

RESOLUTION NO. 22-70

A RESOLUTION OF THE SOUTH EL MONTE CITY COUNCIL PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS REGARDING A CITY PROPOSITION TO ENACT AN ORDINANCE TO PERMIT/REGULATE COMMERCIAL CANNABIS RETAILER OPERATIONS AND IMPOSE A GENERAL TAX ON ALL COMMERCIAL CANNABIS OPERATIONS, SUBMITTED AT THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 8, 2022

WHEREAS, pursuant to California Elections Code Section 9222 and Government Code Sections 53720 *et seq.*, the City Council approved and called an election for the purpose of submitting to the voters a City proposition to enact an ordinance entitled “ORDINANCE NO. 1260, AN ORDINANCE (“ORDINANCE”) OF THE PEOPLE OF THE CITY OF SOUTH EL MONTE, CALIFORNIA, AMENDING CHAPTER 5.26 (CANNABIS ACTIVITIES) OF TITLE 5 OF THE SOUTH EL MONTE MUNICIPAL CODE TO ONLY PERMIT CANNABIS COMMERCIAL OPERATIONS THAT INVOLVE THE ACTIVITY OF RETAILER (MEDICAL/ADULT USE); REPEALING CHAPTER 17.31 OF TITLE 17 OF THE SOUTH EL MONTE MUNICIPAL CODE, RELATING TO CANNABIS ACTIVITY PROHIBITIONS; AMENDING SOUTH EL MONTE MUNICIPAL CODE SECTIONS 17.14.030, 17.16.030, AND 17.18.030(O), RELATING TO PERMITTED USES IN THE COMMERCIAL (C), COMMERCIAL-MANUFACTURING (C-M), AND MANUFACTURING (M) ZONES; ADDING SECTION 9.08.045 TO CHAPTER 9.08 OF TITLE 9 OF THE SOUTH EL MONTE MUNICIPAL CODE; AMENDING SOUTH EL MONTE MUNICIPAL CODE SECTION 5.04.045, RELATING TO BUSINESS LICENSE REQUIREMENTS FOR COMMERCIAL CANNABIS RETAILERS; AND APPROVING A GENERAL CANNABIS BUSINESS TAX BY ADDING CHAPTER 3.40 (CANNABIS BUSINESS TAX) TO TITLE 3 OF THE SOUTH EL MONTE MUNICIPAL CODE” (the “Measure”) at the November 8, 2022, General Municipal Election, and requested that the General Municipal Election be consolidated with the Statewide General Election to be held on that date; 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, 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; and

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 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 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.

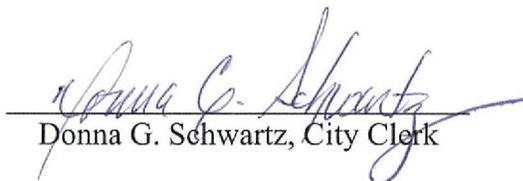
Section 2. That the provisions of Section 1 of this Resolution shall apply only to the General Municipal Election to be held on November 8, 2022, and shall then be repealed.

Section 3. 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 2nd day of August, 2022.


Gloria Olmos, Mayor

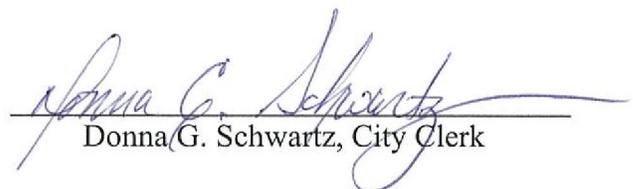
ATTEST:


Donna G. Schwartz, City Clerk

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

I, Donna Schwartz, City Clerk of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 22-70, was passed and approved by the City Council of the City of South El Monte, at a special meeting of said Council held on August 2, 2022 and that said Resolution was adopted by the following vote:

AYES: Councilmember(s): Angel, Delgado, Mayor Pro Tem Acosta, and Mayor Olmos
NOES: None
ABSENT: Councilmember(s): Retamoza


Donna G. Schwartz, City Clerk