To: Mayor Farrer and the Honorable Members of the City Council

Prepared by: Trevor Rusin, Assistant City Attorney

On behalf of: Reva Feldman, City Manager

Date prepared: November 27, 2019  Meeting date: December 9, 2019

Subject: Authorize acceptance of transfer of 2.3 acres from Malibu Development Company, LLC (MDC) and modification of easement agreement with MDC in accordance with La Paz development agreement

RECOMMENDED ACTION: Adopt Resolution No. 19-55 conditionally authorizing the acceptance of the Grant Deed conveying Parcel C identified in Development Agreement dated November 10, 2008, from Malibu Development Company, LLC (MDC) to the City, approving an Easement Agreement between the City and MDC, and finding the same exempt from the California Environmental Quality Act.

FISCAL IMPACT: There are no negative fiscal impacts of the recommended action. The City will acquire title to Parcel C which may entail limited maintenance costs, but such costs will be outweighed by the value of the property itself. In exchange for the easements, Malibu MDC will assume the cost of building and maintaining a road to Parcel C and indemnify the City for liability arising from use of the easements. Without the agreement the City would have to bear undetermined costs to construct access to its property and assume ordinary liability attendant to property ownership.

DISCUSSION: This item will be distributed under separate cover.