

January 7, 2013; Agenda Item No. 14

Resolution No. 13-01

RESOLUTION OF THE SANTA MONICA MOUNTAINS CONSERVANCY AUTHORIZING ENTERING INTO A GROUND LEASE AGREEMENT WITH THE CITY OF MALIBU FOR THE MALIBU BLUFFS OPEN SPACE AND AUTHORIZING SUBSEQUENT TRANSFER OF FEE TITLE THEREOF TO THE CITY OF MALIBU FOR THE PRESERVATION OF OPEN SPACE AND PARK PURPOSES

WHEREAS, the Santa Monica Mountains Conservancy currently owns the approximately 83-acre Malibu Bluffs Open Space, adjacent to the City of Malibu-owned Malibu Bluffs Park; and

WHEREAS, the staff report dated January 7, 2013 further describes the project; and

WHEREAS, the proposed project is consistent with the Santa Monica Mountains Comprehensive Plan; and

WHEREAS, The proposed action is exempt from the provisions of the California Environmental Quality Act; Now

Therefore Be It Resolved, That the Santa Monica Mountains Conservancy hereby:

1. FINDS that the proposed action is consistent with the Santa Monica Mountains Comprehensive Plan.
2. FINDS that the proposed action is categorically exempt from the provisions of the California Environmental Quality Act.
3. FINDS that the proposed action is authorized pursuant to Public Resources Code Sections 33206 and 33207.5(e)(2).
4. ADOPTS the staff report and recommendation dated January 7, 2013.
5. AUTHORIZES entering into a ground lease agreement with the City of Malibu for the Malibu Bluffs Open Space (Assessor's Parcel Numbers 4458-016-900, 902, and 903 and 4458-018-903 and 905) and authorizing subsequent transfer of fee title thereof to the City of Malibu for the preservation of open space and park purposes.
6. AUTHORIZES implementation of these actions contingent upon successful execution of a settlement agreement of the pending lawsuit *Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority v.*

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City of Malibu, and related actions (Los Angeles Superior Court Case No. SC 092212).

7. FURTHER AUTHORIZES the Executive Director, or his assignee, to perform any and all acts necessary to carry out this resolution.

~ End of Resolution ~

I HEREBY CERTIFY that the foregoing resolution was adopted at a meeting of the Santa Monica Mountains Conservancy, regularly noticed and held according to law, on the 7th day of January, 2013 at Pacific Palisades, California.

Dated:

Executive Director