



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: 17-0071 **Name:** Measure Z, status, litigation and implementation
Type: General Agenda Item **Status:** Filed
File created: 1/17/2017 **In control:** Board of Supervisors
On agenda: 1/24/2017 **Final action:** 1/24/2017
Title: Measure Z Status, Litigation and Implementation.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Petition as circulated.pdf, 3. Aera-PetWritMandate&Complaint.pdf, 4. Chevron-AmendPetWritMandamus&Complaint.pdf, 5. Notice of Order and Stay.pdf, 6. REVISED Joint Stip and Order and Stay.pdf, 7. Completed Board Order

Date	Ver.	Action By	Action	Result
1/24/2017	1	Board of Supervisors	received and filed	Pass

Measure Z Status, Litigation and Implementation.

RECOMMENDATION:

It is recommended that the Board of Supervisors:
Hear a presentation on Measure Z.

SUMMARY:

Measure Z is a citizens' sponsored initiative to ban and limit oil extraction operations in Monterey County.

DISCUSSION:

On February 23, 2016, a proposed ballot measure captioned "Protect Our Water: Ban fracking and Limit Risky Oil Operations Initiative" was filed with the Monterey County Registrar of Voters. Eventually, the Initiative qualified for the November 2016 election ballot as "Measure Z" and received sufficient "yes" votes to pass. (Measure Z as circulated attached).

After the November election, two lawsuits were filed challenging the legality of Measure Z. (Copies attached). Since passage, many questions have arisen, including: What is the meaning of Measure Z? Is it legal? How and when would Z be implemented? What is the impact of litigation? Why was a "stay" entered? What does a "stay" mean? And, what is the impact of a "stay?" (Copy of Stay attached).

Measure Z, the litigation and the many associated questions are complex. An open session presentation will attempt to explain Measure Z and the litigation, answer several Measure Z questions and provide a status report.

FINANCING:

Litigation costs are anticipated to be large. However, there are no costs associated with this report.

Prepared by:

Approved by:

Charles J. McKee
County Counsel

Charles J. McKee
County Counsel

Dated: January 17, 2017

Dated: January 17, 2017

Attachments:

Measure Z

Aera v. County of Monterey

Chevron v. County of Monterey

Stipulation & Stay of Measure Z