

RESOLUTION NO. 22-65

A RESOLUTION OF THE SOUTH EL MONTE CITY COUNCIL PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS REGARDING A CITIZEN INITIATIVE TO ALLOW CANNABIS BUSINESSES WITHIN THE CITY, TO ESTABLISH AN EXCISE TAX ON THE RETAIL SALE OF CANNABIS AND EDIBLES, AND 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 Sections 9215 and 9114; and

**WHEREAS**, Elections Code Section 9214 provides that the City Council is required to either 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**, a General Municipal Election is to be held in the City of South El Monte, California, on November 8, 2022, at which there will be submitted to the voters a voter initiative to permit and regulate cannabis businesses and personal use within the City, and impose an excise tax upon the retail sale of cannabis and edibles; and

**WHEREAS**, California Elections Code Section 9285 authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments regarding city measures submitted at municipal election;

**WHEREAS**, the City Council now wishes to provide for the filing of rebuttal arguments for the Measure.

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

**Section 1.** That pursuant to Elections Code Section 9285, when the City’s elections official has selected the arguments for and against the foregoing measure which will be printed and distributed to the voters, the City’s elections official shall send copies of the argument in favor

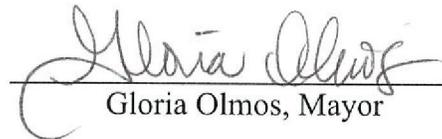
of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The author or a majority of the authors of an argument relating to the foregoing city measure may prepare and submit a rebuttal argument not to exceed two hundred and fifty (250) words in length. A rebuttal argument may not be signed by more than five (5) authors. The rebuttal arguments shall be filed with the City Clerk not more than ten (10) days after the final date for filing direct arguments. The rebuttal arguments shall be accompanied by the Form of Statement to be Filed by Author(s) of Argument as provided for in California Elections Code § 9600. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

**Section 2.** That all previous resolutions providing for the filing of rebuttal arguments for city measures are repealed.

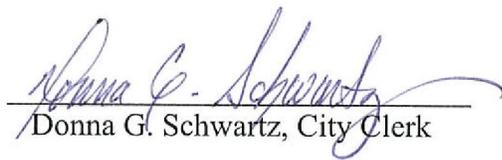
**Section 3.** That the provisions of Section 1 of this Resolution shall apply only to the General Municipal Election to be held on November 8, 2022 and shall then be repealed.

**Section 4.** 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.

PASSED, APPROVED AND ADOPTED this 26th day of July 2022.

  
Gloria Olmos, Mayor

ATTEST:

  
Donna G. Schwartz, City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF SOUTH EL MONTE     )

I, Donna G. Schwartz, City Clerk of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 22-65, was passed and approved by the City Council of the City of South El Monte, at a regular meeting of said Council held on the 26<sup>th</sup> day of July, 2022, and that said Resolution was adopted by the following vote:

AYES:            Councilmember(s): Angel, Delgado, Retamoza, Mayor Pro Tem Acosta, and Mayor Olmos

NOES:           None

  
Donna G. Schwartz, City Clerk