

RESOLUTION NO. 3711

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA
ORDERING AN ELECTION, REQUESTING CONSOLIDATION OF ELECTION AND
DETERMINING PAYMENT FOR CANDIDATE'S STATEMENTS, AND FOR
APPOINTMENT TO OFFICE IF NO ONE OR ONLY ONE PERSON IS NOMINATED**

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any city or district may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city or district relating to the conduct of an election; and

WHEREAS, the resolution of the governing body of the city or district shall specify the services requested; and

WHEREAS, pursuant to Elections Code Section 10002, the city or district shall reimburse the county in full for the services performed upon presentation of a bill to the city or district; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10400, such election for cities and special districts may be either completely or partially consolidated; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation; and

WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, various district, county, state and other political subdivision elections may be or have been called to be held on November 8, 2016;

WHEREAS, the city desires to adopt a marijuana facility tax, subject to voter approval;

WHEREAS, the city desires to allow, regulate and tax a single marijuana dispensary, subject to voter approval; and

RECEIVED

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COUNTY CLERK

WHEREAS, the City Council of the City of Coalinga has determined that each candidate for elective office who submits a statement to be sent to the voters with the sample ballot shall be charged a sum not greater than the actual prorated cost of printing, handling and translating the candidate's statement, if any incurred by the agency as a result of providing this service.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Coalinga hereby orders an election be called and consolidated with any and all elections also called to be held on November 8, 2016 insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the City of Coalinga and staff requests the Board of Supervisors of the County of Fresno to order such consolidation under Elections Code Section 10401 and 10403.

BE IT FURTHER RESOLVED, that said City Council hereby requests the Board of Supervisors to permit the Fresno County Elections Department to provide any and all services necessary for conducting the election, including publications and agrees to pay for said services, and

BE IT FURTHER RESOLVED, that the Fresno County Elections Department conducts the election at large for the following offices on the November 8, 2016 ballot:

2 Vacancies	City Council	4-year term	to expire 11/30/2020
2 Vacancies	City Clerk/City Treasurer	4-year term	to expire 12/01/2020

BE IT FURTHER RESOLVED, that the candidate shall, if he/she elects to submit a statement to be included with the sample ballot and sent to the registered voters, pay all costs associated with said election statement; Pursuant to Elections Code Section 13307, the City will accept the County's estimated cost for the candidate's statement. The candidate will pay the County directly for the cost of the candidate statement. The candidate is required to make an estimated pre-payment to the County at the time the candidate files the nomination papers; and

BE IT FURTHER RESOLVED that if there is the same or an insufficient number of nominees, the City Council of the City of Coalinga hereby elects to fill the office by appointment. If any city measure is on the ballot, the election is held regardless; and

BE IT FURTHER RESOLVED that the Fresno County Elections Department shall conduct the election for the following MEASURES, with letters to be assigned by the County Clerk, to be voted on at the November 8, 2016 election:

① * Measure ____ "Shall an ordinance implementing an annual tax of twenty-five (\$25.00) per square foot for the first 3,000 square feet and then ten dollars (\$10.00) per square foot for the remaining space utilized in connection with each commercial marijuana operation, for the purpose of raising revenue to fund general municipal services, be adopted?"

Yes _____ No _____

② * Measure ____ "Shall an ordinance amending the Coalinga Municipal Code to authorize, regulate and tax at a rate of 10% of gross receipts a single marijuana dispensary in the City of Coalinga be adopted?"

Yes _____ No _____”

BE IT FURTHER RESOLVED AND ORDERED that the Fresno County elections Department is requested to print the measure texts exactly as filed or indicated on the filed document in the Voter’s Information Pamphlet section of the Sample Ballot for the November 8, 2016 election. Cost of printing and distribution of the measures’ text will be paid for by the city.

* * * *

The foregoing resolution was approved and adopted at a special meeting of the City Council of the City of Coalinga held on the 23rd day of June, 2016, by the following vote:

AYES: Lander, Vosburg, Raine, Keough, Ramsey

NOES: None

ABSTAIN: None

ABSENT: None

Mayor of the City of Coalinga

ATTEST:

City Clerk