

RESOLUTION NO. 22-64

A RESOLUTION OF THE SOUTH EL MONTE CITY COUNCIL AUTHORIZING THE DRAFTING OF DIRECT ARGUMENTS, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENT(S), AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS, REGARDING A CITIZEN INITIATIVE TO ALLOW CERTAIN CANNABIS BUSINESSES WITHIN THE CITY, TO ESTABLISH AN EXCISE TAX ON THE RETAIL SALE OF CANNABIS AND EDIBLES, AND TO REGULATE PERSONAL CANNABIS USE, SUBMITTED AT THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 8, 2022

WHEREAS, a citizen sponsored initiative entitled “AN INITIATIVE MEASURE TO PERMIT AND REGULATE CANNABIS DISPENSARIES, CULTIVATION, TESTING, AND MANUFACTURING/DISTRIBUTION OF CANNABIS PRODUCTS BY INDIVIDUALS WHO ARE AT LEAST 21 YEARS OF AGE, AND COMMERCIAL SALES OF CANNABIS BY STATE-LICENSED RETAILERS IN THE CITY OF SOUTH EL MONTE; TO IMPOSE A 6% EXCISE SPECIAL TAX ON RETAIL SALES OF CANNABIS AND EDIBLES; AND TO REGULATE PURCHASE, POSSESSION, AND USE OF CANNABIS AND CANNABIS PRODUCTS FOR PERSONAL CONSUMPTION” (the “Measure”) was filed with the City Clerk for the City of South El Monte on April 14, 2020; and

WHEREAS, on December 8, 2020, the City’s Elections Official certified to the City Council of the City of South El Monte that the Measure contains the sufficient number of valid signatures pursuant to Elections Code 9215 and 9114; and

WHEREAS, Elections Code Section 9215 provides that the City Council has the following options in relation to the Measure: request a report on the proposed ordinance, submit the proposed ordinance to the voters at an election, or adopt the proposed ordinance without alteration; and

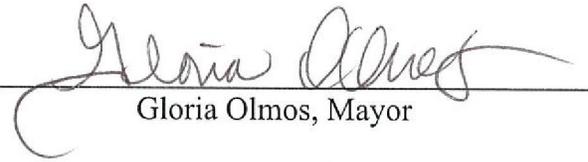
WHEREAS, the City Council directed that the Measure be submitted to the voters at the November 8, 2022, General Municipal Election; and

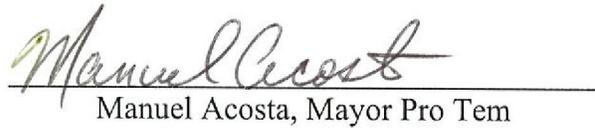
WHEREAS, therefore, a General Municipal Election is to be held in the City of South El Monte, California, on November 8, 2022, at which the Measure will be submitted to the voters; and

WHEREAS, the City Council now wishes to authorize City Councilmembers to prepare written arguments for the Measure.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH EL MONTE, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That pursuant to Election Code §§ 9282 and 9287, the City Council hereby authorizes the following councilmembers to prepare a written argument for the foregoing measure:


Gloria Olmos, Mayor


Manuel Acosta, Mayor Pro Tem

Section 2. That in the event that more than one argument for or against the foregoing voter initiative is timely submitted, the City Council's duly appointed elections official shall give preference and priority first, to arguments submitted by a member of the City Council, as authorized by this Resolution, and second, to individual voters, bona fide associations, or a combination thereof, in the order set forth at California Elections Code § 9287.

Section 3. That in accordance with the requirements of Division 9, Chapter 3, Article 4 of the California Elections Code, all written arguments for or against the foregoing voter initiative: (1) shall not exceed three hundred (300) words in length; (2) shall be filed with the City's elections official; (3) shall be accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of the principal officers who is the author of the argument; and (4) shall be accompanied by the Form of Statement to be Filed by Author(s) of Argument as provided for in California Elections Code § 9600. **All written arguments may be changed or withdrawn until and including the date fixed by the City's elections official, after which time no arguments for or against the foregoing measure may be submitted to the elections official.**

Section 4. That the City Council hereby directs the City's elections official to transmit a copy of the foregoing measure to the City Attorney. In accordance with California Elections Code § 9280, the City Attorney is hereby directed to prepare an impartial analysis of the measure, not to exceed five hundred (500) words in length, showing the effect of the measure on the existing law and the operation of the measure. The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the city. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-point bold type, a legend substantially as follows: "The above statement is an impartial analysis of Ordinance or Measure _____. If you desire a copy of the ordinance or measure, please call the elections official's office at (insert telephone number) and a copy will be mailed at no cost to you." **The impartial analysis shall be filed by the date set by the City's elections official for the filing of primary arguments.**

Section 5. That the City's elections official shall cause the City Attorney's Impartial Analysis, and duly selected arguments, to be printed and distributed to voters in accordance with State law regarding same.

Section 6. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions. This Resolution shall be effective immediately upon passage and adoption.

