

December 14, 2012; Agenda Item No. 5

Resolution No. 12-69

RESOLUTION OF THE SANTA MONICA MOUNTAINS CONSERVANCY FINDING NECESSITY FOR A
SPECIAL MEETING UNDER GOVERNMENT CODE SECTION 11125.4

WHEREAS, The Bagley-Keene Act (Government Code 11120 et seq.) generally requires 10 days' notice before state bodies such as the Santa Monica Mountains Conservancy may hold meetings;

WHEREAS, the City of Malibu has communicated a litigation settlement demand to the Santa Monica Mountains Conservancy that, if accepted, would require submission of a stipulation to the court no later than December 19, 2012;

WHEREAS, the City of Malibu communicated this settlement demand the evening of December 10, 2012;

WHEREAS, the settlement demand deserves the Conservancy's consideration;

WHEREAS, the settlement demand would effectively expire if the Conservancy waited 10 days after notice of a meeting to consider the demand;

WHEREAS, Government Code section 11124.5 provides for special meetings on 48-hours notice to consider pending litigation where compliance with the 10-day notice provisions of Government Code section 11125 would impose a substantial hardship on the state body.

Now Therefore Be It Resolved that the Santa Monica Mountains Conservancy hereby:

1. FINDS that it must meet on fewer than 10 days notice to consider the City of Malibu's settlement demand.
2. FINDS that the delay necessitated by providing 10 days notice of a meeting as otherwise required under Government Code Section 11125 would cause a substantial hardship on the Conservancy because it would be unable to consider the City of Malibu's settlement demand.
3. ADOPTS all the preceding preamble clauses.

~ *End of Resolution* ~

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I HEREBY CERTIFY that the foregoing resolution was adopted at a telephonic meeting of the Santa Monica Mountains Conservancy, duly noticed and held according to law, on the 14th day of December, 2012 at locations in Sacramento, Los Angeles, Calabasas, and Thousand Oaks, California, and Astoria, Oregon. Executed in _____, California.

Dated:

Executive Director