

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

2
3
4
5
6
7
8
9

1
2
3
4
5
6
7
8

9
0
1
2
3
4
5
6

1 WHEREAS, the City Council of the City of Culver City adopted Resolution No.
2 2012-R001 on January 9, 2012, pursuant to Part 1.85 of AB 26, accepting for the City of
3 Culver City (the "**City**") the role of successor agency to the Former CCRA (the "**Successor**
4 **Agency**"); and

5 WHEREAS, AB 26 has since been amended by various assembly and senate
6 bills enacted by the California Legislature and signed by the Governor (AB 26 as amended is
7 hereinafter referred to as the "**Dissolution Law**"); and

8 WHEREAS, on February 6, 2012, the Board of Directors of the Successor
9 Agency, adopted Resolution No. 2012-SA001 naming itself the "Successor Agency to the
10 Culver City Redevelopment Agency", the sole name by which it will exercise its powers and
11 fulfill its duties pursuant to Part 1.85 of the Dissolution Law and establishing itself as a
12 separate legal entity with rules and regulations that will apply to the governance and
13 operations of the Successor Agency; and

14 WHEREAS, pursuant to the Dissolution Law, each successor agency shall have
15 an oversight board with fiduciary responsibilities to holders of enforceable obligations and to
16 the taxing entities that benefit from distributions of property taxes and other revenues
17 pursuant to H&S Code Section 34188 of the Dissolution Law; and

18 WHEREAS, the oversight board has been established for the Successor
19 Agency (hereinafter referred to as the "**Oversight Board**") and all seven (7) members have
20 been appointed to the Oversight Board pursuant to H&S Code Section 34179. The duties
21 and responsibilities of the Oversight Board are primarily set forth in H&S Sections 34179
22 through 34181 of the Dissolution Law; and

23 WHEREAS, pursuant to H&S Code Section 34191.5(b) of the Dissolution Law,
24 on July 18, 2013, the Successor Agency prepared and submitted to the California
25

1 Department of Finance (the "**DOF**") for approval its Long Range Property Management Plan
2 (the "**LRPMP**"), as approved by its Oversight Board, that addressed the disposition and use of
3 certain real properties of the Former CCRA. On March 13, 2014, the Successor Agency
4 prepared and submitted to the DOF for approval certain revisions to its LRPMP, as approved
5 by its Oversight Board, that addressed changes to the disposition of certain parking parcels of
6 the Former CCRA as described in the revised LRPMP; and

7
8 WHEREAS, the DOF, by letter dated March 18, 2014, issued its determination
9 on the LRPMP, as revised, (the "**Revised LRPMP**") approving the Successor Agency's use
10 and disposition of all the properties listed in the LRPMP. The DOF's letter states that its
11 approval of the Revised LRPMP took into account Resolution No. 2014-OB004 approving the
12 Revised LRPMP and accompanying Agenda Item Report and acknowledges the Successor
13 Agency's submittal of its LRPMP on July 18, 2013 and the Revised LRPMP on March 13,
14 2014; and

15
16 WHEREAS, subsequent to the DOF's approval of the Revised LRPMP, Senate
17 Bill No. 107 ("**SB 107**") was enacted by the California Legislature and signed by the Governor
18 on September 22, 2015. As revised by SB 107, H&S Code Section 34181(a)(1) of the
19 Dissolution Law permits the Oversight Board to direct the Successor Agency to transfer
20 ownership of assets constructed and used for a governmental purpose, including parks, to
21 the appropriate public jurisdiction (such as the City) pursuant to any existing agreement
22 relating to the use of such an asset; and

23
24 WHEREAS, under the terms of that certain Lease dated as of June 12, 1987
25 between the City of Los Angeles, acting by and through its Board of Recreation and Park
26 Commissioners, and the Former CCRA (the "**Lease**"), the Former CCRA agreed to improve
27 and maintain the Property (defined below) as a public park and for recreational purposes.
28

1 The lessee's interest in the Lease was assigned from the Former CCRA to the Successor
2 Agency by operation of law in connection with the dissolution process. The Successor
3 Agency continues to maintain the Property as a park. Hence, the Property qualifies as an
4 asset used for governmental purposes under the revised terms of H&S Code Section
5 34181(a)(1) of the Dissolution Law. Section 14 of the Lease allows for its disposition to the
6 City for continued use as a park and for recreational purposes; and

7
8 WHEREAS, pursuant to the Dissolution Law as amended by SB 107, the
9 Successor Agency desires to transfer to the City through an Assignment and Assumption
10 Agreement the lessee's interest under the Lease in that certain real property referenced by
11 Assessor's Parcel No. 4206-030-902 and a portion of Assessor's Parcel No. 4206-034-906
12 and located at the intersection of Venice Boulevard, Culver Boulevard and Canfield Avenue
13 and known as Media Park in Los Angeles, California (the "**Property**") to the City for
14 governmental use and no monetary compensation; and

15
16 WHEREAS, the activity proposed for approval by this Resolution has been
17 reviewed with respect to applicability of the California Environmental Quality Act ("**CEQA**"),
18 the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.,
19 hereafter the "**Guidelines**"), and the City's environmental evaluation procedures. The activity
20 proposed for approval by this Resolution is not a "project" for purposes of CEQA, as that term
21 is defined by Guidelines Section 15378, because the activity is an organizational or
22 administrative activity that will not result in a direct or indirect physical change in the
23 environment, per Section 15378(b)(5) of the Guidelines; and

24
25 WHEREAS, all other legal prerequisites to the adoption of this Resolution have
26 occurred.

1 NOW, THEREFORE, the Board of Directors of the Successor Agency to the
2 Culver City Redevelopment Agency, DOES HEREBY RESOLVE as follows:

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

5 SECTION 2. The Successor Agency Board has received and heard all oral and
6 written objections to the Successor Agency's proposed transfer of the Property to the City for
7 no monetary compensation, and to other matters pertaining to this transaction, and that all
8 such oral and written objections are hereby overruled.

9
10 SECTION 3. The Successor Agency Board hereby approves, and recommends
11 to its Oversight Board the approval of, the transfer and acceptance of the Property (Media
12 Park; Assessor's Parcel No. 4206-030-902 and a portion of Assessor's Parcel No. 4206-034-
13 906) from the Successor Agency to the City for no monetary compensation, pursuant to the
14 Dissolution Law.

15
16 SECTION 4. The Successor Agency hereby approves, and recommends to its
17 Oversight Board the approval of, the Assignment and Assumption Agreement, in substantial
18 form as the Assignment and Assumption Agreement attached to the March 27, 2017 Joint
19 City Council and Successor Agency Agenda Item Report, Agenda Report No. 16-715, that
20 effectuates the Successor Agency's disposition of the Property to the City.

21
22 SECTION 5. The Successor Agency Board hereby authorizes and directs, and
23 recommends to its Oversight Board that it authorize and direct, the Executive Director of the
24 Successor Agency or designee, (i) to take all actions and to execute any and all documents,
25 instruments, and agreements necessary or desirable on behalf of the Successor Agency, as
26 approved by the Executive Director and Successor Agency General Counsel, including
27 without limitation the Assignment and Assumption Agreement, in order to implement and
28

1 effectuate the transfer of the Property from the Successor Agency to the City, and to
2 effectuate all other actions approved by this Resolution, including, without limitation,
3 approving changes, implementations, or revisions to documents, instruments, and
4 agreements as determined necessary by the Executive Director, or designee; and (ii) to
5 administer the Successor Agency's obligations, responsibilities, and duties to be performed
6 pursuant to this Resolution and all documents, instruments, and agreements required by and
7 for the transfer of the Property from the Successor Agency to the City.
8

9 SECTION 6. If any provision of this Resolution or the application of any such
10 provision to any person or circumstance is held invalid, such invalidity shall not affect other
11 provisions or applications of this Resolution that can be given effect without the invalid
12 provision or application, and to this end the provisions of this Resolution are severable. The
13 Successor Agency declares that its Board would have adopted this Resolution irrespective of
14 the invalidity of any particular portion of this Resolution.
15

16 SECTION 7. The adoption of this Resolution is not intended to and shall not
17 constitute a waiver by the Successor Agency of any constitutional, legal or equitable rights
18 that the Successor Agency may have to challenge, through any administrative or judicial
19 proceedings, the effectiveness and/or legality of all or any portion of the Dissolution Law, any
20 determinations rendered or actions or omissions to act by any public agency or government
21 entity or division in the implementation of the Dissolution Law, and any and all related legal
22 and factual issues, and the Successor Agency expressly reserves any and all rights,
23 privileges, and defenses available under law and equity.
24

25 SECTION 8. The Successor Agency hereby determines that the activity
26 approved by this Resolution is not a "project" for purposes of CEQA, as that term is defined
27 by Guidelines Section 15378, because the activity approved by this Resolution is an
28

1 organizational or administrative activity that will not result in a direct or indirect physical
2 change in the environment, per Section 15378(b)(5) of the Guidelines.

3 SECTION 9. This Resolution shall take effect upon the date of its adoption.

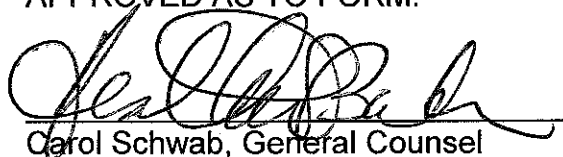
4
5 APPROVED AND ADOPTED, this ____ day of _____, 2017.
6
7

8
9 _____
10 JIM B. CLARKE, Chair
11 Successor Agency to the Culver City
12 Redevelopment Agency

13 ATTEST:

14 APPROVED AS TO FORM:

15 _____
16 JEREMY GREEN, SECRETARY

17 
18 Carol Schwab, General Counsel
19
20
21
22
23
24
25
26
27
28

A17-00176

1

2

3

4

1 WHEREAS, the City Council of the City of Culver City adopted Resolution No.
2 2012-R001 on January 9, 2012, pursuant to Part 1.85 of AB 26, accepting for the City of
3 Culver City (the "**City**") the role of successor agency to the Former CCRA (the "**Successor**
4 **Agency**"); and

5 WHEREAS, AB 26 has since been amended by various assembly and senate
6 bills enacted by the California Legislature and signed by the Governor (AB 26 as amended is
7 hereinafter referred to as the "**Dissolution Law**"); and

8
9 WHEREAS, on February 6, 2012, the Board of Directors of the Successor
10 Agency, adopted Resolution No. 2012-SA001 naming itself the "Successor Agency to the
11 Culver City Redevelopment Agency", the sole name by which it will exercise its powers and
12 fulfill its duties pursuant to Part 1.85 of the Dissolution Law and establishing itself as a
13 separate legal entity with rules and regulations that will apply to the governance and
14 operations of the Successor Agency; and

15
16 WHEREAS, pursuant to the Dissolution Law, each successor agency shall have
17 an oversight board with fiduciary responsibilities to holders of enforceable obligations and to
18 the taxing entities that benefit from distributions of property taxes and other revenues
19 pursuant to H&S Code Section 34188 of the Dissolution Law; and

20 WHEREAS, the oversight board has been established for the Successor
21 Agency (hereinafter referred to as the "**Oversight Board**") and all seven (7) members have
22 been appointed to the Oversight Board pursuant to H&S Code Section 34179. The duties
23 and responsibilities of the Oversight Board are primarily set forth in H&S Sections 34179
24 through 34181 of the Dissolution Law; and

25
26 WHEREAS, pursuant to H&S Code Section 34191.5(b) of the Dissolution Law,
27 on July 18, 2013, the Successor Agency prepared and submitted to the California
28

1 Department of Finance (the "**DOF**") for approval its Long Range Property Management Plan
2 (the "**LRPMP**"), as approved by its Oversight Board, that addressed the disposition and use of
3 certain real properties of the Former CCRA. On March 13, 2014, the Successor Agency
4 prepared and submitted to the DOF for approval certain revisions to its LRPMP, as approved
5 by its Oversight Board, that addressed changes to the disposition of certain parking parcels of
6 the Former CCRA as described in the revised LRPMP; and
7

8 WHEREAS, the DOF, by letter dated March 18, 2014, issued its determination
9 on the LRPMP, as revised, (the "**Revised LRPMP**") approving the Successor Agency's use
10 and disposition of all the properties listed in the LRPMP. The DOF's letter states that its
11 approval of the Revised LRPMP took into account Resolution No. 2014-OB004 approving the
12 Revised LRPMP and accompanying Agenda Item Report and acknowledges the Successor
13 Agency's submittal of its LRPMP on July 18, 2013 and the Revised LRPMP on March 13,
14 2014; and
15

16 WHEREAS, subsequent to the DOF's approval of the Revised LRPMP, Senate
17 Bill No. 107 ("**SB 107**") was enacted by the California Legislature and signed by the Governor
18 on September 22, 2015. As revised by SB 107, H&S Code Section 34181(a)(1) of the
19 Dissolution Law permits the Oversight Board to direct the Successor Agency to transfer
20 ownership of assets constructed and used for a governmental purpose, including parks, to
21 the appropriate public jurisdiction (such as the City) pursuant to any existing agreement
22 relating to the use of such an asset; and
23

24 WHEREAS, under the terms of that certain Lease dated as of June 8, 1987
25 between the City of Los Angeles and the Former CCRA (the "**Lease**"), the Former CCRA
26 agreed to improve and maintain the Property (defined below) as a local public park and for
27 recreational purposes. The lessee's interest in the Lease was assigned from the Former
28

1 CCRA to the Successor Agency by operation of law in connection with the dissolution
2 process. The Successor Agency continues to maintain the Property as a park. Hence, the
3 Property qualifies as an asset used for governmental purposes under the revised terms of
4 H&S Code Section 34181(a)(1) of the Dissolution Law. Section 15 of the Lease allows for its
5 disposition to the City for continued use as a park and for recreational purposes; and

6 WHEREAS, pursuant to the Dissolution Law as amended by SB 107, the
7 Successor Agency desires to transfer to the City through an Assignment and Assumption
8 Agreement the lessee's interest under the Lease in that certain real property referenced by
9 Assessor's Parcel No. 4206-034-906 and located at the corner of Culver Boulevard and
10 Venice Boulevard and improved with a building known as Ivy Substation in Los Angeles,
11 California (the "**Property**") to the City for governmental use and no monetary compensation;
12 and
13

14 WHEREAS, the activity proposed for approval by this Resolution has been
15 reviewed with respect to applicability of the California Environmental Quality Act ("**CEQA**"),
16 the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.,
17 hereafter the "**Guidelines**"), and the City's environmental evaluation procedures. The activity
18 proposed for approval by this Resolution is not a "project" for purposes of CEQA, as that term
19 is defined by Guidelines Section 15378, because the activity is an organizational or
20 administrative activity that will not result in a direct or indirect physical change in the
21 environment, per Section 15378(b)(5) of the Guidelines; and
22

23 WHEREAS, all other legal prerequisites to the adoption of this Resolution have
24 occurred.
25

26 NOW, THEREFORE, the Board of Directors of the Successor Agency to the
27 Culver City Redevelopment Agency, DOES HEREBY RESOLVE as follows:
28

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

3 SECTION 2. The Successor Agency Board has received and heard all oral and
4 written objections to the Successor Agency's proposed transfer of the Property to the City for
5 no monetary compensation, and to other matters pertaining to this transaction, and that all
6 such oral and written objections are hereby overruled.

7 SECTION 3. The Successor Agency Board hereby approves, and recommends
8 to its Oversight Board the approval of, the transfer and acceptance of the Property (Ivy
9 Substation; Assessor's Parcel No. 4206-034-906) from the Successor Agency to the City for
10 no monetary compensation, pursuant to the Dissolution Law.

11 SECTION 4. The Successor Agency hereby approves, and recommends to its
12 Oversight Board the approval of, the Assignment and Assumption Agreement, in substantial
13 form as the Assignment and Assumption Agreement attached to the March 27, 2017 Joint
14 City Council and Successor Agency Agenda Item Report, Agenda Report No. 16-715, that
15 effectuates the Successor Agency's disposition of the Property to the City.

16 SECTION 5. The Successor Agency Board hereby authorizes and directs, and
17 recommends to its Oversight Board that it authorize and direct, the Executive Director of the
18 Successor Agency or designee, (i) to take all actions and to execute any and all documents,
19 instruments, and agreements necessary or desirable on behalf of the Successor Agency, as
20 approved by the Executive Director and Successor Agency General Counsel, including
21 without limitation the Assignment and Assumption Agreement, in order to implement and
22 effectuate the transfer of the Property from the Successor Agency to the City, and to
23 effectuate all other actions approved by this Resolution, including, without limitation,
24 approving changes, implementations, or revisions to documents, instruments, and
25
26
27
28

1 agreements as determined necessary by the Executive Director, or designee; and (ii) to
2 administer the Successor Agency's obligations, responsibilities, and duties to be performed
3 pursuant to this Resolution and all documents, instruments, and agreements required by and
4 for the transfer of the Property from the Successor Agency to the City.

5 SECTION 6. If any provision of this Resolution or the application of any such
6 provision to any person or circumstance is held invalid, such invalidity shall not affect other
7 provisions or applications of this Resolution that can be given effect without the invalid
8 provision or application, and to this end the provisions of this Resolution are severable. The
9 Successor Agency declares that its Board would have adopted this Resolution irrespective of
10 the invalidity of any particular portion of this Resolution.
11

12 SECTION 7. The adoption of this Resolution is not intended to and shall not
13 constitute a waiver by the Successor Agency of any constitutional, legal or equitable rights
14 that the Successor Agency may have to challenge, through any administrative or judicial
15 proceedings, the effectiveness and/or legality of all or any portion of the Dissolution Law, any
16 determinations rendered or actions or omissions to act by any public agency or government
17 entity or division in the implementation of the Dissolution Law, and any and all related legal
18 and factual issues, and the Successor Agency expressly reserves any and all rights,
19 privileges, and defenses available under law and equity.
20

21 SECTION 8. The Successor Agency hereby determines that the activity
22 approved by this Resolution is not a "project" for purposes of CEQA, as that term is defined
23 by Guidelines Section 15378, because the activity approved by this Resolution is an
24 organizational or administrative activity that will not result in a direct or indirect physical
25 change in the environment, per Section 15378(b)(5) of the Guidelines.
26

27 ///
28

1
2 SECTION 9. This Resolution shall take effect upon the date of its adoption.

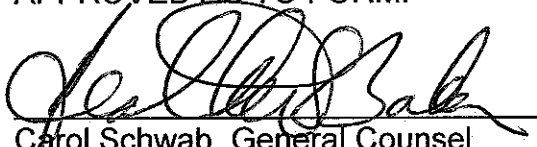
3
4 APPROVED AND ADOPTED, this ____ day of _____, 2017.

5
6
7 _____
8 JIM B. CLARKE, Chair
9 Successor Agency to the Culver City
10 Redevelopment Agency

11 ATTEST:

12 APPROVED AS TO FORM:

13 _____
14 JEREMY GREEN, SECRETARY

15 
16 Carol Schwab, General Counsel

17
18
19
20
21
22
23
24
25
26
27
28
A17-00175