

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

3  
4  
5  
6  
7  
8  
9

0  
1  
2  
3  
4  
5  
6  
7

8  
9  
0  
1  
2  
3  
4  
5

7

1 Culver City (the "**City**") the role of successor agency to the Former CCRA (the "**Successor**  
2 **Agency**"); and

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

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

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

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

21 WHEREAS, pursuant to H&S Code Section 34191.5(b) of the Dissolution Law,  
22 on July 18, 2013, the Successor Agency prepared and submitted to the California  
23 Department of Finance (the "**DOF**") for approval its Long Range Property Management Plan  
24 (the "**LRPMP**"), as approved by its Oversight Board, that addressed the disposition and use of  
25  
26  
27  
28

1 certain real properties of the Former CCRA. On March 13, 2014, the Successor Agency  
2 prepared and submitted to the DOF for approval certain revisions to its LRPMP, as approved  
3 by its Oversight Board, that addressed changes to the disposition of certain parking parcels of  
4 the Former CCRA as described in the revised LRPMP; and

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

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

21 WHEREAS, under the terms of that certain Lease dated as of June 12, 1987  
22 between the City of Los Angeles, acting by and through its Board of Recreation and Park  
23 Commissioners, and the Former CCRA (the "**Lease**"), the Former CCRA agreed to improve  
24 and maintain the Property (defined below) as a public park and for recreational purposes.  
25 The lessee's interest in the Lease was assigned from the Former CCRA to the Successor  
26 Agency by operation of law in connection with the dissolution process. The Successor  
27  
28

1 Agency continues to maintain the Property as a park. Hence, the Property qualifies as an  
2 asset used for governmental purposes under the revised terms of H&S Code Section  
3 34181(a)(1) of the Dissolution Law. Section 14 of the Lease allows for its disposition to the  
4 City for continued use as a park and for recreational purposes; and

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

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

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

25 NOW, THEREFORE, the City Council of the City of Culver City, DOES  
26 HEREBY RESOLVE as follows:  
27  
28

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

3           SECTION 2. The City Council has received and heard all oral and written  
4 objections to the City's proposed acceptance of the Property from the Successor Agency 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 City Council hereby approves the transfer and acceptance of  
8 the Property (Media Park; Assessor's Parcel No. 4206-030-902 and a portion of Assessor's  
9 Parcel No. 4206-034-906) from the Successor Agency to the City for no monetary  
10 compensation, pursuant to the Dissolution Law.

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

16           SECTION 5. The City Council hereby authorizes and directs the City Manager  
17 or designee, (i) to take all actions and to execute any and all documents, instruments, and  
18 agreements necessary or desirable on behalf of the City, as approved by the City Manager  
19 and the City Attorney, including without limitation the Assignment and Assumption  
20 Agreement, in order to implement and effectuate the transfer and acceptance of the Property  
21 from the Successor Agency to the City, and to effectuate all other actions approved by this  
22 Resolution, including, without limitation, approving changes, implementations, or revisions to  
23 documents, instruments, and agreements as determined necessary by the City Manager, or  
24 designee; and (ii) to administer the City's obligations, responsibilities, and duties to be  
25  
26  
27  
28

1 performed pursuant to this Resolution and all documents, instruments, and agreements  
2 required by and for the transfer and acceptance of the Property from the Successor Agency.

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

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

19 SECTION 8. The City hereby determines that the activity approved by this  
20 Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines  
21 Section 15378, because the activity approved by this Resolution 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.  
24

25 ///

26 ///

27 ///

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

APPROVED AND ADOPTED, this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
JIM B. CLARKE, Mayor  
City of Culver City

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
JEREMY GREEN, City Clerk

  
\_\_\_\_\_  
CAROL SCHWAB, City Attorney

A17-00173

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

3  
4  
5  
6  
7  
8

0  
1  
2  
3  
4  
5  
6  
7

8  
9  
0  
1  
2  
3  
4  
5

70



1 Culver City (the "**City**") the role of successor agency to the Former CCRA (the "**Successor**  
2 **Agency**"); and

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

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

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

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

21 WHEREAS, pursuant to H&S Code Section 34191.5(b) of the Dissolution Law,  
22 on July 18, 2013, the Successor Agency prepared and submitted to the California  
23 Department of Finance (the "**DOF**") for approval its Long Range Property Management Plan  
24 (the "**LRPMP**"), as approved by its Oversight Board, that addressed the disposition and use of  
25  
26  
27  
28

1 certain real properties of the Former CCRA. On March 13, 2014, the Successor Agency  
2 prepared and submitted to the DOF for approval certain revisions to its LRPMP, as approved  
3 by its Oversight Board, that addressed changes to the disposition of certain parking parcels of  
4 the Former CCRA as described in the revised LRPMP; and

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

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

21 WHEREAS, under the terms of that certain Lease dated as of June 8, 1987  
22 between the City of Los Angeles and the Former CCRA (the "**Lease**"), the Former CCRA  
23 agreed to improve and maintain the Property (defined below) as a local public park and for  
24 recreational purposes. The lessee's interest in the Lease was assigned from the Former  
25 CCRA to the Successor Agency by operation of law in connection with the dissolution  
26 process. The Successor Agency continues to maintain the Property as a park. Hence, the  
27  
28

1 Property qualifies as an asset used for governmental purposes under the revised terms of  
2 H&S Code Section 34181(a)(1) of the Dissolution Law. Section 15 of the Lease allows for its  
3 disposition to the City for continued use as a park and for recreational purposes; and

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

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

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

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

26 SECTION 1. The foregoing recitals are true and correct and are a substantive  
27 part of this Resolution.  
28

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

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

9           SECTION 4. The Assignment and Assumption Agreement, in substantial form  
10 as the Assignment and Assumption Agreement attached to the March 27, 2017 Joint City  
11 Council and Successor Agency Agenda Item Report, Agenda Report No. 16-715, that  
12 effectuates the Successor Agency's disposition of the Property to the City, is hereby  
13 approved.  
14

15           SECTION 5. The City Council hereby authorizes and directs the City Manager  
16 or designee, (i) to take all actions and to execute any and all documents, instruments, and  
17 agreements necessary or desirable on behalf of the City, as approved by the City Manager  
18 and the City Attorney, including without limitation the Assignment and Assumption  
19 Agreement, in order to implement and effectuate the transfer and acceptance of the Property  
20 from the Successor Agency to the City, and to effectuate all other actions approved by this  
21 Resolution, including, without limitation, approving changes, implementations, or revisions to  
22 documents, instruments, and agreements as determined necessary by the City Manager, or  
23 designee; and (ii) to administer the City's obligations, responsibilities, and duties to be  
24 performed pursuant to this Resolution and all documents, instruments, and agreements  
25 required by and for the transfer and acceptance of the Property from the Successor Agency.  
26  
27  
28

1           SECTION 6. If any provision of this Resolution or the application of any such  
2 provision to any person or circumstance is held invalid, such invalidity shall not affect other  
3 provisions or applications of this Resolution that can be given effect without the invalid  
4 provision or application, and to this end the provisions of this Resolution are severable. The  
5 City declares that its City Council would have adopted this Resolution irrespective of the  
6 invalidity of any particular portion of this Resolution.

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

15           SECTION 8. The City hereby determines that the activity approved by this  
16 Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines  
17 Section 15378, because the activity approved by this Resolution is an organizational or  
18 administrative activity that will not result in a direct or indirect physical change in the  
19 environment, per Section 15378(b)(5) of the Guidelines.

20 ///

21 ///

22 ///

23 ///

24 ///

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

2 APPROVED AND ADOPTED, this \_\_\_\_ day of \_\_\_\_\_, 2017.

3  
4  
5 \_\_\_\_\_  
JIM B. CLARKE, Mayor  
City of Culver City

6  
7 ATTEST:

APPROVED AS TO FORM:

8  
9 \_\_\_\_\_  
JEREMY GREEN, City Clerk

10   
CAROL SCHWAB, City Attorney

11 A17-00172