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AUG 10 2016

RESOLUTION NO. 3726

COUNTY CLERK  
REGISTRAR OF VOTERS  
ADMINISTRATION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
COALINGA SUBMITTING TO THE VOTERS THE QUESTION OF  
AUTHORIZING TAXES ON COMMERCIAL MARIJUANA  
OPERATIONS**

2016 AUG 10 AM 10:45:04

WHEREAS, the City of Coalinga has experienced, and continues to face, a dramatic critical decline in revenues and has reached a point where cutting expenses will not allow the City to ease the structural deficit without further cutting essential City services; and

WHEREAS, For the public health, safety, and welfare of the residents and businesses of Coalinga, the City Council finds that it is necessary to restore and meet recommended city service levels, restore deferred capital funds, and meet currently identified capital needs; and

WHEREAS, the City Council further finds that taxes on commercial marijuana operations within the City is the best way to raise the necessary revenue to address the City's service and capital funding needs, and seeks voter approval for the taxes; and

WHEREAS, the City Council introduced Ordinance No. 789 to impose taxes on marijuana commercial marijuana operations, subject to a majority voter approval, as required by Cal. Const., art. XIII § 29; and authorized by Government Code § 37100, et seq.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That a municipal election is hereby called and ordered to be held in the City on November 8, 2016, at which election there shall be submitted to the qualified voters the measure set forth below.
2. That said measure shall appear on the ballot in the following form:

**MEASURE \_\_\_\_**

**SHALL THE CITY OF COALINGA IMPLEMENT 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, AS SET FORTH IN ORDINANCE NO. 789**

3. A copy of the full text of Ordinance No. 788 will be mailed at no cost to the voters by contacting Shannon Jensen, Deputy City Clerk at (559) 935-1533.
4. The measure shall be submitted to the voters of Coalinga as required by State Statute and Amendments to the California constitution approved by the voters of California in 1986 as Proposition 62 and in 1996 as Proposition 218.

5. Ordinance No. 788 shall be deemed ratified and term limits shall be imposed on the members of the Coalinga City Council if more than fifty percent (50%) of the qualified voters voting on the measure vote in favor thereof.

6. The polls for said election shall be open on the day of said election in accordance with the California Elections Code.

7. The municipal election hereby called for November 8, 2016, shall be and is hereby ordered consolidated with the General Election to be held within the City on said date, and within the territory affected by the consolidation. The election shall be held and conducted, election officers appointed, voting precincts designated, ballots printed, polls opened and closed, ballots counted and returned, returns canvassed, results declared, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating the election as specified herein. The Board of Supervisors of Fresno County and the Fresno County Clerk, Elections Division, are hereby requested to order the consolidation of the municipal election hereby called with the general election to be held within the City on said date, and within the territory affected by the consolidation, and the Board and the Elections Division are hereby authorized to canvass the returns of said municipal election, and said municipal election shall be held in all respects as if there were only one election and the form of ballot shall be as provided for the general election. Said Board shall certify the results of the canvass of the returns of said municipal election to the City Council which shall thereafter declare the results thereof. The measure submitted by this Resolution shall be designated on each ballot by a letter printed on the left margin of the square containing the description of the measure as provided by the California Elections Code.

8. All persons qualified to vote at municipal elections in the City upon the date of the election herein provided shall be qualified to vote upon the measure submitted at said election.

9. Ballots for the election shall be provided in the form and in the number provided by law. On said ballots, in addition to any other printed matter which may be required by law, two voting squares shall be set off to the right of the measure submitted at the election, one having the word "Yes" printed before it, and the other having the word "No" printed before it.

10. Each voter to vote for the measure shall stamp or write an "X," or indicate by hole punch, or other means, in the blank space opposite the word "Yes" on the ballot to the right of the proposition, and each voter to vote against measure shall stamp or write an "X," or indicate by hole punch, or other means, in the blank space opposite the word "No" on the ballot to the right of the measure.

11. The City Clerk is hereby authorized and directed to publish this resolution as may be required by law and to transmit, for receipt no later than August 12, 2016, a certified copy of this resolution to the Fresno County Clerk, Elections Division, and to any other appropriate official of Fresno County.

12. The City Attorney is hereby authorized and directed to prepare an impartial analysis of the measure specified in this resolution and/as provided in Ordinance 788 showing the effect and operation of the measure. The analysis is to be submitted by the City Attorney to the Fresno County Clerk, Elections Division, or other appropriate official for printing as required by law. The analysis shall not exceed 500 words in length and shall otherwise comply in all respects with the applicable provisions of the California



Elections Code. The deadline for submittal of the analysis shall be as required by the Fresno County Clerk, Elections Division, or other appropriate County official.

13. For its approval and signature this Council hereby directs the City Manager and her staff to prepare and file a written argument for the measure to be submitted at said municipal election. Said written argument for the proposition shall not exceed 300 words in length. If any person submits an argument against said proposition, the City Manager and her staff shall prepare, for the approval and signature of the Council, a rebuttal argument not exceeding 250 words. The argument and rebuttal shall otherwise conform to and comply with all applicable provisions of the California Elections Code. The deadline for submittal of the arguments, in favor or in opposition, shall be as required by the Fresno County Clerk, Elections Division, or other appropriate County official.

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The foregoing Resolution was approved and adopted at a regular meeting of the City Council of the City of Coalinga held on the 4th day of August, 2016, by the following vote:

AYES: Vosburg, Keough, Raine, Ramsey

NOES: Lander

ABSTAIN: None

ABSENT: None

ATTEST:

City Clerk/Deputy City Clerk

APPROVED:

Ron Ramsey, Mayor