

CALIFORNIA COASTAL COMMISSION

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

W 25a



DATE: December 22, 2011

TO: Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director
John Ainsworth, Deputy Director
Deanna Christensen, Coastal Program Analyst

SUBJECT: **City of Malibu LCP Amendment No. 2-10 (View Corridors):** Executive Director's determination that action by the City of Malibu, acknowledging receipt, acceptance, and agreement with the Commission's certification with suggested modifications, is legally adequate. This determination will be reported to the Commission at the January 11, 2012 meeting in Santa Monica.

On July 14, 2011, the Commission approved Local Coastal Program Amendment No. 2-10 with suggested modifications. The subject amendment dealt with changes to the LCP's view corridor requirements for beachfront development to allow for the substitution of off-site view corridors and public benefits in lieu of the required on-site view corridor.

On October 24, 2011, the City Council adopted Resolution Nos. 11-45 (attached) acknowledging receipt of the Commission's certification of LCP Amendment No. 2-10 and accepting and agreeing to all modifications suggested by the Commission. On November 14, 2011, the City Council adopted Ordinance No. 362 (attached) acknowledging receipt of the Commission's certification of LCP Amendment No. 2-10 and accepting and agreeing to all modifications suggested by the Commission. The documents were transmitted to Commission staff on November 18, 2011.

Pursuant to Section 13544 of the California Code of Regulations, Title 14, Division 5.5, the Executive Director must determine that the action taken by the City of Malibu acknowledging receipt and acceptance of, and agreement with the Commission's certification of the above referenced LCP amendment with suggested modifications is legally adequate and report that determination to the Commission. The certification shall become effective unless a majority of the Commissioners present object to the Executive Director's determination.

I have reviewed the City's acknowledgement and acceptance of, and agreement with the terms and suggested modifications of LCP Amendment 2-10, as certified by the Commission on July 14, 2011, as contained in the adopted Resolution of October 24, 2011 and Ordinance of November 14, 2011 and find that the City's action and notification procedures for appealable development are legally adequate to satisfy the terms and requirements of the Commission's certification. I therefore recommend that the Commission concur in this determination.

RESOLUTION NO. 11-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU ACKNOWLEDGING RECEIPT OF THE CALIFORNIA COASTAL COMMISSION'S CONDITIONAL CERTIFICATION OF MAL-MAJ-2-10 AND APPROVING THE ADOPTION OF LOCAL COASTAL PROGRAM AMENDMENT NO. 07-001 CONSISTENT WITH THE COMMISSION'S SUGGESTED MODIFICATIONS TO LAND USE PLAN SECTION 6.18 TO ALLOW FOR THE UTILIZATION OF OFFSITE VIEW CORRIDORS AND PUBLIC BENEFITS IN LIEU OF THE REQUIRED ONSITE VIEW CORRIDOR (OFFSITE VIEW CORRIDORS - MORTON)

THE CITY COUNCIL OF THE CITY OF MALIBU DOES HEREBY FIND, ORDER AND RESOLVE AS FOLLOWS:

Section 1. Recitals.

A. On March 6, 2007, an application for Local Coastal Program Amendment (LCPA) No. 07-001 was submitted by Latham and Watkins, LLP on behalf of property owner, Peter Morton.

B. In addition, on March 6, 2007, an application for Coastal Development Permit (CDP) No. 07-029, Neighborhood Standards (NS) No. 08-002, Demolition Permit (DP) No. 07-007, and Administrative Plan Review (APR) No. 08-082 was submitted concurrently with the LCPA application by David Goldberg of Latham and Watkins, LLP, on behalf of property owner, Peter Morton. The application was for parcels located at 22258 and 22310 Pacific Coast Highway.

C. On July 24, 2008, as required by the Local Coastal Program's (LCP) Local Implementation Plan (LIP) Chapter 19, a Notice of Availability for Local Coastal Program Documents and Notice of Planning Commission Public Hearing was published in a newspaper of general circulation and mailed to interested parties, regional, state and federal agencies affected by the amendment, local libraries, media, and to the California Coastal Commission.

D. On July 29, 2008, a Notice of Application for LCPA No. 07-001, CDP No. 07-029, NS No. 08-002, APR No. 08-082, and DP No. 07-001 was posted on the subject property.

E. At its August 19, 2008 meeting, the Planning Commission continued the item to the October 7, 2008 Regular Planning Commission meeting. The applicant requested that the Commission continue the item, to allow for a modification to the proposed amendment.

F. On September 11, 2008, pursuant to LIP Chapter 19, a Notice of Availability of Local Coastal Program Documents and Notice of Planning Commission Public Hearing public hearing was published in a newspaper of general circulation and mailed to interested parties, regional, state and federal agencies affected by the amendment, local libraries, media, and to the California Coastal Commission.

G. On October 7, 2008, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the agenda report, reviewed and considered written reports, public testimony and other information in the record. The Planning Commission directed staff to prepare a resolution recommending the City Council adopt the LCPA as amended.

H. The Regular Planning Commission meeting of November 4, 2008 was adjourned to November 17, 2008.

I. On November 17, 2008, the Planning Commission continued the item to its December 2, 2008 meeting due to lack of quorum.

J. On December 2, 2008, the Planning Commission adopted Resolution No. 08-80 recommending that the City Council approve LCPA No. 07-001.

K. On December 25, 2008, pursuant to LIP Chapter 19, a Notice of City Council Public Hearing was published in a newspaper of general circulation and mailed to interested parties, regional, state and federal agencies affected by the amendment, local libraries, media, and to the California Coastal Commission.

L. On January 12, 2009, the City Council held a duly noticed public hearing to consider the application, the evidence, and information provided in support of and in opposition to the application, public testimony of all interested persons and the recommendations of the Planning Commission. At that hearing, the Council adopted Resolution No. 09-03 and Ordinance No. 336 adopting LCPA No. 07-001.

M. On March 23, 2009, the LCPA was submitted to the California Coastal Commission (CCC). On April 6, 2009, the submittal, identified by the CCC as MAL-MAJ-2-10 (Offsite View Corridors), was reviewed by Commission staff and determined to be complete.

N. On July 14, 2011, the CCC conditionally certified MAL-MAJ-2-10 (LCPA No. 07-001) subject to modifications as set forth in the Resolution of Certification adopted by the CCC on July 14, 2011. The modifications are non-substantive in nature and within the scope of the previously approved amendment.

O. On August 19, 2011, the City received said Resolution of Certification, dated August 17, 2011.

P. On October 13, 2011, a Notice of City Council Public Hearing to be held on October 24, 2011 was published in a newspaper of general circulation within the City and was mailed to all interested parties; regional, state and federal agencies affected by the amendments; local libraries and media; and the California Coastal Commission.

Q. On October 24, 2011, the City Council held a duly noticed public hearing.

Section 2. Environmental Review.

In accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21080.9 and section 15265 of the CEQA guidelines, CEQA does not apply to activities and approvals by the City as necessary for the preparation and adoption of a Local Coastal Program Amendment.

Furthermore, the LCPA does not portend any new or different development and is therefore categorically exempt under the common sense rule that CEQA only applies to projects which have the potential for cause a significant effect on the environment. CEQA guidelines section 15061(b)(3). Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Section 3. Local Coastal Program Amendment No. 07-001 Amendments to the Land Use Plan as Modified by the California Coastal Commission.

Consistent with the CCC's July 14, 2011 conditional certification of MAL-MAJ-2-10 (LCPA No. 07-001), amend LUP Section 6.18, which addresses View Corridors, to include Subsection "F" to read as follows:

f. The requirements of Section 6.18 may be satisfied by providing an offsite view corridor that preserves and enhances coastal views from Pacific Coast Highway, Malibu Road, Broad Beach Road, Birdview Avenue, or Cliffside Drive. The required offsite view corridor shall span the entire width of a beachfront parcel and be at least twenty-five (25) percent wider than the view corridor or corridors that would otherwise be required on the project site. Potential offsite view parcels shall be located adjacent to at least one publicly owned beachfront parcel that affords ocean views, which parcel was publicly owned as of the effective date of the Land Use Plan amendment that added Section 6.18.f, and, to the extent feasible, be located in the same geographic portion of the City as the project site. The offsite view corridor must provide public visual resource benefits that are greater than what would otherwise be provided through an onsite view corridor. Public beach access and accessways shall be permitted uses on the view corridor mitigation site. Any unimproved parcel to be used as an offsite view corridor must otherwise be suitable for the development of a habitable structure or other primary use consistent with the underlying zoning regulations. If the decision making body finds that there are legitimate concerns over whether a proposed view corridor parcel could otherwise be suitable for the development of a habitable structure or other primary use due to the presence of geotechnical hazards or other constraints, the proposed view corridor parcel shall be rejected as inadequate and inconsistent with the intent of this provision.

If deemed necessary by the decision-making body to satisfy the findings of this subsection, the applicant may, in addition to providing an offsite view corridor consistent with the above requirements, undertake or fund all or a portion of an offsite measure, project, or program that provides additional public visual resource benefits.

Section 4. Findings.

In order to amend the LCP, the City Council must make the finding listed below.

Finding A. The text amendment to the Land Use Plan and Land Use Implementation Plan is consistent with Chapter 3 of the Coastal Act.

Chapter 3 of the Coastal Act states that any new development must not impede or adversely impact public access to the beach, must protect marine resources and scenic views, and must not significantly disrupt environmentally sensitive habitat areas.

The proposed amendment would advance the core goals and policies of the Coastal Act. The intent of the onsite view corridor requirement is to preserve coastal views from the City's seaside roads. Under the proposed amendment, the permitting of offsite projects or programs, including an offsite view corridor, would enhance the City's visual and scenic resources and provide a greater public benefit to coastal resources than an onsite view corridor. Pursuant to the proposed amendment, the offsite view corridor alternative would only be available in those cases where the decision making body determines that the public benefits of a proposed offsite view corridor and related program would be greater than the benefits that would otherwise flow from an onsite view corridor meeting minimum applicable LCP requirements. Accordingly, an offsite project or program alternative, that includes an offsite view corridor, would be more protective of coastal scenic resources and more beneficial to the community than the minimum onsite view corridor requirement.

Section 5. Approval of Local Coastal Program Amendment No. 07-001.

A. Pursuant to the California Coastal Commission's Administrative Regulations Section 13544.5, the LCP amendment certification shall not be deemed final and effective until all of the following occur: 1) the City Council: a) acknowledges receipt of the Commission's resolution of certification, including any terms or modifications suggested for final certification; b) accepts and agrees to any such terms and modifications and takes whatever formal action is required to satisfy the terms and modifications; and c) agrees to issue coastal development permits for the total area included in the certified Local Coastal Program; 2) the Executive Director determines in writing that the City's action is legally adequate to satisfy any specific requirements set forth in the Commission's certification order and the Director reports the determination to the Commission at its next regularly scheduled meeting; 3) if the Director finds that the City's action does not conform to the Commission's order, the Commission shall review the City action as if it were a resubmittal; and 4) notice of the certification shall be filed with the Secretary of the Resources Agency for posting and inspection.

B. The City Council acknowledges receipt of the California Coastal Commission's modifications to LCPA No. 07-001. The City Council further accepts and agrees to the modified language suggested by the California Coastal Commission pertaining to the Land Use Plan and approves revisions to LCP Amendment No. 07-001 without further changes.

C. The City of Malibu agrees to issue coastal development permits for the total area included in the certified LCP.

D. The proposed amendments to the Local Coastal Program Land Use Plan meet the requirements of, and are in conformance with the policies and requirements of Chapter 3 of the California Coastal Act to the extent necessary to achieve the basic State goals specified in Public Resources Code Section 30001.

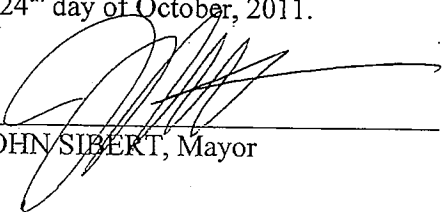
Section 6. Submittal to California Coastal Commission.

The City Council hereby directs staff to submit a copy of this Resolution to the Commission per Title 14, California Code of Regulations Section 134544.5(a).

Section 7. Certification.

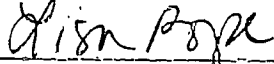
The City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 24th day of October, 2011.



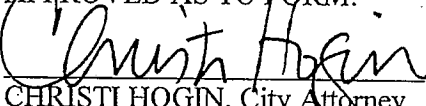
JOHN SIBERT, Mayor

ATTEST:



LISA POPE, City Clerk
(seal)

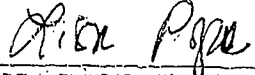
APPROVED AS TO FORM:



CHRISTI HUGIN, City Attorney

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 11-45 was passed and adopted by the City Council of the City of Malibu at the regular meeting thereof held on the 24th day of October, 2011, by the following vote:

AYES: 5 Councilmembers: Conley Ulich, La Monte, Wagner, Rosenthal, Sibert
NOES: 0
ABSTAIN: 0
ABSENT: 0



LISA POPE, City Clerk
(seal)

ORDINANCE NO. 362

AN ORDINANCE OF THE CITY OF MALIBU ADOPTING REVISIONS TO LOCAL COASTAL PROGRAM AMENDMENT NO. 07-001 AND INCORPORATING THE COASTAL COMMISSION SUGGESTED MODIFICATIONS TO INCLUDE AMENDMENTS TO LOCAL IMPLEMENTATION PLAN SECTION 6.5(E)(2) TO ALLOW THE UTILIZATION OF OFFSITE VIEW CORRIDORS AND PUBLIC BENEFITS IN LIEU OF THE REQUIRED ONSITE VIEW CORRIDOR (OFFSITE VIEW CORRIDORS - MORTON)

THE CITY COUNCIL OF THE CITY OF MALIBU DOES ORDAIN AS FOLLOWS:

Section 1. Recitals.

A. On March 6, 2007, an application for Local Coastal Program Amendment (LCPA) No. 07-001 was submitted by Latham and Watkins, LLP on behalf of property owner, Peter Morton.

B. In addition, on March 6, 2007, an application for Coastal Development Permit (CDP) No. 07-029, Neighborhood Standards (NS) No. 08-002, Demolition Permit (DP) No. 07-007, and Administrative Plan Review (APR) No. 08-082 was submitted concurrently with the LCPA application by David Goldberg of Latham and Watkins, LLP, on behalf of property owner, Peter Morton. The application was for parcels located at 22258 and 22310 Pacific Coast Highway.

C. On July 24, 2008, as required by the Local Coastal Program's (LCP) Local Implementation Plan (LIP) Chapter 19, a Notice of Availability for Local Coastal Program Documents and Notice of Planning Commission Public Hearing was published in a newspaper of general circulation and mailed to interested parties, regional, state and federal agencies affected by the amendment, local libraries, media, and to the California Coastal Commission.

D. On July 29, 2008, a Notice of Application for LCPA No. 07-001, CDP No. 07-029, NS No. 08-002, APR No. 08-082, and DP No. 07-001 was posted on the subject property.

E. At its August 19, 2008 meeting, the Planning Commission continued the item to the October 7, 2008 Regular Planning Commission meeting. The applicant requested that the Commission continue the item, to allow for a modification to the proposed amendment.

F. On September 11, 2008, pursuant to LIP Chapter 19, a Notice of Availability of Local Coastal Program Documents and Notice of Planning Commission Public Hearing public hearing was published in a newspaper of general circulation and mailed to interested parties, regional, state and federal agencies affected by the amendment, local libraries, media, and to the California Coastal Commission.

G. On October 7, 2008, the Planning Commission held a duly noticed public hearing on the subject application, reviewed and considered the agenda report, reviewed and considered written reports, public testimony and other information in the record. The Planning Commission directed staff to prepare a resolution recommending the City Council adopt the LCPA as amended.

H. The Regular Planning Commission meeting of November 4, 2008 was adjourned to November 17, 2008.

I. On November 17, 2008, the Planning Commission continued the item to its December 2, 2008 meeting due to lack of quorum.

J. On December 2, 2008, the Planning Commission adopted Resolution No. 08-80 recommending that the City Council approve LCPA No. 07-001.

K. On December 25, 2008, pursuant to LIP Chapter 19, a Notice of City Council Public Hearing was published in a newspaper of general circulation and mailed to interested parties, regional, state and federal agencies affected by the amendment, local libraries, media, and to the California Coastal Commission.

L. On January 12, 2009, the City Council held a duly noticed public hearing to consider the application, the evidence, and information provided in support of and in opposition to the application, public testimony of all interested persons and the recommendations of the Planning Commission. At that hearing, the Council adopted Resolution No. 09-03 and Ordinance No. 336 adopting LCPA No. 07-001.

M. On March 23, 2009, the LCPA was submitted to the California Coastal Commission (CCC). On April 6, 2009, the submittal, identified by the CCC as MAL-MAJ-2-10 (Offsite View Corridors), was reviewed by Commission staff and determined to be complete.

N. On July 14, 2011, the CCC conditionally certified MAL-MAJ-2-10 (LCPA No. 07-001) subject to modifications as set forth in the Resolution of Certification adopted by the CCC on July 14, 2011. The modifications are non-substantive in nature and within the scope of the previously approved amendment.

O. On August 19, 2011, the City received said Resolution of Certification, dated August 17, 2011.

P. On October 13, 2011, a Notice of City Council Public Hearing to be held on October 24, 2011 was published in a newspaper of general circulation within the City and was mailed to all interested parties; regional, state and federal agencies affected by the amendments; local libraries and media; and the California Coastal Commission.

Q. On October 24, 2011, the City Council held a duly noticed public hearing.

Section 2. Environmental Review.

In accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21080.9 and section 15265 of the CEQA guidelines, CEQA does not apply to activities and approvals by the City as necessary for the preparation and adoption of a Local Coastal Program Amendment.

Furthermore, the LCPA does not portend any new or different development and is therefore categorically exempt under the common sense rule that CEQA only applies to projects which have the potential for cause a significant effect on the environment. CEQA guidelines section 15061(b)(3). Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Section 3. Local Coastal Program Amendment No. 07-001 Amendments to the Local Implementation Plan as Modified by the California Coastal Commission.

Consistent with the CCC's July 14, 2011 conditional certification of MAL-MAJ-2-10 (LCPA No. 07-001), the Local Implementation Plan is hereby amended as follows:

- A. Amend LIP Section 6.5 (E)(2), which addresses View Corridor Requirements, to include Subsections f and g to read as follows:
- f. The requirements of Section 6.5(E)(2) may be satisfied by providing an offsite view corridor that preserves and enhances coastal views from Pacific Coast Highway, Malibu Road, Broad Beach Road, Birdview Avenue, or Cliffside Drive. The requirements of Section 6.5(E)(2) may be deemed satisfied by an off-site view corridor if the decision making body makes the findings required in 1 through 6 below and the View Parcel has been dedicated in accordance with Section 6.5(E)(2)(g):
 - i The proposed offsite view corridor parcel (the "View Parcel") is a beachfront parcel that affords public views of the ocean and will provide public visual resource benefits that are greater than what would otherwise be provided through an onsite view corridor;
 - ii The View Parcel is located adjacent to at least one publicly owned beachfront parcel that also affords ocean views, which parcel was publicly owned as of the effective date of the Local Implementation Plan amendment that added Section 6.5(E)(2)(f), and, to the extent feasible, be located in the same geographic portion of the City as the project site;
 - iii The offsite view corridor shall be provided across the entirety of the View Parcel and shall be at least twenty-five (25) percent wider than the view corridor(s) that otherwise would be required on the project site;
 - iv There are no geotechnical hazards or other constraints present on or near the View Parcel that could otherwise render the View Parcel unsafe or unsuitable for the development of a habitable structure or other primary use consistent with the

underlying zoning regulations. If the decision making body finds that the proposed view corridor parcel is not suitable for the development of a habitable structure or other primary use due to the presence of geotechnical hazards or other constraints, the proposed view corridor parcel shall be rejected as inadequate and inconsistent with the intent of this provision.

- v Public viewing, public beach access and accessways shall be permitted uses on the dedicated View Parcel. Any physical development of facilities or structures to enhance public views or public access shall conform to the applicable standards, provisions, and requirements of the Malibu LCP.
- vi If deemed necessary by the decision-making body to satisfy the findings of this subsection, the applicant may, in addition to providing an offsite view corridor consistent with the above requirements, undertake or fund all or a portion of an offsite measure, project, or program that provides additional public visual resource benefits.

g. The substitution of an off-site View Parcel for a required on-site view corridor shall be effectuated by the recordation of an open space deed restriction and transfer of the View Parcel in fee title to a public entity, including the following requirements and restrictions:

- i Recordation with the Los Angeles County Recorder of an open space deed restriction that applies to the entirety of the View Parcel(s), that ensures that any future development on the lot(s) is limited to only those improvements necessary to provide for public view enhancement or public beach access such as benches and visually permeable fencing, maintenance of roads, public access ways, and utilities consistent with existing easements; and shoreline protection if necessary to protect existing development and that restrictions can be enforced, the text of which has been approved pursuant to procedures in Section 13.19 of the Malibu LIP (recorded legal documents); and,
- ii Evidence that fee title to the donor site has been successfully transferred to a public entity after the recordation of a deed restriction listed in the prior paragraph and that the document effectuating the conveyance has been recorded with the Los Angeles County Recorder.

Section 4. Local Coastal Program Amendment Findings.

In order to amend the LCP, the City Council must make the finding listed below.

Finding A. The text amendment to the Land Use Plan and Land Use Implementation Plan is consistent with Chapter 3 of the Coastal Act.

Chapter 3 of the Coastal Act states that any new development must not impede or adversely impact public access to the beach, must protect marine resources and scenic views, and must not significantly disrupt environmentally sensitive habitat areas.

The proposed amendment would advance the core goals and policies of the Coastal Act. The intent of the onsite view corridor requirement is to preserve coastal views from the City's seaside roads. Under the proposed amendment, the permitting of offsite projects or programs, including an offsite view corridor, would enhance the City's visual and scenic resources and provide a greater public benefit to coastal resources than an onsite view corridor. Pursuant to the proposed amendment, the offsite view corridor alternative would only be available in those cases where the decision making body determines that the public benefits of a proposed offsite view corridor and related program would be greater than the benefits that would otherwise flow from an onsite view corridor meeting minimum applicable LCP requirements. Accordingly, an offsite project or program alternative, that includes an offsite view corridor, would be more protective of coastal scenic resources and more beneficial to the community than the minimum onsite view corridor requirement.

Section 5. Approval of Local Coastal Program Amendment No. 07-001.

A. Pursuant to the California Coastal Commission's Administrative Regulations Section 13544.5, the LCP amendment certification shall not be deemed final and effective until all of the following occur: 1) the City Council: a) acknowledges receipt of the Commission's resolution of certification, including any terms or modifications suggested for final certification; b) accepts and agrees to any such terms and modifications and takes whatever formal action is required to satisfy the terms and modifications; and c) agrees to issue coastal development permits for the total area included in the certified Local Coastal Program; 2) the Executive Director determines in writing that the City's action is legally adequate to satisfy any specific requirements set forth in the Commission's certification order and the Director reports the determination to the Commission at its next regularly scheduled meeting; 3) if the Director finds that the City's action does not conform to the Commission's order, the Commission shall review the City action as if it were a resubmittal; and 4) notice of the certification shall be filed with the Secretary of the Resources Agency for posting and inspection.

B. The City Council acknowledges receipt of the California Coastal Commission's modifications to LCPA No. 07-001. The City Council further accepts and agrees to the modified language suggested by the California Coastal Commission pertaining to the Local Implementation Plan and approves revisions to LCP Amendment No. 07-001 without further changes.

C. The City of Malibu agrees to issue coastal development permits for the total area included in the certified LCP.

D. The proposed amendments to the Local Coastal Program Local Implementation Plan meet the requirements of, and are in conformance with the policies and requirements of Chapter 3 of the California Coastal Act to the extent necessary to achieve the basic State goals specified in Public Resources Code Section 30001.

Section 6. Submittal to California Coastal Commission.

The City Council hereby directs staff to submit a copy of this Ordinance to the Commission per Title 14, California Code of Regulations Section 13544.5(a).

Section 7. Certification.

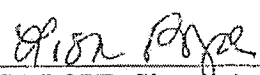
The City Clerk shall certify the adoption of this Ordinance.

PASSED, APPROVED AND ADOPTED this 14th day of November, 2011.



JOHN SIBERT, Mayor

ATTEST:



LISA POPE, City Clerk
(seal)

Date: 11.14.11

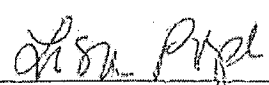
APPROVED AS TO FORM:



CHRISTI HUGIN, City Attorney

I CERTIFY THAT THE FOREGOING ORDINANCE NO. 362 was passed and adopted at the regular City Council meeting of November 14, 2011, by the following vote:

AYES: 5 Councilmembers: Conley Ulich, La Monte, Wagner, Rosenthal, Sibert
NOES: 0
ABSTAIN: 0
ABSENT: 0



LISA POPE, City Clerk
(seal)