



CITY COUNCIL AGENDA ITEM NO. F.3
08/08/2023

SUBJECT: Continuance of a public hearing for the consideration of ordinances enacting a permanent ban on all oil and gas development operations in the City, and more stringent regulatory control measures for existing oil and gas development in the City.

DEPARTMENT: Community Development

STAFF: Alexis Morris, Director of Community Development
Erik Nolthenius, Planning Manager

TITLE/RECOMMENDATION

It is requested that the Council continue the public hearing on the ordinances to September 12, 2023, to allow staff and the City's legal counsel an opportunity to analyze the effect on the proposed ordinances of the recently decided California Supreme Court decision in Chevron U.S.A. Inc. et.al. v. County of Monterey (Chevron).

FISCAL IMPACT

There is no fiscal impact associated with continuing the public hearing to a date certain.

BACKGROUND

A public hearing on two ordinances pertaining to a permanent ban on oil and gas development operations in the City and more stringent regulatory control measures for existing oil and gas development in the City was scheduled for this evening.

On August 3, 2023, the day that the August 8, 2023 City Council agenda was published, the California Supreme Court issued a decision in Chevron. As the case involves a ban on the drilling of new oil and gas wells, staff and the City's legal counsel need time to analyze it and determine the decision's impact on the proposed ordinances. It is therefore requested that the City Council continue the public hearing to September 12, 2023.



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It should be noted that the planned analysis may result in revisions to the noticed ordinances. Depending on the magnitude of any revisions, it may be necessary to publish new public hearing notices and return them first to the Planning Commissions for consideration before City Council action. Should that occur, a further continuance of the public hearing will likely be required.

CITY COUNCIL STRATEGIC INITIATIVE

Not Applicable.

PREVIOUS ACTION

Previous Action by the City Council is included on Attachment 1.

DATE OF NOTICE

The City published a notice of public hearing in the Brentwood Press on July 28, 2023.

ENVIRONMENTAL DETERMINATION

There is no environmental determination needed for his continuance.

ATTACHMENT(S)

1. Previous Action