

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585 - 1800

**W 4a**



September 23, 2010

TO: Commissioners and Interested Persons

FROM: Peter Douglas, Executive Director

RE: CITY OF PORT HUENEME LOCAL COASTAL PROGRAM MAJOR AMENDMENT NO. 1-2010, EXECUTIVE DIRECTOR'S DETERMINATION THAT THE CITY'S ACKNOWLEDGMENT IS LEGALLY ADEQUATE. (For Commission review at its meeting of October 13, 2010 in Oceanside.)

**STAFF RECOMMENDATION**

Staff recommends that the Commission CONCUR with the Executive Director's determination that the City's action is legally adequate.

**BACKGROUND**

On May 12, 2010 the Commission approved LCP Major Amendment No. 1-2010 (Flood Hazard Overlay Zone) with suggested modifications. This amendment modified the Coastal Zoning Ordinance/Implementation Plan (CZO/IP) portion of the City's certified Local Coastal Program (LCP) to update the existing Flood Hazard (FH) Overlay Zone in compliance with the current requirements of the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program.

On July 6, 2010, the City of Port Hueneme acknowledged receipt of the Commission resolution of certification for LCP Amendment No. 1-2010 and transmitted the acknowledgment to the Commission on July 22, 2010. In its acknowledgment the City of Port Hueneme agreed to and accepted the Commission's action and agreed to issue Coastal Development Permits in conformance with the Commission's resolution.

Pursuant to Sections 13551(b) and 13544 of the Commission's Administrative Regulations, the Executive Director must determine if the action of the City of Port Hueneme is legally sufficient and report that determination to the Commission. The certification shall become effective unless a majority of the Commission objects to the determination.

**CONCLUSION**

I have reviewed the City's acknowledgment adopted July 6, 2010 regarding LCP Amendment No. 1-2010 and find that it fulfills the conditions of the Commission's action to certify Amendment No. 1-2010, and that the City's action and notification procedures for appealable development legally satisfy the Commission's certification resolution adopted May 12, 2010. I therefore recommend that the Commission concur in this determination.

Attachment: City of Port Hueneme Ordinance No. 701  
Phlcpa 1 2010 ed determination report

RECEIVED  
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ORDINANCE NO. 701

**AN ORDINANCE AMENDING THE PORT HUENEME MUNICIPAL CODE ARTICLE X, CHAPTER 4, PART K ("FLOOD HAZARD OVERLAY ZONE") RELATIVE TO FLOODPLAIN REGULATIONS AND RESCINDING ORDINANCE NO. 697**

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

The City Council of the city of Port Hueneme does hereby ordain as follows:

**SECTION 1: The City Council finds and declares as follows:**

A. Article XI, § 7 of the California Constitution and Article I, § 1.1 of the City Charter empowers the City to enact and enforce ordinances regulating conditions that may be public nuisances or health hazards, or that promote social, economic, or aesthetic considerations; and

B. The special flood hazard areas of Port Hueneme are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare; and

C. These flood losses are caused by uses that are inadequately elevated, floodproofed, or protected from flood damage. The cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities also contributes to flood losses; and

D. In order for City residents to be eligible to purchase federally-subsidized flood insurance, cities must adopt floodplain management regulations which meet or exceed the requirements set forth in Title 44, Part 60 of the Code of Federal Regulations; and

E. Government Code Sections 65302, 65560, and 65800 confers upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

F. On July 5, 2010, the City Council held a public hearing regarding the Ordinance for Floodplain Management Regulations. Based on the evidence submitted during the City Council public hearing, staff recommendations, and Council deliberations, it is in the public interest to adopt this Ordinance; and

G. Adopting this Ordinance will allow residents of the City of Port Hueneme to remain eligible to purchase flood insurance through the National Flood Insurance Program. The Ordinance meets the minimum standards set forth in Title 44, Section 60.3 of the Code of Federal Regulations.

**SECTION 2: PHMC § 10590 is amended to read as follows:**

**“10590 General.**

A. Intent and relation to other provisions of the LCP. The Flood Hazard (FH) Overlay Zone is intended to provide additional provisions and requirements for new development within mapped flood hazard areas. The provisions and requirements of the Flood Hazard Overlay Zone shall be in addition to all other provisions of the certified Local Coastal Program. In the event that any requirement or definition of the Flood Hazard Overlay Zone conflicts with any other requirement or definition of the certified Local Coastal Plan, then the provisions of the certified Local Coastal Program shall apply.

B. Purpose. This Part is adopted in accordance with Government Code §§ 6530, 65560, and 65800 for the purpose of providing minimum standards and criteria to safeguard life, health, property and public welfare by regulating land use in the areas of special flood hazards. The areas of special flood hazard, as indicated by the Federal Insurance Administration of the Federal Emergency Management Agency (FEMA) in the “Flood Insurance Study (FIS) for Ventura County, California and Incorporated Areas,” dated January 20, 2010, with accompanying Flood Insurance Rate Maps (FIRM’s), and Flood Boundary and Floodway Maps (FBFM’s) dated January 20, 2010, and all subsequent amendments and revisions are hereby adopted by reference and declared to be a part of this Chapter. The FIRM’s and FBFM’s are on file with the City’s Department of Community Development.”

**SECTION 3: PHMC § 10591 is amended as indicated and new definitions are added to read as follows:**

**“10591 Definitions.**

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this Part:

AA. Basement. Means any area of the building having its floor subgrade, i.e., below ground level, on all sides.

AAA. Development. In addition to the definition of development in the City’s Local Coastal Program Zoning Ordinance Section 10356, within areas of the Flood Hazard Overlay, development shall also include any man-made change to improved or unimproved real estate, including, without limitation, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

DD. Flood Insurance Study. Means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

EE. Floodway. Means the channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as "Regulatory Floodway."

FF. Highest Adjacent Grade. Means the highest natural elevation of the ground surface before construction next to the proposed walls of a structure.

FFF. Historic Structure. Means any structure that is:

1. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

FFFF. Lowest Floor. Means the lowest floor of the lowest enclosed area, including Basement.

GG. New Construction. Means for floodplain management purposes, structures for which the "start of construction" commenced on or after September 24, 1984 (when the City entered the regular phase of the National Flood Insurance program), and includes any subsequent improvements to such structures.

GGG. Recreational Vehicle. Mean a vehicle that is: (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projection; (3) designed to be self-propelled or permanently towable by a light-duty truck; and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

HH. Start of Construction. Includes substantial improvement and other proposed new development and means the date the local government building permit was issued, provided the actual start date of construction,

repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

HHH. Structure. Means a walled and roofed building that is principally above ground; this includes a gas or liquid storage tank or a manufactured home.

HHHH. Substantial Damage. Means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

J. Violation. Means the failure of a structure or other development to be fully compliant with this Part. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by this Part is presumed to be in violation until such time as that documentation is provided."

**SECTION 4: PHMC § 10593 and § 10593(A) are amended, and new subsections (C) and (D) are added to § 10593 to reads as follows:**

**"10593 Development review.**

Any new development, including repair and maintenance, within the flood hazard overlay zone requires a coastal development permit pursuant to Section 10356 unless such development complies with the applicable exemption provisions of the certified LCP. All new development, in addition to any standards required pursuant to the Flood Hazard Overlay, must comply with all applicable policies and provisions of the Local Coastal Program.

All projects involving property situated within the FH zone are subject to the Development Review and Permit Procedures specified in Sections 10352, 10356, and 10357; provided, however, that the following classes of development shall be exempt as follows:

A. Improvements to Existing Developed Properties. Improvements to existing developed properties shall be exempt from the provisions of Sections 10352 and 10353 of this Article so long as such properties and improvements meet all of the flowing criteria: ...

C. Other base flood data. When base flood elevation data has not been provided in accordance with Section 10590, the Community Development Director must obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal or state agency, or other source in order to administer Section 10594.

D. Alteration of a watercourse. The Community Development Director must notify the County Watershed Protection District and the California Department of Water Resources before physical ground alteration or relocation of a watercourse by the City and assure that the flood carrying capacity of the altered or relocated portion of said watercourse is maintained.”

**SECTION 5: PHMC § 10594 and § 10594(F) are amended, and a new subsection (G) is added to § 10594, to read as follows:**

**“10594 Development standards.**

The Development standards prescribed herein apply solely to properties located within the FH Zone, though these development standards are not necessarily the sole standards applicable to properties in that location. The development standards of the underlying districts within which the aforementioned properties are located are superseded by the standards prescribed herein and additional standards which may be imposed pursuant to Section 10352(F); provided, however, that the provisions of this Section in no way change or supersede the coastal resource protection policies and provisions of the certified Land Use Plan and the Zoning Ordinance or the uses permitted in the underlying zone district within which such properties are located nor do the provisions of this Section supercede Development Standards specified in Chapter 3, Part A, Use and Maintenance Standards specified in Chapter 2, Part B, or Use Regulations specified in Chapter 2.

F. The City’s Director of Community Development or his designated representative is hereby appointed to administer, implement, and enforce this Part K by granting or denying development permits (but not including coastal development permits) in accord with its provisions. The Director shall obtain and maintain the following records: (1) certification by a registered engineer or architect that a proposed structure complies with Section 10594; (2) the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings or columns) of all new and substantially improved structures, and whether such structures contain a basement; and (3) that all other required city, state, and federal permits, including coastal development permits, have been obtained.

G. Base flood elevation changes. Within 6 months of information becoming available for project completion, whichever comes first, the Community Development Director shall submit or assure that the permit applicant submits technical or scientific data to FEMA for a Letter of Map Revision.”

**SECTION 6: A new § 10595 is added to the PHMC to read as follows:**

**“10595 Subdivisions.**

All new subdivision proposals and other proposed development greater than 50 lots or 5 acres in size, whichever is the lesser, must: (1) identify the Special Flood Hazard Areas and base Flood Elevations; (2) identify the elevations of lowest floors of all proposed structures and pads on the final plans; (3) if the site is filled above the base flood elevation, the following as-built information for each structure must be certified by a registered civil engineer or licensed land surveyor and provided as part of an application for a Letter of Map revisions based on fill to the Community Development Director with the following information: (a) lowest floor elevation; (b) pad elevation; and (c) lowest adjacent grade. All subdivision proposals and other proposed development must be consistent with the need to minimize flood damage including location and construction of proposed public utilities and facilities such as sewer, gas, electrical, and water systems to minimize flood damage and provision of adequate drainage to reduce exposure to flood hazards.”

**SECTION 7: A new § 10599 is added to the PHMC to read as follows:**

**“10599 Variance.**

Issuing a variance under this Part is for floodplain management purposes only. Insurance premium rates are determined by statute according to actuarial risk and cannot be modified by the granting of a variance. Variances may be considered pursuant to the limitations set forth in Section 10005.

A. General. A variance may be issued for the repair or rehabilitation of Historic Structures upon a determination that the proposed work will not preclude the structure’s continued designation as a Historic Structure and the variance is the minimum necessary to preserve the historic character and design of the structure. A variance cannot be issued within any mapped floodway if any increase in flood levels during the base flood discharge would result. A variance can only be issued upon a determination that the variance is the minimum necessary considering the flood hazard, to afford relief with a minimum of deviation from the requirements of this Part.

B. Administration. Any applicant to whom a variance is granted must be given written notice by the Director of Community Development

that: (1) issuing a variance to construct a structure below the base flood level will likely result in increased premium rates for flood insurance; and (2) such construction below the base flood level increase risks to life and property.

C. Record. The Community Development Director must maintain a record of all variance actions, including justification for their issuance, and report such variances to FEMA.”

**SECTION 8: A new § 10599.1 is added to the PHMC to read as follows:**

**“10599.1 Abrogation and greater restrictions.**

This Part is not intended to repeal, abrogate, or impair and existing easements, covenants, or deed restrictions. However, where this Part and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions prevails.”

**SECTION 9: General Plan Consistency.**

The Floodplain Management Ordinance is consistent with General Plan Goals, Objectives and Policies related to the Public Safety Element of the General Plan. Specifically, the amendment is consistent with Public Safety Element Goals, Objectives and Policies that include Goal 1 to protect Port Hueneme residents, workers, and visitors from flood hazards and Goal 9 to provide and maintain necessary storm drainage control facilities.

**SECTION 10: Coastal Plan Consistency.**

A. PHMC § 10006 provides that any amendment to adopted development and use standards or boundary change to land situated within the California Coastal Zone constitutes an amendment of the City’s Local Coastal Plan (LCP) and cannot become final until approval or certification is granted by the California Coastal Commission. On December 7, 2009, the City Council conducted its original public hearing to consider Ordinance No. 697 to amend the Implementing Component of the LCP (commonly referred to as “Zoning Ordinance”), which involves Chapter 4, Part K of the Flood Hazard Overlay Zone. The City Council considered all public testimony, both written and oral, received in conjunction with the public hearing. The City’s Planning Agency constitutes the City Council. Accordingly, the proposed LCP amendment is initiated by the City Council of the City of Port Hueneme acting for itself and as the planning agency.

B. Written notice of the availability of LCP public review draft documents pertaining to the proposed Ordinance amendment together with public hearing date before the City Council was mailed to all governmental agencies and persons known to be interested in LCP matters. In addition, copies of the review draft documents were made available for public perusal at the Port Hueneme Civic Center, Ray D. Prueter Library, and South Central Coast Area Office of the Coastal Commission. Both notice and draft documents were mailed



or delivered on October 14, 2009, a minimum of forty-five (45) days before the City Council's action on the proposal. In addition, written notice of the proposal's public hearing before the City Council of the City of Port Hueneme was mailed to all governmental agencies and persons who were known to be interested in LCP matters and to all persons who have filed written request for such notice, which Notice was mailed not later than ten (10) calendar days before the date of said hearing and a 1/8 page display advertisement was published in a legal section of a newspaper of general circulation on November 26, 2009 a minimum of ten (10) calendar days before the date of said hearing with proposed response to comments supplied to commenting agencies a minimum of ten (10) calendar days prior to said Public Hearing .

C. On January 4, 2010, the City Council adopted Ordinance No. 697 without modification and submitted it to the California Coastal Commission as City of Port Hueneme LCP Major Amendment 1-10. On May 12, 2010, the Coastal Commission approved the City's LCP amendment if modified as suggested in its April 29, 2010 staff report and addendum dated May 6, 2010. Accordingly, written notice of a second public hearing before the City Council of the City of Port Hueneme to consider the modified ordinance incorporating the Coastal Commission's suggested changes was mailed to all governmental agencies and persons who were known to be interested in LCP matters and to all persons who have filed written request for such notice, which Notice was mailed not later than ten (10) calendar days before the date of said hearing and a 1/8 page display advertisement was published in a legal section of a newspaper of general circulation on June 25, 2010, a minimum of ten (10) calendar days before the date of said hearing. The Ordinance serves to rescind Ordinance No. 697 and amend Port Hueneme Municipal Code Article X, Chapter 4, Part K ("Flood Hazard Overlay Zone") relative to floodplain regulations as suggested for modification by the Coastal Commission at the Commission's May 12, 2010 meeting.

D. The California Coastal Act is intended to protect natural and scenic resources; promote the public safety, health, and welfare; and protect public and private property, wildlife, marine fisheries, other ocean resources, and the natural environment and that California Coastal Commission Regulations establish the standards by which proposed land developments or other activities are evaluated to ensure consistency with the Act. Following are evaluations of the proposed Amendment with respect to relevant policies of Chapter 3 of the Coastal Act. On the basis of evidence presented below, the proposed Project is deemed fully consistent with and furthers the objectives of the California Coastal Act of 1976:

A. HAZARD AREAS

a.1. Coastal Act Section 30253: New development shall:

(i) minimize risks to life and property in areas of high geologic, flood, and fire hazard; and,

(ii) assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or

destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms alone bluffs and cliffs.

a.2. Consistency Statement: The Federal Emergency Management Agency (FEMA) has updated and published a new Flood Insurance Study and Flood Insurance Rate Maps for Ventura County that will become effective on January 20, 2010. No significant changes have occurred for the City of Port Hueneme. However, FEMA has developed criteria for floodplain management and as a condition of continued eligibility in the National Flood Insurance Program, FEMA is seeking amendment of the City's existing floodplain management measures to reflect data shown on the latest Flood Insurance Rate Maps and to provide new definitions and provisions pursuant to Sections 60.3(a) and 60.3(b) of the National Flood Insurance Program regulations. Communities that fail to enact or amend the necessary floodplain management regulations to reflect the data shown on the latest Flood Insurance Rate Maps are subject to suspension from participation in the National Flood Insurance Program.

To comply with FEMA regulations and provide up-to-date requirements for land uses and structures, the ordinance revisions proposed to amend Part K, Chapter 4 of the City's Zoning Ordinance generally accomplishing the following:

- Adds statutory authority language,
- Adds several new definitions,
- Replaces the old reference to the new 2010 Flood Insurance Study and Rate Maps,
- Adds an "Abrogation and Greater Restriction" section,
- Designates a floodplain administrator (Community Development Director),
- Adds requirement to submit future technical data if physical alterations occur to the base flood elevation,
- Adds a Variance section,
- Adds language that all other State and Federal permits be obtained as part of issuing future floodplain development permits,
- Adds a finding as part of future permit review that sites are reasonably safe from flooding,
- Adds a finding as part of future subdivision review that tract design minimizes flood damage,
- Requires identification of surrounding flood data for future subdivision proposals or other development greater than 50 lots or 5 acres,
- Requires when base flood elevation data is not available, that it be provided from other sources, and

- Requires notification of neighboring communities of watercourse alterations and assure that the flood carrying capacity is maintained.

In the interest of the public health, safety, and welfare, it is deemed necessary to amend the City's development of standards and criteria regulating land use in Flood Hazard areas of the City designated on the official Flood Insurance Rate Maps on file with the City's Department of Community Development to mitigate against periodic inundation that may result in loss of life and property, health and safety hazards, disruption of commerce and public services, extraordinary public expenditures for flood protection and relief, and adverse impairment of assessed value and tax base of the community. Concerns as to flood losses caused by the cumulative effects of obstructions in flood hazard areas that may increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Structures and utilities that are inadequately flood-proofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.

E. APPROVAL.

1. The proposed Ordinance is consistent with and furthers the objectives and policies of the City's General Plan, Zoning Ordinance, and Local Coastal Program and provides for the orderly growth, development, and use of properties and activities in the City of Port Hueneme.
2. Pursuant to Public Resources Code § 30510, the City Council of the City of Port Hueneme hereby reiterates its intent to implement the Local Coastal Program and amendments thereto in a manner fully consistent with the California Coastal Act and to issue coastal development permits for the total area included in the City's certified LCP.
3. The City's Director of Community Development is authorized to file documents with the California Coastal Commission and to provide such additional documents and information with appropriate governmental agencies as may be required to implement this Ordinance and that the LCP amendment shall take effect after approval by the California Coastal Commission and acceptance by resolution of the City Council consistent with 14 California Code of Regulations Section 13551(b)(2), whereby, adoption of this Ordinance represents acceptance and implementation of the Coastal Commission's May 12, 2010, action conditional approving the City of Port Hueneme LCP Amendment MAJ 1-10 (Flood Hazard Overlay).

**SECTION 11: Environmental Assessment.**

The City Council determines that this Ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§

21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines") because it enacts regulations that are applicable to new or altered construction projects subject to project specific discretionary review. Therefore, it can be seen with certainty that there is no possibility that this Ordinance will cause a direct physical change in the environment, and therefore the adoption of this Ordinance is not considered a project pursuant to CEQA § 21065. In addition, this Ordinance is an action being taken for enhanced protection of the environment that does not have the potential to cause significant effects on the environment. Consequently, it is categorically exempt in accordance with CEQA Guidelines §§ 15305 as a minor alteration in land use limitations which do not result in any changes in land use or density; and 15308 as an action taken by a regulatory agency as authorized by California law to assure maintenance or protection of the environment.

**SECTION 12: Severability.**

If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end; the provisions of this Ordinance are severable.

**SECTION 13: Limitations.**

The City Council's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

**SECTION 14: Ongoing Prosecution.**

Repeal or amendment of any provision of the Port Hueneme Municipal Code will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

**SECTION 15: Reversion.**

If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the Port Hueneme Municipal Code or other City ordinance by this Ordinance will be rendered void and cause such Port

Hueneme Municipal Code provision or other the City ordinance to remain in full force and effect for all purposes.

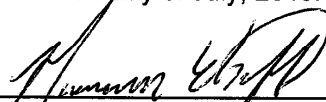
**SECTION 16: Recordation.**

The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Port Hueneme's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

**SECTION 17: Effectiveness.**

Ordinance No. 697 is hereby rescinded and replaced by this Ordinance, which shall take effect the thirty-first (31<sup>st</sup>) day following its passage and adoption.

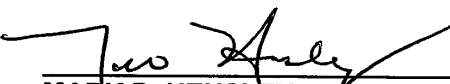
**PASSED, APPROVED, AND ADOPTED** this 19<sup>th</sup> day of July, 2010.

  
\_\_\_\_\_  
**NORMAN E. GRIFFAW**  
MAYOR


**ATTEST:**

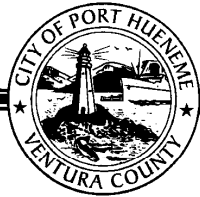
  
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**MICHELLE ASCENCION**  
DEPUTY CITY CLERK

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**MARK D. HENSLEY**  
CITY ATTORNEY

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
**DAVID J. NORMAN**  
CITY MANAGER



# City of Port Hueneme

## CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF VENTURA ) ss.  
CITY OF PORT HUENEME )

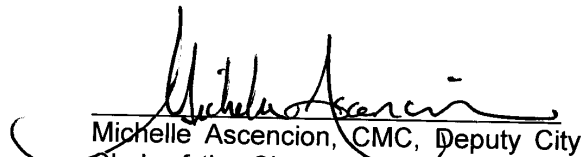
I, MICHELLE ASCENCION, duly appointed and qualified Deputy City Clerk of the City of Port Hueneme, do hereby certify that the foregoing **Ordinance No. 701** was duly introduced for first reading at a regular meeting of the Port Hueneme City Council held on July 6, 2010, and that thereafter, said Ordinance was duly passed and adopted at the Regular Meeting of the City Council held on July 19, 2010, by the following vote, to wit:

AYES: Council Members Douglas A. Breeze, Maricela P. Morales, Jonathan Sharkey; Mayor Pro Tem Sylvia Muñoz Schnopp; Mayor Norman E. Griffaw

NOES: None.

ABSTAINING: None.

ABSENT: None.

  
Michelle Ascencion, CMC, Deputy City  
Clerk of the City of Port Hueneme and  
ex-officio Clerk of the Council

Dated: July 20, 2010