

1 WHEREAS, Chapter 29 provides that assessments may be levied under its
2 provisions only with the free and willing consent of the owner or owners of each lot or parcel
3 on which an assessment is levied at the time the assessment is levied; and

4 WHEREAS, in response to a request from Southern California Hospital (SCH),
5 the City desires to allow SCH to participate in the Program; and to allow CSCDA to conduct
6 assessment proceedings under Chapter 29 related to SCH's application, and to issue bonds
7 to finance or refinance Improvements; and

8 WHEREAS, the program administrator for SCH's Program application shall be
9 AllianceNRG Program (Counter Pointe Energy Solutions (CA) LLC); and

10 WHEREAS, CSCDA will conduct all assessment proceedings under Chapter
11 29 for SCH's Program application and issue any bonds in connection with the application;
12 and
13

14 WHEREAS, the City will not be responsible for the conduct of any assessment
15 proceedings; the levy of assessments; any required remedial action in the case of
16 delinquencies in such assessment payments; or the issuance, sale or administration of any
17 bonds issued in connection with SCH's Program application.

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

20 1. This City Council hereby finds and declares that Southern California
21 Hospital (SCH) will benefit from the Open PACE Program and, pursuant thereto, the
22 conduct of special assessment proceedings by the CSCDA pursuant to Chapter 29 and the
23 issuance of bonds to finance or refinance Improvements.
24

25 2. In connection with the Programs, the City hereby consents to the
26 conduct of special assessment proceedings by CSCDA pursuant to Chapter 29 in relation to
27
28

1 SCH's Program application and the issuance of bonds to finance or refinance
2 Improvements; provided, that:

3 A. SCH, who shall be the legal owner of such property, execute a
4 contract pursuant to Chapter 29 and comply with other applicable provisions of
5 California law in order to accomplish the valid levy of assessments; and

6 B. The City will not be responsible for the conduct of any
7 assessment proceedings; the levy of assessments; any required remedial
8 action in the case of delinquencies in such assessment payments; or the
9 issuance, sale or administration of any bonds issued in connection with SCH's
10 Program application.

11 3. The City Manager and/or his designee(s) are hereby authorized and
12 directed to make an application for the Programs available to SCH; provided, that CSCDA
13 shall be responsible for providing such application and related materials at its own expense.

14 4. The following City staff persons, together with any other staff persons
15 chosen by the City Manager from time to time, are hereby designated as the contact
16 persons for CSCDA in connection with the Programs: Public Works Director/City Engineer.

17 5. The City Manager and/or his designee(s) is hereby authorized and
18 directed to execute and deliver such certificates, requisitions, agreements and related
19 documents as are reasonably required by CSCDA to implement the Programs.

20 6. The City Council hereby finds that adoption of this Resolution is not a
21 "project" under the California Environmental Quality Act, because the Resolution does not
22 involve any commitment to a specific project which may result in a potentially significant
23 physical impact on the environment, as contemplated by Title 14, California Code of
24 Regulations, Section 15378(b)(4).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

7. This Resolution shall take effect immediately upon its adoption.

8. The City Clerk is hereby authorized and directed to transmit a certified copy of this resolution to the Secretary of CSCDA at: Secretary of the Board, California Statewide Communities Development Authority, 1400 K Street, Sacramento, CA 95814.


APPROVED AND ADOPTED on the ____ day of _____, 2019.

MEGHAN SAHLI-WELLS, Mayor
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:

JEREMY GREEN, City Clerk
A19-00349


CAROL A. SCHWAB, City Attorney
