

Attachment No. 3. **Draft Resolution.**

Resolution No. ____

Resolution: 1) Calling For an Election To)
Submit to The Voters of the County of)
Monterey The Question of Limiting Oil and)
gas Drilling Operations; 2) Consolidating)
the election; 3) Approving the Ballot)
Question; and 4) Directing that the Auditor)
prepare a Fiscal Impact Statement)

This resolution is made with reference to the following facts and circumstances:

A. On February 23, 2016, the County Registrar of Voters received a proposed initiative to amend the County's General Plan, Local Coastal Program and Fort Ord Master Plan.

B. The purpose of the initiative as stated therein is to "protect Monterey County's water, agriculture, lands, air quality, scenic vistas, and quality of life by prohibiting the use of any land within the County's unincorporated area for well stimulation treatments, including, for example, hydraulic fracturing treatments (also known as "fracking") and acid well stimulation treatments. The Initiative also prohibits and phases out land uses in support of oil and gas wastewater (which the Initiative defines) disposal using injection wells or disposal ponds in the County's unincorporated area."

C. Consistent with State law, the following County Counsel prepared ballot title and summary were attached to the Initiative for signature gathering circulation:

Title:

Initiative to Prohibit Fracking and Oil and Natural Gas Well Stimulation Treatments, Prohibit Oil and Natural Gas Wastewater Injection and Impoundment, and Limit New Oil and Natural Gas Operations in Unincorporated Monterey County.

Summary:

An initiative to amend the Monterey County General Plan, Local Coastal Program Plans, and Fort Ord Master Plan to: (1) prohibit the use of land within the County's unincorporated (non-city) areas for hydraulic fracturing treatments ("fracking"), acid well stimulation treatments, and other well stimulation treatments; (2) prohibit new and phase out existing land uses that utilize oil and gas wastewater injection and impoundment; and, (3) prohibit the drilling of new oil and gas wells in the County's unincorporated areas. The initiative does not otherwise affect existing oil and gas wells and operations in the unincorporated County, and does not apply to offshore oil and gas operations.

D. On June 1, 2016, the Board of Supervisors received the Registrar of Voters' certification under Elections Code section 9118 that the Initiative received the requisite number

of signatures to qualify the measure for adoption, placement on the ballot or preparation of impact reports.

E. On June 1, 2016, the Board voted to place the Initiative measure on the November 2016 election ballot.

F. The State of California is holding a statewide general election on November 8, 2016.

G. The Board of Supervisors is authorized by Sections 10400-10401 of the California Elections Code to consolidate two or more elections which are called to be held on the same day in the same territory;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Call for Election. The Board of Supervisors hereby orders an election to be held on November 8, 2016 within the boundaries of Monterey County to submit to the voters of the County the following question:

Oil and Gas Drilling Operations Initiative	
<i>Shall an initiative amending the Monterey County General Plan, Local Coastal Program, and Fort Ord Master Plan to: (1) prohibit the use of land within the County's unincorporated (non-city) areas for hydraulic fracturing treatments ('fracking'), acid well stimulation treatments, and other well stimulation treatments; (2) prohibit new and phase out existing land uses that utilize oil and gas wastewater injection and impoundment; and, (3) prohibit the drilling of new oil and gas wells in the County's unincorporated areas be adopted?</i>	YES NO

2. Consolidation of Elections. Pursuant to Sections 10400-10401 of the Elections Code, the Board of Supervisors hereby orders the consolidation of the election on the above stated question with the statewide general election called for November 8, 2016.

3. Conduct of Election. The Clerk of the Board of Supervisors and the Registrar of Voters are hereby directed to take all steps to hold the election in accordance with law and these specifications, and the Registrar of Voters shall render all services specified by the Elections Code relating to the election.

3. The Board of Supervisors hereby directs the County Auditor-Controller under Elections Code section 9160(c) to review the measure and determine whether the substance thereof, if adopted, would affect the revenues or expenditures of the county. In addition, the Auditor-Controller is directed to prepare a Fiscal Impact Statement estimating the increase or decrease in revenues or costs to the County.

4. The County Registrar of Voters shall include in the voter guide the Auditor-Controller's Fiscal Impact Statement.

5. Effective Date. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this _____ day of _____, 2016, upon motion of Supervisor _____, seconded by Supervisor _____, and carried by the following vote, to wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book _____ for the meeting on _____.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
, Deputy