

MOTION

On October 15th, 2019, the Energy, Climate Change and Environmental Justice Committee considered a report from the Office of Petroleum and Natural Gas Administration and Safety (Petroleum Administrator) regarding City land use provisions concerning oil/gas well and drill sites and their impact on local communities (CF# 17-0447).

The report was in response to a Council action instructing the Petroleum Administrator to review these sites and determine the feasibility of amending land use codes to establish setback requirements protective of sensitive land uses; and other elements protective of public health and welfare.

The Petroleum Administrator's report provided various steps and recommendations which the Council could pursue to implement these changes.

The Committee requested the City Attorney to provide the Council with a legal analysis of the Petroleum Administrator's proposed recommendations and their potential impact if the City implements them. In this manner, the Council can be fully apprised of all elements associated with this matter.

I THEREFORE MOVE that the City Attorney be requested to provide the Council a legal analysis of the Petroleum Administrator's proposed recommendations outlined in its July 29, 2019 report entitled *Feasibility of Amending Current City Land Use Codes in Connection with Health Impacts and Oil and Gas Wells and Drill Sites* (CF# 17-0447), including an opinion of financial considerations expressed in the report, and an analysis of risks and exposures, as well as due process considerations for setback requirements as recommended in the report or at other distances.

Co-presented
Theresa J. Warren

PRESENTED BY:

Nury Martinez
NURY MARTINEZ
Councilwoman, 6th District

SECONDED BY:

Joe R...

ORIGINAL

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OCT 03 2019