

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES MAKING FINDINGS IN SUPPORT OF, AND
APPROVING AND AUTHORIZING, THE RETURN OF "BRUCE'S BEACH" TO THE
LEGAL HEIRS OF CHARLES AND WILLA BRUCE**

WHEREAS, Peck's Manhattan Beach Tract Block 5 ("Block 5"), part of the property commonly known as "Bruce's Beach," in the City of Manhattan Beach, is currently owned by the County of Los Angeles ("County");

WHEREAS, in the early 1920s, Charles and Willa Bruce owned Lots 8 and 9 of Block 5 (the "Property") and operated a successful seaside resort there that welcomed Black beachgoers from all over Los Angeles;

WHEREAS, in 1924, the Manhattan Beach Board of Trustees voted to condemn Bruce's Beach through eminent domain under the ostensible purpose of building a park, but it is well documented that this move was a racially motivated attempt to drive out the successful Black business, its patrons and other Black property owners in the area;

WHEREAS, the Bruces' Property was condemned, the City of Manhattan Beach demolished the Bruces' resort, and the Bruces left Manhattan Beach;

WHEREAS, in 1948, the City of Manhattan Beach transferred Block 5, including the Property, to the State of California ("State"). This transfer included conditions that restrict use and ownership of the land. This land remained State property until 1995, when the State transferred it to the County as part of a larger transfer of eight State beaches to the County. The County Fire Department uses this property for its lifeguard operations;

WHEREAS, at the request of the County, Senate Bill ("SB") 796, "Returning Bruce's Beach to its Rightful Owners," was introduced to eliminate the restrictions previously placed on Block 5 that prohibited the County from transferring the Property back to the legal heirs of Charles and Willa Bruce;

WHEREAS, on April 20, 2021, the County Board of Supervisors ("Board") voted to support SB 796, and directed County staff to formulate a plan for the return of the Property to the legal heirs of Charles and Willa Bruce;

WHEREAS, in response to the Board's April 20th motion, the Chief Executive Officer released the "Report Back on Returning Bruce's Beach to its Rightful Owners" ("Report") that included a plan to return the Property to the Bruce family;

WHEREAS, the Report affirmed that returning the Property is in the public interest and laid out the next steps needed for land assessment, property tax evaluation, continued County occupancy of the site and/or relocation, and appropriate safeguards to ensure that the Property is transferred to the legal heirs of Charles and Willa Bruce;

WHEREAS, on July 13, 2021, the Board directed County staff to implement the plan set forth in the Report in order to prepare to return the Property to the legal heirs of Charles and Willa Bruce, including retaining a third-party law firm to conduct a thorough and transparent legal heir determination process;

WHEREAS, both houses of the State Legislature unanimously approved SB 796, and on September 30, 2021, Governor Gavin Newsom signed SB 796 into law at Bruce's Beach. As an urgency bill, SB 796 took effect immediately upon being signed by the Governor;

WHEREAS, in enacting SB 796, the State Legislature found and declared the following:

(a) The United States of America has never fully addressed the institution and practice of 250 years of chattel slavery; the ideology that established and maintained it has left an indelible stain on the fabric of this nation and is embedded in virtually every facet of American culture and civil society.

(b) The legacy of the intentional structuring of opportunity, implementation of policies and practices, and assignment of value based solely on skin color and other physical characteristics has created, and continues to create, unfair disadvantages for Black people.

(c) Racial discrimination has prevented entire communities of people from achieving their full potential due to its manifestations, including, but not limited to, the implementation of Black codes and Jim Crow laws, the widespread and accepted practices of lynching and sexually assaulting Black men and women, voter suppression of Black Americans, the false concept of separate but equal schools, state-sanctioned housing discrimination in the form of redlining and enforcement of racially restrictive covenants, disparate access to and substandard treatment within the health care system, police brutality in Black communities, the misguided war on drugs, and mass incarceration.

(d) Racism aggravates and exacerbates historical inequities and consequently deprives marginalized communities of access to land, economic opportunities, and a stable future.

(e) The experience of Willa and Charles Bruce is an example of how racism against Black people has reached crisis proportions and has resulted in large disparities in family stability, health and mental wellness, education, employment, economic development, public safety, criminal justice, and housing.

(f) In 1912, Willa and Charles Bruce purchased the first of two lots of land along the Strand in the City of Manhattan Beach and turned the location into a seaside resort that welcomed Black beach goers from all over and became colloquially referred to as "Bruce's Beach."

(g) In 1924, the Manhattan Beach Board of Trustees voted to condemn Bruce's Beach and the surrounding land through the power of eminent domain under the ostensible purpose of building a park. The true purpose of the Manhattan Beach Board of Trustees in condemning Bruce's Beach, as evidenced by historical materials, including those cited or discussed in the June 7, 2021, City of Manhattan Beach History

Advisory Board Report that was adopted by the Manhattan Beach City Council at its June 15, 2021, regular meeting, was to shut down the Bruce's Beach resort because the Bruces and their patrons were Black. At the same time, the Manhattan Beach Board of Trustees enacted ordinances precluding the opening of any new beach resort in order to prevent the Bruces from relocating their business elsewhere in the city. As a result of these intentional racially discriminatory acts, the Bruces lost their land and their business, the Bruce family moved out of the City of Manhattan Beach, and the city immediately demolished the Bruce's Beach resort. Thereafter, in 1948, the city transferred this empty land to the state. In 1995 the state transferred this land to the County of Los Angeles subject to various deed restrictions that effectively precluded the county from returning to the Bruce family their wrongfully condemned land.

(h) Willa and Charles Bruce were deprived of their rightful property, as well as their right to derive the benefits of that property, including the freedom and fortune of operating their own business on their land.

(i) The fraudulent appropriation of land from private persons in general, and especially on the basis of race, is against the public interest and denies individuals and communities the right to enjoyment, the right to own property alone, as well as in association with others, the right to inherit, and the right to control one's property.

(j) Government has a responsibility to prohibit and eliminate racial discrimination in all forms and to ensure that all persons are entitled to security against forced removal, harassment, and intimidation by entities who seek to deprive individuals of their rights to self-determination and dignity on the basis of their race.

(k) Government must act in the public's interest to ensure that communities can fairly access justice and an effective remedy, including, when appropriate, the potential return, restitution, resettlement, rehabilitation, or compensation, for unlawful and race-based displacements.

(l) The land in the City of Manhattan Beach, which was wrongfully taken from Willa and Charles Bruce, should be returned to their living descendants, and it is in the public interest of the State of California, the County of Los Angeles, the City of Manhattan Beach, and the People of the State of California to do so;

WHEREAS, SB 796 directed the State Department of Parks and Recreation ("State DPR") to amend the property deed for Block 5 no later than December 31, 2021 to remove the restrictions placed on it;

WHEREAS, pursuant to SB 796, upon removal of the deed restrictions, notwithstanding any other law, easement, covenant, restriction, or servitude, the Property may be sold, transferred, or encumbered upon terms and conditions determined by the Board to be in the best interest of the County and the general public;

WHEREAS, on October 5, 2021, in order to implement SB 796, the Board directed County staff to coordinate with State DPR to amend the property deed, prepare and present to the Board a resolution of acceptance of the amended property deed, and pursue an expeditious process to determine the legal heirs of Charles and Willa Bruce;

WHEREAS, on December 10, 2021, State DPR provided the County with an executed grant deed modification reflecting the removal of the restrictions, as authorized by SB 796. On December 21, 2021, this Board adopted a resolution approving and authorizing acceptance of the grant deed modification, giving the County the authority to transfer the Property;

WHEREAS, on April 14, 2022, the Honorable Mitchell Beckloff upheld the County's proposed return of the Property to the legal heirs of Charles and Willa Bruce in the matter of *Ryan v. Los Angeles County Board of Supervisors* (Los Angeles Superior Court Case No. 21STCV38353), finding that: "where the appropriation of public funds and/or property is to address and/or remedy racial discrimination committed by government, it serves a public purpose." Judge Beckloff further found that: "redressing past acts of discrimination as well as preventing such acts in the future benefits the whole of the community and its general welfare . . .," and that "the public purpose served by SB 796 is direct and substantial";

WHEREAS, on May 26, 2022, the County completed the legal heir determination process, which confirmed that Marcus and Derrick Bruce, the great-grandsons of Charles and Willa Bruce, are the legal heirs of Charles and Willa Bruce; and

WHEREAS, Marcus and Derrick Bruce have caused the formation of Bruce Family LLC to hold the Property upon transfer by the County.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES DOES HEREBY PROCLAIM, RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

- I. Incorporation of Recitals.** The foregoing Recitals are true and correct and incorporated herein by reference, and the Board of Supervisors ("Board") adopts the foregoing Recitals, and the findings of the Legislature set forth therein, as its own.
- II. Finding of Public Purpose.** Based on the foregoing, the Board hereby finds and determines that: (1) the Bruces' Property was taken in an act of racism; (2) the return of the Property will further help remedy racial discrimination committed by a government agency; and (3) therefore, the return of Lots 8 and 9 of Peck's Manhattan Beach Tract Block 5 (the "Property") to the legal heirs of Charles and Willa Bruce, and the lease back and repurchase of the Property by the County of Los Angeles ("County"), serves public purposes.
- III. Finding of Best Interest.** Based on the foregoing, pursuant to section 5002.6 of the Public Resources Code (Senate Bill 796), the Board further finds that the terms and conditions of the Transfer Agreement and Lease Agreement are in the best interest of the County and the general public.

IV. Transfer, Lease Back, and Repurchase of the Property. Pursuant to section 5002.6 of the Public Resources Code, the Board hereby:

- A. Approves and authorizes the transfer of the Property to Bruce Family LLC, and hereby delegates authority to the Chair of the Board to execute the Transfer Agreement between the County and Bruce Family LLC and any ancillary deed or agreement, approved as to form by County Counsel, necessary to effectuate the terms of the Transfer Agreement, including payment of any associated transaction costs;
- B. Approves and authorizes the lease back of the Property from Bruce Family LLC, and hereby delegates authority to the Chair to execute the Lease Agreement between the County and Bruce Family LLC, with an initial annual base rent of \$413,000, and any ancillary deed or agreement, approved as to form by County Counsel, necessary to effectuate the terms of the Lease Agreement, including for the repurchase of the Property for a purchase price not to exceed \$20 million, plus any associated transaction costs; and
- C. Delegates authority to the Chief Executive Officer, or her designee, to take any action, and approve and execute any ancillary closing documents, approved as to form by County Counsel, that are necessary to effectuate closing of the transactions contemplated by the terms of the Transfer Agreement and Lease.

The foregoing resolution was on the 28th day of June, 2022, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

CELIA ZAVALA,
Executive Officer
Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

DAWYN R. HARRISON
Acting County Counsel



By: _____
Thomas J. Faughnan
Senior Assistant County Counsel