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1 WHEREAS, the City and WHCHC will negotiate an ENA, which will be considered  
2 by the City Council at a future meeting, at least 30 days after it has been provided, along  
3 with this resolution, to the California Department of Housing and Community Development  
4 (HCD); and

5 WHEREAS, pursuant to California Government Code Section 54220 *et seq.* (the  
6 “Surplus Land Act”), the City Council must declare the Property to be “Surplus Land” or  
7 “Exempt Surplus Land” before the City Council may take action on the ENA; and

8  
9 WHEREAS, California Government Code Section 54221(f)(1)(F) defines “Exempt  
10 Surplus Land” to include surplus land that is to be developed for a housing development,  
11 which may have ancillary commercial ground floor uses, that restricts 100 percent of the  
12 residential units to persons and families of low or moderate income, with at least 75 percent  
13 of the residential units restricted to lower income households, as defined in Section  
14 50079.5 of the Health and Safety Code, with an affordable sales price or an affordable rent,  
15 as defined in Section 50052.5 or 50053 of the Health and Safety Code, for 55 years for  
16 rental housing, 45 years for ownership housing, and 50 years for rental or ownership  
17 housing located on tribal trust lands, unless a local ordinance or a federal, state, or local  
18 grant, tax credit, or other project financing requires a longer period of affordability, and in no  
19 event shall the maximum affordable sales price or rent level be higher than 20 percent  
20 below the median market rents or sales prices for the neighborhood in which the site is  
21 located; and

22  
23  
24 WHEREAS, California Government Code Section 54221(f)(1)(F) requires the  
25 affordability requirements to be contained in a covenant or restriction recorded against the  
26 surplus land at the time of sale that shall run with the land and be enforceable against any  
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owner who violates the covenant or restriction and each successor in interest who continues the violation; and

WHEREAS, for the purposes of Government Code Section 54221(f)(2), the Property is not (i) within a coastal zone; (ii) adjacent to a historical unit of the State Parks System; (iii) listed on, or determined by the State Office of Historical Preservation to be eligible for, the National Register of Historical Places; or (iv) within the Lake Tahoe region as defined by Government Code Section 66905.5; and

WHEREAS, in view of the terms described in the proposed ENA, the requirements of California Government Code Section 54421(f)(1)(F) will be met; and

WHEREAS, pursuant to the Surplus Land Act, the City Council must take formal action in a regular public meeting to declare that the Property is exempt surplus land, as supported by written findings; and

WHEREAS, pursuant to the Surplus Land Act Guidelines issued by HCD, any determination by a local agency that its surplus lands are exempt from the Surplus Land Act must be provided to HCD for its review at least 30 days prior to disposition; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Culver City, DOES HEREBY RESOLVE as follows:

SECTION 1. The foregoing recitals are true and correct and are a substantive part of this Resolution.

SECTION 2. The City Council hereby declares, pursuant to California Government Code Sections 54221(b) and 54221(f)(1)(F), that the Property is exempt surplus land

1 because City intends to lease the property for the purpose of developing a housing project  
2 that meets the requirements of Government Code Section 54221(f)(l)(F).

3 SECTION 3. The City Council hereby authorizes the City Manager, or designee, to  
4 submit a copy of this Resolution to HCD in accordance with the Surplus Land Act  
5 Guidelines at least 30 days prior to the disposition of the Property.

6 SECTION 4. The City Council hereby affirms that this designation of the Property as  
7 Exempt Surplus Land does not have the potential for creating a significant effect on the  
8 environment and is therefore exempt from further review under CEQA pursuant to State  
9 CEQA Guidelines Section 15060(c)(3) because it is not a project as defined by the CEQA  
10 Guidelines Section 15378. Adoption of the Resolution does not have the potential for  
11 resulting in either a direct physical change in the environment or a reasonably foreseeable  
12 indirect physical change in the environment.  
13

14 SECTION 5. Staff is directed to take any and all necessary actions in order to  
15 effectuate the purpose of this Resolution.  
16

17 SECTION 6. If any provision of this Resolution or the application of any such  
18 provision to any person or circumstance is held invalid, then such invalidity shall not affect  
19 other provisions or applications of this Resolution that can be given effect without the  
20 invalid provision or application, and to this end the provisions of this Resolution are  
21 severable. The City Council declares that it would have adopted this Resolution  
22 irrespective of the invalidity of any particular portion of this Resolution.  
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SECTION 6. This Resolution shall take effect upon the date of its adoption.

APPROVED AND ADOPTED, this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
FREDDY PUZA, Mayor  
City of Culver City

ATTEST:

APPROVED AS TO FORM:



\_\_\_\_\_  
JEREMY BOCCHINO, City Clerk

\_\_\_\_\_  
HEATHER BAKER, City Attorney