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RESOLUTION NO. 14-6926

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION ON TUESDAY, MARCH 3, 2015, FOR SUBMISSION OF AN ORDINANCE TO THE ELECTORATE RELATING TO A PROPOSED OIL AND GAS DRILLING AND PRODUCTION PROJECT PROPOSED BY E&B NATURAL RESOURCES MANAGEMENT CORPORATION FOR THE CITY MAINTENANCE YARD AT 555 SIXTH STREET

WHEREAS, the Settlement Agreement between the City and E&B Natural Resources Management Corporation (“E&B”) requires the City Council to submit to the voters at a special election the question whether to amend the Hermosa Beach Municipal Code to allow E&B’s oil and gas drilling and production project to proceed at the City maintenance yard located at 555 Sixth Street and to approve a development agreement that would afford E&B a vested right to proceed with its project.

WHEREAS, the Agreement to Implement the Settlement Agreement entered into between the City and E&B on July 23, 2014 calls for the special election to take place on March 3, 2015.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to general law cities, including but not limited to Elections Code Section 9222, there is called and ordered to be held in the City of Hermosa Beach, California, on Tuesday, March 3, 2015, a Special Municipal Election for the purpose of submitting to the voters the following ordinance:

Shall E&B Corporation’s 34-well oil and gas drilling/production project at the City’s 555 Sixth Street maintenance yard be approved by 1) amending the General Plan and Municipal Code to exempt the project from the City’s oil drilling ban and repeal the restriction on City’s use of project royalties, 2) awarding a pipeline franchise to transport oil/gas underground, 3) approving a 34-year development agreement, and 4) determining that project financial benefits outweigh its unavoidable environmental impacts?	YES
	NO

1 **SECTION 2.** That the proposed complete text of the Ordinance submitted to the voters is
2 attached as Exhibit A.

3 **SECTION 3.** That the vote requirement for the measure to pass is a majority (50% + 1) of
4 the votes cast.

5 **SECTION 4.** That the ballots to be used at the election shall be in form and content as
6 required by law.

7 **SECTION 5.** That the City Clerk is authorized, instructed and directed to procure and
8 furnish any and all official ballots, notices, printed matter and all supplies, equipment and
9 paraphernalia that may be necessary in order to properly and lawfully conduct the election.

10 **SECTION 6.** That the polls shall be open at seven o'clock a.m. (7 a.m.) of the day of the
11 election and shall remain open continuously from that time until eight o'clock p.m. (8 p.m.) of the
12 same day when the polls shall be closed, pursuant to Election Code Section 10242, except as
13 provided in Section 14401 of the Elections Code of the State of California.

14 **SECTION 7.** That pursuant to Election Code Section 12310, a stipend for services for the
15 persons named as precinct board members is fixed at the sum of \$100 for each inspector and \$80
16 for each clerk for the election. In addition, the sum of \$25 will be given to each precinct board
17 member to attend a training class and the sum of \$50 will be given to each inspector to pick up the
18 precinct supplies. The rental for each polling place, where a charge is made, shall be the sum of
19 \$25 for the election. When required, the compensation of the Custodian of a building shall be \$30
for the election.

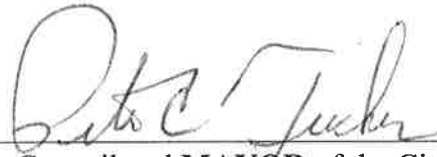
20 **SECTION 8.** That in all particulars not recited in this resolution, the election shall be held
21 and conducted as provided by law for holding municipal elections.

22 **SECTION 9.** That notice of the time and place of holding the election is given and the
23 City Clerk is authorized, instructed and directed to give further or additional notice of the election,
24 in time, form and manner as required by law.

25 **SECTION 10.** That the City Council authorizes the City Clerk to administer said election
26 and all reasonable and actual election expenses shall be paid by the City upon presentation of a
27 properly submitted bill, of which up to \$50,000 shall be reimbursed by E&B to the City pursuant
28 to the Settlement Agreement.

1 **SECTION 11.** That the City Clerk shall certify to the passage and adoption of this
2 Resolution and enter it into the book of original Resolutions, and shall make minutes of the
3 passage and adoption thereof in the records of the proceedings of the City Council at which the
4 same is passed and adopted.
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8 **PASSED, APPROVED and ADOPTED** this 13th day of November, 2014.

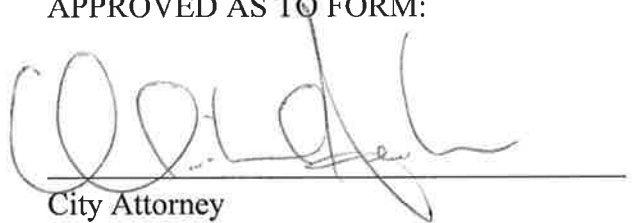
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12 _____
13 **PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

14 ATTEST:

15 APPROVED AS TO FORM:

16 
17 _____
18 City Clerk

19 
20 _____
21 City Attorney

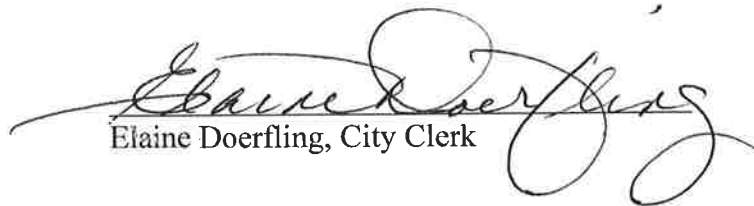
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF HERMOSA BEACH)

I, Elaine Doerfling, City Clerk of the City of Hermosa Beach, California, do hereby certify that the foregoing Resolution No. 14-6926 was duly and regularly passed, approved and adopted by the City Council of the City of Hermosa Beach at a Regular Meeting of said Council at the regular place thereof on November 13, 2014.

The vote was as follows:

AYES: DiVirgilio, Petty, Mayor Tucker
NOES: Barragan, Fangary
ABSENT: None
ABSTAIN: None

Dated: November 14, 2014


Elaine Doerfling, City Clerk