foregoing, the Board find and determine that the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

C. The Property Interests are necessary for the Project.

The Property Interests are specifically needed for the southern segment of the Project ("Southern Segment"). The Southern Segment of the Project consists of a 6.7-mile at-grade alignment light rail transit system, which will include 11 new transit stations, 10 Traction Power Substations, and a new Maintenance and Storage Facility. The purpose

of the Project is to improve connections and access to crucial destinations while connecting transit users to the growing network in the San Fernando Valley.

The Southern Segment of the Project will operate in the center of Van Nuys Boulevard from the LACMTA G Line (Orange) Van Nuys Station to Van Nuys Boulevard and San Fernando Road. Once constructed, the Project's light rail system will travel in a semi-exclusive right-of-way in the median of Van Nuys Boulevard, separated by a barrier except at signalized intersections. There will be 33 light rail vehicles. The light rail system will be powered by an electrified overhead contact system, a network of overhead wires that distributes electricity to the light rail vehicles.

The MSF will house general administration, operation, and support services. The facility will be used to store the light rail transit vehicles when they are not in operation and to perform inspections, body and heavy repairs, and cleaning and washing of LACMTA's growing light rail vehicle fleet. Meanwhile, the TPSS sites will provide the electricity to power the light rail vehicles.

The Property Interests are required for construction and operation of the Project. Specifically, Parcel ESFV-E-012-1 is one of several parcels required to construct the MSF.

The MSF will be constructed on the west side of Van Nuys Boulevard on approximately 21 acres, which is bounded by Keswick Street on the south, Raymer Street on the east and north, and the Pacoima Wash on the west. In order to connect the main line alignment to the MSF site, spur tracks will extend from the guideway and will curve west off of Van Nuys Boulevard north of Keswick Street and continue in a westward direction crossing Raymer Street and into the MSF site.

A portion of the MSF will be located on Parcel ESFV-E-012-1. Therefore, the Property Interests are necessary for the construction and operation of the Project.

Staff recommends that the Board find that the acquisition of the Property Interests are necessary for the Project.

D. Offers were made in compliance with Government Code Section 7267.2.

California Code of Civil Procedure Section 1245.230 requires that a Resolution of Necessity contain a declaration that the governing body has found and determined that either the offer required by Section 7267.2 of the California Government Code has been made to the owner of the interest being acquired, or the offer has not been made because the owner cannot be located with reasonable diligence.

California Government Code Section 7267.2 requires that an offer to purchase be made to the owner(s) in an amount which the agency believes to be just compensation. The amount must not be less than the agency's approved appraisal of the fair market value of the Property Interests being acquired. In addition, the agency is required to provide the

Owner with a written description of and summary of the basis for, the amount it established as just compensation.

Staff has taken the following actions as required by California law for the acquisition of the Property Interests:

1. Obtained an two independent appraisals, one of the real property and one of the IPR, to determine the fair market value of the Property Interests, including consideration of the existing use of the parcel, the highest and best use of the parcel, and, if applicable, impact to the remainder;
2. Reviewed and approved the appraisals, and established the amount it believes to be just compensation for the acquisition of the Property Interests;
3. Determined the owner of the Property Interests by examining the county assessor's record and a preliminary title report, and determined the tenant of the parcel;
4. Made written offers to the Owner and Tenant for the full amount of just compensation for the acquisition of the Property Interests, which was not less than the approved appraised value of the Property Interests (offer for fee acquisition was made to Owner; offer for IPR was made jointly to Owner and Tenant);
5. Provided the Owner and Tenant with a written statement of, and summary of the basis for, the amount established as just compensation with respect to the foregoing offer; and
6. Provided an informational pamphlet concerning eminent domain in California to the Owner as required by the Eminent Domain Law.

It is recommended that based on the above Evidence, the Board find and determine that the offer required by Section 7267.2 of the California Government Code has been made to each of the Owners and tenants.

E. LACMTA has fulfilled the necessary statutory prerequisites.

LACMTA is authorized to acquire property by eminent domain for the purposes contemplated by the Project under Public Utilities Code §§ 30503, 30600, 130051.13, and 130220.5; Code of Civil Procedure §§ 1230.010-1273.050; and Article I, § 19 of the California Constitution.

F. LACMTA has complied with the California Environmental Quality Act.

The environmental impacts of the Project were evaluated in the Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/FEIR), which was certified by Page 8 of 36 the Board on December 8, 2020. The Board found that in accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15162, no

supplemental Environmental Impact Report is required for the Project, and the FEIS/FEIR documents are consistent with CEQA. Through the Preliminary Engineering (PE) phase of the Project, design refinements to the southern segment were identified. Environmental analysis and findings of the proposed design refinements were documented in an Addendum to the Final Environmental Impact Report, in compliance with California Environmental Quality Act and approved by the Board in October 2023.

CONCLUSION

Staff recommends that the Board approve the Resolution of Necessity.

ATTACHMENTS

- 1 - Legal Description (Exhibit A-1)
- 2 - Plat Map (Exhibit B-1)
- 3 - Improvements Pertaining to Realty (Exhibit C-1)Page 7 of 15

LEGAL DESCRIPTIONS

EXHIBIT A-1

EXHIBIT A-1
PARCEL ESFV-E-012-1

LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Los Angeles, City of Los Angeles and described as follows:

Parcel A:

The Easterly 95.00 feet measured at right angles from the East line of Lot 6 of Tract No. 1532, in the City of Los Angeles, County of Los Angeles, State of California, as per Map recorded in Book 22, Pages 130 and 131 of Maps, in the Office of the County Recorder of said County.

Except therefrom the South 501.00 feet thereof.

Parcel B:

The West 30.65 feet of the East 125.65 feet measured at right angles from the last line of Lot 6 of Tract No. 1532, in the City of Los Angeles, County of Los Angeles, State of California, as per Map recorded in Book 22, Pages 130 and 131 of Maps, in the Office of the County Recorder of said County.

Except therefrom the South 501.00 feet thereof.

Parcel C:

The Easterly 215.00 feet measured at right angles from the East line of Lot 6 of Tract No. 1532, in the City of Los Angeles, County of Los Angeles, State of California, as per Map recorded in Book 22, Pages 130 and 131 of Maps, in the Office of the County Recorder of said County.

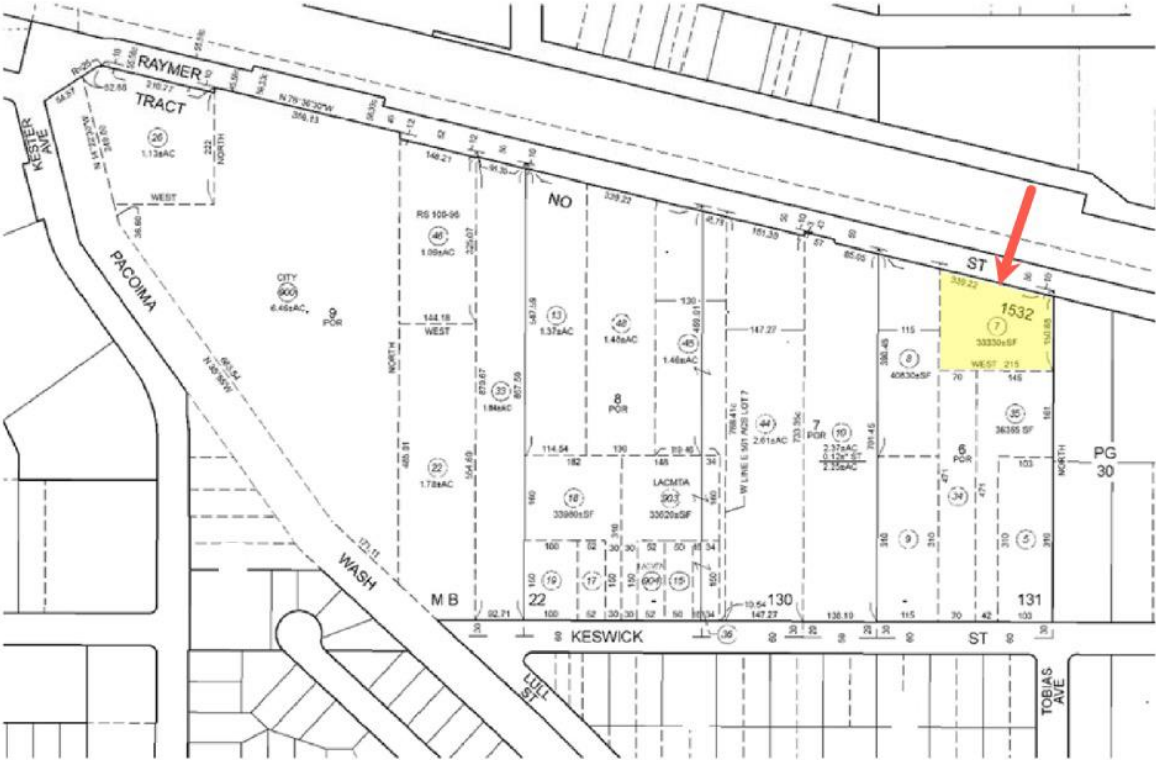
Except therefrom the easterly 125.65 feet thereof measured at right angles from the East line of said Lot.

Also except the South 501.00 feet thereof.

APN: 2210-025-007
(End of Legal Description)

PLAT MAP
EXHIBIT B-1

EXHIBIT B-1
PARCEL ESFV-E-012-1



IMPROVEMENTS PERTAINING TO REALTY

EXHIBIT C-1

EXHIBIT C-1
PARCEL ESFV-E-012-1

IMPROVEMENTS PERTAINING TO THE REALTY
EFFECTIVE DATE OF VALUE - APRIL 28, 2023

Item No.	Qty.	Description
1	1	Truck scale, in-ground, with 10' x 70' platform, 100,000 lb. capacity, with: <ul style="list-style-type: none"> 1 Scale pit, concrete, 11' x 71' 1 Weight display, RMS 1 Remote weight display, Matko, Model no.: SBL-4 1 Weight display controller, Scale Systems, Model no.: GSE 650
2	1	Truck scale, above-ground, with 11' x 40' platform, 40,000 lb. capacity, with: <ul style="list-style-type: none"> 1 Scale platform, concrete, 40' x 16' 1 Weight display controller, Scale Systems, Model no.: GSE 562 1 Remote weight display, Matko, Model no.: SBL-4 2 Ramps, concrete, 11' x 20' 1 Barrier wall, 3/4" steel plate, 40' x 4' high 1 Pipe bollard, 4.5" diameter x 41" high 5 Pipe bollards, 4" x 4" x 30" high 16 Linear feet of guard rail, steel
3	30,000	Square feet of concrete and asphalt paving, in yard
4	6,690	Square feet of steel fencing cover, 8' to 10' high, on existing fences and gates, consisting of: <ul style="list-style-type: none"> 218 Linear feet along front 184 Linear feet along right hand side 72 Linear feet along back 135 Linear feet along left hand side 60 Linear feet of extended height, along left hand side
5	1	Concrete block containment structure, 13' x 32' x 40" high, consisting of: <ul style="list-style-type: none"> 300 Square feet of concrete block wall, 8" thick, reinforced 416 Square feet of concrete base slab 126 Square feet of wood decking on frame, 12' x 10' 6" 1 Steel stairs, 42" x 58" x 48", with hand railing

EXHIBIT C-1
PARCEL ESFV-E-012-1 (Cont'd)

IMPROVEMENTS PERTAINING TO THE REALTY
EFFECTIVE DATE OF VALUE - APRIL 28, 2023

Item No.	Qty.	Description
6	1	Lot of yard lighting, with conduit and wiring, consisting of: 2 LED light fixtures on wooden pole, 10" dia. x 30' 1 LED light fixture on steel pole, 1.5" x 1.5" x 10' 1 Light fixture on steel pole, 4" x 4" x 16' 3 LED light fixtures, fence mounted
7	1	Built-in wall unit, 46" x 82" x 14", laminate, 6-tier
8	1	Built-in base cabinet, 6' x 30" x 14" to 24" deep, laminate, 5-door
9	1	Built-in file cabinet, 22" x 42" x 25", laminate, 3-drawer
10	110	Square feet of ceramic tile flooring, 12" x 12"
11	1	Alarm system, Bay Alarm, consisting of: 1 Control panel 1 Code pad 2 Motion sensors 1 Door contact
12	1	Overhead canopy, 12' x 3', tubular metal frame, canvas top
13	1	Service counter shelf, 79" x 16", stainless steel
14	1	Security window, 8' x 4', tubular metal, mesh facias
15	80	Square feet of accordion security gate, 8' x 10', metal frame, gates and track
16	24	Surveillance cameras, manufacturer and model no. not available, including wall mounts and cabling to office, consisting of: 13 Exterior 11 Interior
17	59	Square feet of security window bars, tubular metal
18	1	Bollard, 3' high, 5" diameter, metal, concrete filled

EXHIBIT C-1
PARCEL ESFV-E-012-1(Cont'd)

IMPROVEMENTS PERTAINING TO THE REALTY
EFFECTIVE DATE OF VALUE - APRIL 28, 2023

Item No.	Qty.	Description
19	1	Sign cabinet, 9' x 4', metal, plastic facia
20	4	Bullhorns, manufacturer and model no. not available
21	6	Spotlights, 10" x 5", LED, wall-mounted
22	1	Security door, 30" x 80", tubular metal, metal mesh backing, with number lock
23	27	Wall letters, 10" high, "Welcome/ Bienvenidos/ Recycling", painted
24	18	Wall letters, 6" high, "www.scvrecycling.com", painted
25	1	Lot of painted wall logos, 2- bulls, 1- SVC
26	110	Square feet of pallet rack wall facia
27	265	Square feet of ceramic tile flooring, 12" x 12" tiles
28	1	Wall partition, 77" x 76" x 4", wood construction, plywood facia, 3 rear shelves, 4" to 9" deep, with upper plans storage box, 77" x 21" x 25", wood, 36-cubby
29	227	Square feet of ceramic tile flooring, 12" x 12" tiles
30	8	Linear feet of wall shelving, 12" deep, stainless steel
31	1	Wall shelf, 30" x 30" x 16", laminate, 4-cubby
32	1	Hand sink, 25" x 22" x 7" deep, stainless steel, single compartment, single mixing faucet, with rinse wand, including hose connection

**RESOLUTION OF THE
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
DECLARING CERTAIN REAL PROPERTY INTERESTS AND IMPROVEMENTS
PERTAINING TO THE REALTY NECESSARY FOR PUBLIC PURPOSES AND
AUTHORIZING THE ACQUISITION THEREOF THROUGH THE EXERCISE OF
EMINENT DOMAIN
THE EAST SAN FERNANDO VALLEY LIGHT RAIL TRANSIT PROJECT
APN: 2210-025-007; ESFV-E-012-1**

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY BOARD OF DIRECTORS ("BOARD") HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

Section 1.

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ("LACMTA") is a public entity organized and existing pursuant to Chapter 2 of Division 12 of the California Public Utilities Code (commencing with Section 130050).

Section 2.

The property interests described hereinafter are to be taken for public use, namely, for public transportation purposes and all uses necessary, incidental or convenient thereto, and for all public purposes pursuant to the authority conferred upon the Board to acquire property by eminent domain by California Public Utilities Code Sections 30000-33027, inclusive, and particularly Section 30503 and 30600, Sections 130000-132650, inclusive, and particularly Sections 130051.13 and 130220.5, Code of Civil Procedure Sections 1230.010-1273.050, inclusive, and particularly Sections 1240.510 and 1240.610, and Article I, Section 19 of the California Constitution.

Section 3.

The property interests to be acquired consist of: (i) the fee interest in the real property described in the legal description attached hereto as Exhibit "A" and depicted in the plat map attached hereto as Exhibit "B" ("Fee Interest"); and (ii) the improvements pertaining to realty that are more particularly described in Exhibit "C" attached hereto, and located on the real property identified in Exhibits "A" and "B" ("Improvements") (hereinafter the Fee Interest and Improvements are collectively referred to as the "Property Interests"). Exhibits "A", "B", and "C" are incorporated herein by reference.

Section 4.

(a.) The acquisition of the Property Interests is necessary for the development,

construction, operation, and maintenance of the East San Fernando Valley Light Rail Transit Project ("Project");

(b.) The environmental impacts of the Project were evaluated in the Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/FEIR), which was certified by the Board on December 8, 2020. The Board found that in accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15162, no supplemental Environmental Impact Report is required for the Project, and the FEIS/FEIR documents are consistent with CEQA. Through the Preliminary Engineering (PE) phase of the Project, design refinements to the southern segment were identified. Environmental analysis and findings of the proposed design refinements were documented in an Addendum to the Final Environmental Impact Report, in compliance with California Environmental Quality Act and approved by the Board in October 2023.

(c.) Accordingly, LACMTA has fulfilled the necessary statutory prerequisites to acquire the Property by eminent domain.

Section 5.

The Board hereby declares that it has found and determined each of the following:

- (a.) The public interest and necessity require the Project;
- (b.) The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (c.) The Property Interests sought to be acquired, which have been described herein, are necessary for the Project;
- (d.) The offers required by Section 7267.2 of the Government Code have been made to the owners of the Property Interests. Said offers were accompanied by a written statement of, and summary of the basis for, the amount established and offered as just compensation. The statements/summaries complied with Government Code Section 7267.2, in form and in substance, including by containing the required factual disclosures.

Section 6.

Pursuant to Sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that the Property Interests are already devoted to a public use, the use to which the Property Interests are to be put is a more necessary public use than the use to which the Property Interests are already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property Interests are already devoted.

Section 7.

That notice of intention to adopt this resolution was given by first class mail to the owners of the Property Interests to be acquired by eminent domain in accordance with Section 1245.235 of the Code of Civil Procedure and a hearing was conducted by the Board on the matters contained herein and each person whose Property Interests are to be acquired by eminent domain was given an opportunity to be heard.

Section 8.

Legal Counsel is hereby authorized and directed to take all steps necessary to commence legal proceedings, in a court of competent jurisdiction, to acquire the Property Interests described above by eminent domain. Counsel is also authorized and directed to seek and obtain an Order for Prejudgment Possession of said Property Interests in accordance with the provisions of the eminent domain law and is directed that the total sum of probable just compensation be deposited with the State Treasurer or the Clerk of the Superior Court. Counsel may enter into stipulated Orders for Prejudgment Possession and/or Possession and Use Agreements, where such agreements constitute the functional equivalent of an Order for Prejudgment Possession. Counsel is further authorized to correct any errors or to make or agree to any non-material changes to the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transactions required to acquire the Property Interest, and, with the concurrence and approval of LACMTA Staff, to make minor adjustments to the scopes and descriptions of the Property Interests to be acquired in order to ameliorate any claims for severance damages.

Counsel is further authorized to compromise and settle such eminent domain proceedings, if such settlement can be reached, and in that event, to take all necessary actions to complete the acquisition, including stipulations as to judgment and other matters, and causing all payments to be made. If settlement cannot be reached, Counsel is authorized to proceed to resolve the proceedings by means of jury trial. Counsel is further authorized to associate with, at its election, a private law firm for the preparation and prosecution of said proceedings.

Section 9.

If, after adoption of this Resolution, LACMTA acquires all or any of the Property Interests by negotiated acquisition without the commencement of an eminent domain proceeding authorized by this Resolution, then, upon the execution and delivery of the instrument(s) transferring interest in all or any of the Property Interests to LACMTA, this Resolution as to those Property Interests so acquired shall be automatically rescinded and extinguished, without further notice or additional action by this Board.

I, COLLETTE LANGSTON, Board Clerk of the Los Angeles County Metropolitan Transportation Authority, do hereby certify that the foregoing Resolution was duly and regularly adopted by a vote of two-thirds of all the members of the Board of the Los Angeles County Metropolitan Transportation Authority at a meeting held on the 23rd day

of January, 2025.

COLLETTE LANGSTON
LACMTA Board Clerk

Date: _____

ATTACHMENTS

- Exhibit - A – Fee Interest Legal Description
- Exhibit - B – Fee Interest Plat Map
- Exhibit - C – Improvements Pertaining to Realty

EXHIBIT "A"
PARCEL ESFV-E-012-1

LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Los Angeles, City of Los Angeles and described as follows:

Parcel A:

The Easterly 95.00 feet measured at right angles from the East line of Lot 6 of Tract No. 1532, in the City of Los Angeles, County of Los Angeles, State of California, as per Map recorded in Book 22, Pages 130 and 131 of Maps, in the Office of the County Recorder of said County.

Except therefrom the South 501.00 feet thereof.

Parcel B:

The West 30.65 feet of the East 125.65 feet measured at right angles from the last line of Lot 6 of Tract No. 1532, in the City of Los Angeles, County of Los Angeles, State of California, as per Map recorded in Book 22, Pages 130 and 131 of Maps, in the Office of the County Recorder of said County.

Except therefrom the South 501.00 feet thereof.

Parcel C:

The Easterly 215.00 feet measured at right angles from the East line of Lot 6 of Tract No. 1532, in the City of Los Angeles, County of Los Angeles, State of California, as per Map recorded in Book 22, Pages 130 and 131 of Maps, in the Office of the County Recorder of said County.

Except therefrom the easterly 125.65 feet thereof measured at right angles from the East line of said Lot.

Also except the South 501.00 feet thereof.

APN: 2210-025-007
(End of Legal Description)

EXHIBIT "B"
PARCEL ESFV-E-012-1

PLAT MAP

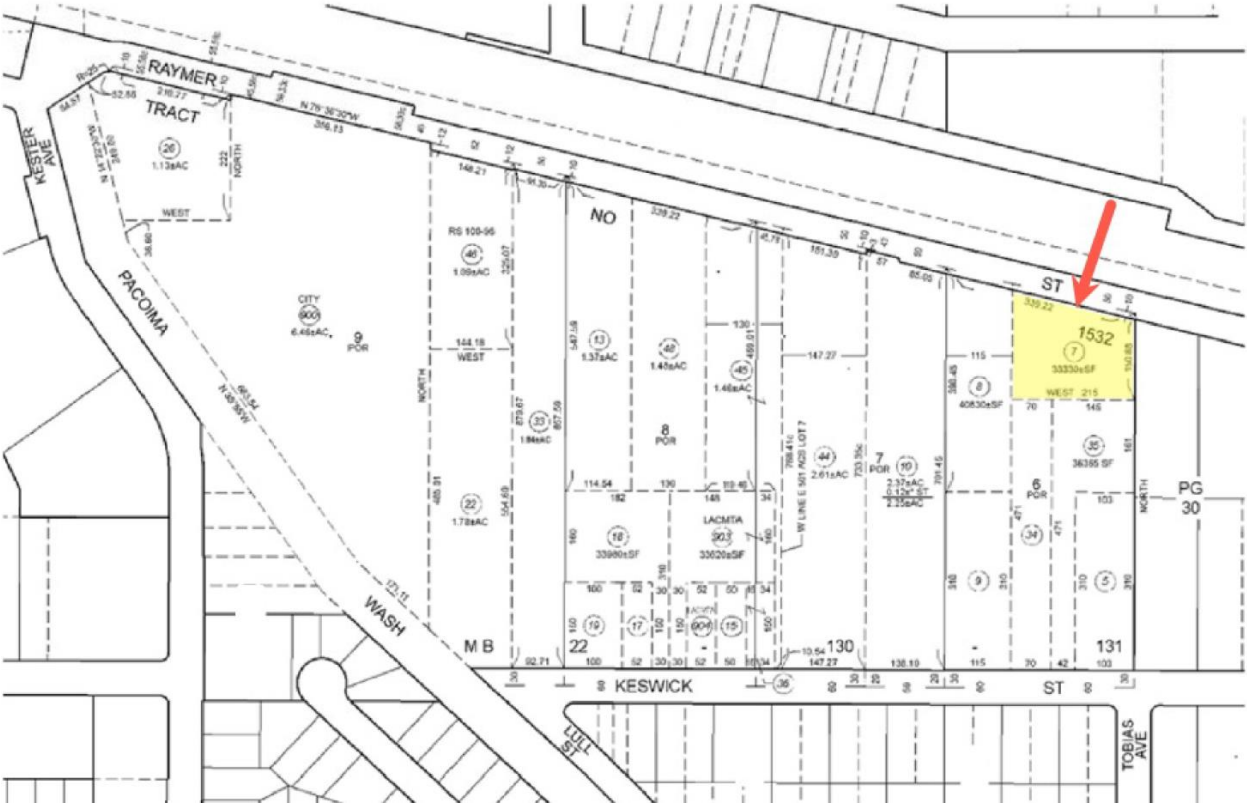


EXHIBIT "C"
PARCEL ESFV-E-012-1

IMPROVEMENTS PERTAINING TO THE REALTY
EFFECTIVE DATE OF VALUE - APRIL 28, 2023

Item No.	Qty.	Description
1	1	Truck scale, in-ground, with 10' x 70' platform, 100,000 lb. capacity, with: <ul style="list-style-type: none"> 1 Scale pit, concrete, 11' x 71' 1 Weight display, RMS 1 Remote weight display, Matko, Model no.: SBL-4 1 Weight display controller, Scale Systems, Model no.: GSE 650
2	1	Truck scale, above-ground, with 11' x 40' platform, 40,000 lb. capacity, with: <ul style="list-style-type: none"> 1 Scale platform, concrete, 40' x 16' 1 Weight display controller, Scale Systems, Model no.: GSE 562 1 Remote weight display, Matko, Model no.: SBL-4 2 Ramps, concrete, 11' x 20' 1 Barrier wall, 3/4" steel plate, 40' x 4' high 1 Pipe bollard, 4.5" diameter x 41" high 5 Pipe bollards, 4" x 4" x 30" high 16 Linear feet of guard rail, steel
3	30,000	Square feet of concrete and asphalt paving, in yard
4	6,690	Square feet of steel fencing cover, 8' to 10' high, on existing fences and gates, consisting of: <ul style="list-style-type: none"> 218 Linear feet along front 184 Linear feet along right hand side 72 Linear feet along back 135 Linear feet along left hand side 60 Linear feet of extended height, along left hand side
5	1	Concrete block containment structure, 13' x 32' x 40" high, consisting of: <ul style="list-style-type: none"> 300 Square feet of concrete block wall, 8" thick, reinforced 416 Square feet of concrete base slab 126 Square feet of wood decking on frame, 12' x 10' 6" 1 Steel stairs, 42" x 58" x 48", with hand railing

EXHIBIT "C"
PARCEL ESFV-E-012-1 (Cont'd)

IMPROVEMENTS PERTAINING TO THE REALTY
EFFECTIVE DATE OF VALUE - APRIL 28, 2023

Item No.	Qty.	Description
6	1	Lot of yard lighting, with conduit and wiring, consisting of: 2 LED light fixtures on wooden pole, 10" dia. x 30' 1 LED light fixture on steel pole, 1.5" x 1.5" x 10' 1 Light fixture on steel pole, 4" x 4" x 16' 3 LED light fixtures, fence mounted
7	1	Built-in wall unit, 46" x 82" x 14", laminate, 6-tier
8	1	Built-in base cabinet, 6' x 30" x 14" to 24" deep, laminate, 5-door
9	1	Built-in file cabinet, 22" x 42" x 25", laminate, 3-drawer
10	110	Square feet of ceramic tile flooring, 12" x 12"
11	1	Alarm system, Bay Alarm, consisting of: 1 Control panel 1 Code pad 2 Motion sensors 1 Door contact
12	1	Overhead canopy, 12' x 3', tubular metal frame, canvas top
13	1	Service counter shelf, 79" x 16", stainless steel
14	1	Security window, 8' x 4', tubular metal, mesh facias
15	80	Square feet of accordion security gate, 8' x 10', metal frame, gates and track
16	24	Surveillance cameras, manufacturer and model no. not available, including wall mounts and cabling to office, consisting of: 13 Exterior 11 Interior
17	59	Square feet of security window bars, tubular metal
18	1	Bollard, 3' high, 5" diameter, metal, concrete filled

EXHIBIT "C"
PARCEL ESFV-E-012-1 (Cont'd)

IMPROVEMENTS PERTAINING TO THE REALTY
EFFECTIVE DATE OF VALUE - APRIL 28, 2023

Item No.	Qty.	Description
19	1	Sign cabinet, 9' x 4', metal, plastic facia
20	4	Bullhorns, manufacturer and model no. not available
21	6	Spotlights, 10" x 5", LED, wall-mounted
22	1	Security door, 30" x 80", tubular metal, metal mesh backing, with number lock
23	27	Wall letters, 10" high, "Welcome/ Bienvenidos/ Recycling", painted
24	18	Wall letters, 6" high, "www.scvrecycling.com", painted
25	1	Lot of painted wall logos, 2- bulls, 1- SVC
26	110	Square feet of pallet rack wall facia
27	265	Square feet of ceramic tile flooring, 12" x 12" tiles
28	1	Wall partition, 77" x 76" x 4", wood construction, plywood facia, 3 rear shelves, 4" to 9" deep, with upper plans storage box, 77" x 21" x 25", wood, 36-cubby
29	227	Square feet of ceramic tile flooring, 12" x 12" tiles
30	8	Linear feet of wall shelving, 12" deep, stainless steel
31	1	Wall shelf, 30" x 30" x 16", laminate, 4-cubby
32	1	Hand sink, 25" x 22" x 7" deep, stainless steel, single compartment, single mixing faucet, with rinse wand, including hose connection



Hearing to Adopt Resolution of Necessity

East San Fernando Valley Light Rail Transit Project

Agenda Item # 2024-1082



Regular Board Meeting
January 23, 2025

Hearing to Adopt Resolution of Necessity East San Fernando Valley Light Rail Transit Project

Project: Extends north from the Van Nuys Metro G-Line station to the Sylmar/San Fernando Metrolink Station, a total of 9.2 miles of a dual track light rail transit (LRT) system with 14 at-grade stations.

The initial operating segment (IOS) is defined as the southern 6.7 miles of the Project alignment. The IOS, identified as the southern segment, is street running in the middle of Van Nuys Boulevard and includes 11 at-grade center platform stations, 10 traction power substations, and a maintenance and storage facility for the LRT vehicles.

Property Impacts: Full Fee Simple Interest for one Maintenance and Storage Facility parcel.

Property Locations: See next slide for location.

Relocation Impacts: Project impacts will require 1 business to relocate.

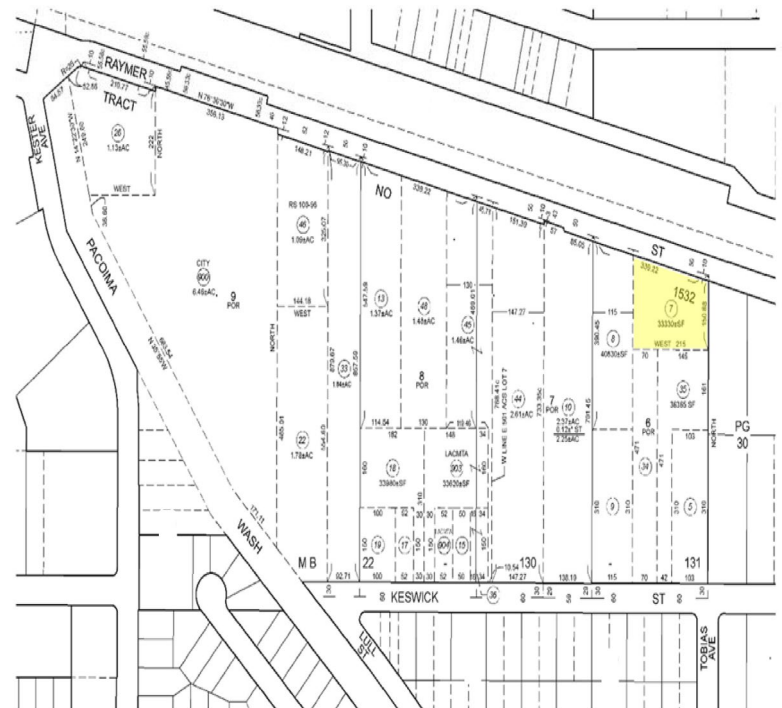
Safety Impacts: The Board action will not have an impact on LACMTA's safety standards.



Hearing to Adopt Resolution of Necessity East San Fernando Valley Light Rail Transit Project

PARCEL OVERVIEW

ESFV-E-0012-1, 14646 Raymer Street, Van Nuys, California 91405



Hearing to Adopt Resolution of Necessity East San Fernando Valley Light Rail Transit Project

ESFV-E-0012-1, 14646 Raymer Street, Van Nuys, California 91405

<u>Assessor's Parcel Number</u>	Project Parcel Number	Parcel Address	Purpose of Acquisition	Property Interest(s) Sought
2210-025-007	ESFV-E-0012-1	14646 Raymer St., Van Nuys, CA (owner)	Construction and operation of the East San Fernando Valley Light Rail Transit Project	Fee Interest; and Improvements Pertaining to Realty
2210-025-007	ESFV-E-0012-1	14646 Raymer St., Van Nuys, <u>CA</u> (tenant)	Construction and operation of the East San Fernando Valley Light Rail Transit Project	Improvements Pertaining to Realty



Metro

Hearing to Adopt Resolution of Necessity East San Fernando Valley Light Rail Transit Project

Relocation Benefits Provided to Displaced Business:

- Movement of Personal Property/Reconnection of Personal Property—No limit
- Re-Establishment Benefits
- Payment for Expenses Connected with Searching for a Replacement Site
- Professional services performed before purchase or lease of a replacement site; (feasibility reports, soil testing, etc.)
- Loss of Tangible Personal Property and Substitute Personal Property
- Advisory services
- Move Planning Services



Metro

Hearing to Adopt Resolution of Necessity East San Fernando Valley Light Rail Transit Project

ESFV-E-0012-1, 14646 Raymer Street, Van Nuys, California 91405

Staff recommends the Board make the below findings and adopt the Resolution of Necessity:

- The public interest and necessity require the proposed Project;
- The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- The Property sought to be acquired, which has been described herein, is necessary for the proposed Project;
- The offer required by Section 7267.2 of the Government Code has been made to the Owner; and
- Whether the statutory requirements necessary to acquire the property or property interest by eminent domain have been complied with by LACMTA.



Thank you



Metro