

RESOLUTION 2020-093

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AUTHORIZING WRITTEN ARGUMENT(S), SETTING PRIORITIES FOR FILING (A) WRITTEN ARGUMENT(S), AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS REGARDING A QUALIFIED BALLOT MEASURE, PROPOSED ORDINANCE 494.

WHEREAS, on November 28, 2018, the City Council unanimously authorized submitting the citizen initiative’s ballot measure for a proposed, to the voters regarding commercial cannabis (marijuana) retailers in non-residential zones and deliveries/cultivation in all zones at the November 3, 2020 General Municipal Election to be held in the City of Solana Beach, California.

WHEREAS, the following question will be submitted to the voters at the election:

Shall a proposed ordinance amending Solana Beach Municipal Code to Repeal Current Prohibitions Entirely and Allow Commercial Cannabis (Marijuana) Retailers in Non-Residential Zones and Marijuana Deliveries and Certain Cultivation in all Zones in the City of Solana Beach be adopted?	YES
	NO

WHEREAS, for measures placed on the ballot by petition, California Elections Code Section 9282(a) authorizes the persons filing the petition to submit an argument in favor of the ordinance and the legislative body to submit an argument against the ordinance; and

WHEREAS, California Elections Code Section 9287 provides guidance to the elections official regarding the selection of arguments when more than one argument *for* or more than one argument *against* is submitted within the time prescribed, with priority given to 1) the legislative body or members authorized by that body, 2) Bona fide sponsors or proponents of the measure, whether individual voters or groups 3) Bona fide associations of citizens, and 4) Individual voters who are eligible to vote on the measure; and

WHEREAS, California Elections Code Section 9280 authorizes the City Council to direct the City Attorney to prepare an impartial analysis of the measure, showing the effect of the measure on the existing law and the operation of the measure, qualifying for a placement on the ballot.

NOW, THEREFORE, the City Council of the City of Solana Beach, California, does resolve, declare, determine and order as follows:

SECTION 1. That the foregoing recitations are true and correct.

SECTION 2. That Ballot arguments shall be accepted for and against this measure in the manner required by law. The City Council authorizes any and all members of the City Council to file a written argument against the measure, authorizes the proponents to file an argument in favor of the measure, and hereby acknowledges its authority, and the authority of any individual voter who is eligible to vote on the measure, or bona fide association of citizens, or any combination of voters and associations, to submit a written argument, not exceeding 300 words, accompanied by the printed name(s) and signature(s) of the authors submitting it, in accordance with Article 4, Chapter 3, Division 9 of the California Elections Code.

The arguments shall be filed with the City Clerk, and shall include original signatures, the printed name(s) and signature(s) of the authors 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 its principal officers who is the author of the argument. The argument shall be accompanied by the Form of Statement to Be Filed by Author(s) of Argument as supplied by the City Clerk.

The arguments may be changed or withdrawn until and including the deadline date fixed by the City Clerk, in accordance with California Elections Code section 9286(b), after which no arguments for or against the measure may be submitted to the City Clerk.

SECTION 3. That the City Clerk is directed to transmit a copy of the proposed ordinance to the City Attorney. The City Attorney is directed to prepare an impartial analysis of the proposed ordinance, not exceeding 500 words, showing the effect of the measure on the existing law and the operation of the measure, pursuant to California Elections Code Section 9280. If the measure affects the organization or the salaries of the office of the City Attorney, then the City Clerk shall prepare the impartial analysis. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

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.

PASSED AND ADOPTED, this 24th day of June, 2020, at a regular meeting of the City Council of the city of Solana Beach, California by the following vote:

- AYES: Councilmembers – Edson, Hegenauer, Becker, Zito
- NOES: Councilmembers – Harless
- ABSTAIN: Councilmembers – None
- ABSENT: Councilmembers – None

JEWEL EDSON, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N.CANLAS, City Attorney

ANGELA IVEY, City Clerk



RESOLUTION CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } SS.
CITY OF SOLANA BEACH }

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of **Resolution 2020-093**, authorizing ballot measure Written Arguments and direct the City Attorney to prepare an impartial analysis, as duly passed and adopted at a Regular Solana Beach City Council meeting held on the 24th day of June, 2020. The original is on file in the City Clerk's Office.

ANGELA IVEY, CITY CLERK

CERTIFICATION DATE: _____, 2020