

RESOLUTION NO. SA 17-03

**A RESOLUTION OF THE SUCCESSOR AGENCY TO THE COMMERCE  
COMMUNITY DEVELOPMENT COMMISSION APPROVING THE FIRST  
AMENDMENT TO THE CONTINGENT AGREEMENT TO PURCHASE AND  
SELL REAL ESTATE TO CRAIG REALTY GROUP CITADEL, LLC, FOR LAND  
IN THE CITY OF COMMERCE**

WHEREAS, on January 20, 2015, the Successor Agency to the Commerce Community Development Commission ("Successor Agency") approved the "Contingent Agreement to Purchase and Sell Real Estate and Escrow Instructions" ("the PSA") with Craig Realty Group Citadel, LLC ("Craig Realty"). The land that was the subject of the agreement is 25.29 acres located in the City of Commerce, which is described in detail in Exhibit A to the PSA ("the Land"); and

WHEREAS, the PSA complied with all aspects of ABx1 26 and AB 1484, and was ultimately approved by the Oversight Board and the Department of Finance. However, a change in circumstances requires that the PSA be slightly revised; and

WHEREAS, the PSA contemplates development of an "Industrial Portion" of the Land as an "Industrial Development," as specified in Article 6 of the PSA, by a third party to the PSA; and

WHEREAS, since the time of the PSA, the third party that intended to complete the "Industrial Development" (the Ryzman Family Trust) has informed the City, Successor Agency, and Craig Realty that it does not intend to proceed with the "Industrial Development." Hence, the PSA must be amended accordingly; and

WHEREAS, the Successor Agency's Long Range Property Management Plan ("LRPMP"), which preceded the PSA, anticipates that the Successor Agency would sell the Land to Craig Realty for purposes of commercial and retail development. The Amendment eliminates the possibility that the Ryzman Family Trust can develop an industrial use on the Land and allows the Successor Agency, the City, and Craig Realty to pursue the original purpose of developing the entire Land as a retail and commercial use; and

WHEREAS, the PSA will continue to control all aspects of the agreement between the Successor Agency and Craig Realty except for those terms that the Amendment explicitly modifies; and

WHEREAS, On July 5, 2017, the Successor Agency approved the Amendment. Pursuant to ABx1 26 and AB 1484, the Oversight Board must also approve of the Amendment. After approval by the Oversight Board, the Amendment will be submitted to the DOF for its review and consideration.

NOW, THEREFORE, THE SUCCESSOR AGENCY DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The approval of the First Amendment to Contingent Purchase and Sell Agreement complies with the Successor Agency's Long Range Property Management Plan, which was approved by the California Department of Finance on May 19, 2014.

Section 2. The First Amendment to Contingent Purchase and Sell Agreement between the Successor Agency and Craig Realty Group Citadel, LLC, is hereby approved. The Successor Agency Chairperson is authorized to execute the Amendment for and on behalf of the Successor Agency. The Successor Agency's Executive Director is authorized to execute any and all documents necessary to implement the Successor Agency's approval of the Amendment.

Section 3. Pursuant to ABx1 26 and AB 1484, Successor Agency staff is directed to present the actions approved by this Resolution for review and approval by the State Department of Finance.

PASSED, APPROVED and ADOPTED this 23<sup>rd</sup> day of August 2017.

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Oralia Rebollo  
Chairperson

ATTEST:

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Lena Shumway  
Secretary