

January 7, 2013; Agenda Item No. 15

Resolution No. 13-02

RESOLUTION OF THE SANTA MONICA MOUNTAINS CONSERVANCY AUTHORIZING
(A) ENTERING INTO A GROUND LEASE AGREEMENT WITH THE CITY OF MALIBU
FOR CHARMLEE WILDERNESS PARK FOR THE PRESERVATION OF OPEN SPACE
AND PARK PURPOSES; (B) POSSIBLE SUBSEQUENT SUBLEASE AGREEMENT TO
THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY FOR SAID
PURPOSES, AND (C) ACCEPTANCE OF FEE TITLE TO CHARMLEE
WILDERNESS PARK FOR SAID PURPOSES

WHEREAS, the City of Malibu owns the approximately 534-acre Charmlee Wilderness Park, located within City of Malibu and unincorporated Los Angeles County; 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 (a) entering into a ground lease agreement with the City of Malibu for Charmlee Wilderness Park (Assessor's Parcel Numbers 4472-027-900, 901, and 902; 4472-028-901 and 902; 4473-005-901 and 902; 4473-006-900; and 4473-009-902 and 903) for the preservation of open space and park purposes; (b) possible subsequent sublease agreement to the Mountains Recreation and

Conservation Authority for said purposes, and (c) acceptance of fee title to Charmlee Wilderness Park for said 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. 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