



CITY COUNCIL AGENDA REPORT

MEETING DATE: June 7, 2016

ITEM NUMBER: NB-2

SUBJECT: SUBMISSION TO THE VOTERS AT THE NOVEMBER 8, 2016 GENERAL MUNICIPAL ELECTION TWO PROPOSED ORDINANCES QUALIFIED BY VOTER INITIATIVE ALLOWING OPERATION OF LICENSED MEDICAL MARIJUANA BUSINESSES IN THE CITY OF COSTA MESA

DATE: May 27, 2016

FROM: Brenda Green, City Clerk
Tarquin Preziosi, Deputy City Attorney

PRESENTATION BY: Tarquin Preziosi, Deputy City Attorney

FOR FURTHER INFORMATION CONTACT: Brenda Green, City Clerk, 714-754-5221

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Resolution 2016-29: Calling and giving notice for the holding of a General Municipal election to be held on November 8, 2016 for the submission to the voters of a proposed ordinance entitled, "Allow Operation of up to Eight Medical Marijuana (Cannabis) Businesses in the City of Costa Mesa"; and
2. Adopt Resolution 2016-30: Calling and giving notice for the holding of a General Municipal election to be held on November 8, 2016 for the submission to the voters of a proposed ordinance entitled, "Allow Operation of up to Four Licensed Medical Marijuana Businesses in the City of Costa Mesa"; and
3. Adopt Resolution 2016-31: Requesting the Orange County Board of Supervisors to Consolidate a General Municipal election to be held on November 8, 2016, for the purpose of submitting to the voters of the City of Costa Mesa two questions relating to the adoption of proposed ordinances; and
4. Adopt Resolution 2016-32: Authorizing written arguments for or against the proposed ordinance to Allow Operation of up to Eight Medical Marijuana (Cannabis) Businesses in the City of Costa Mesa; setting priorities for filing written arguments, determining the authors of the written arguments, and directing the City Attorney to prepare an impartial analysis; and
5. Adopt Resolution 2016-33: Authorizing written arguments for or against the proposed ordinance to Allow Operation of up to Four Medical Marijuana Businesses in the City of Costa Mesa; setting priorities for filing written arguments, determining the authors of the written arguments, and directing the City Attorney to prepare an impartial analysis; and

6. Adopt Resolution 2016-34: Authorizing the filing of rebuttal arguments for City measures submitted at municipal elections.

BACKGROUND

Two initiative petitions each with the intent of authorizing the operation of medical marijuana businesses within the City of Costa Mesa, have qualified for placement on the November 8, 2016 ballot.

At the November 18, 2014 City Council meeting, City Council ordered a report pursuant to Election Code Section 9212 for two qualifying medical marijuana ballot initiatives, a report for a proposed City's Medical Marijuana Ordinance, and a report on the City of Santa Ana's Ordinance.

The City Council met on December 16, 2014 to discuss the report and approved June 7, 2016, as the date to agendize the resolutions to order the two initiatives to be placed on the November 8, 2016 ballot.

FISCAL IMPACT OF PLACING MEASURE ON BALLOT

The cost to place both initiatives on the November 2016 ballot is estimated at \$20,000.00, and is included in the Fiscal Year 2016-17 preliminary budget, Elections Consulting.

LEGAL REVIEW

The City Attorney's office has reviewed the report and approved as to form.

CONCLUSION

Adoption of the proposed Resolutions ensures compliance with the California Elections Code which mandates the process for placement of the initiative on the November 8, 2016 ballot.

BRENDA GREEN
City Clerk

TARQUIN PREZIOSI
Deputy City Attorney

RICHARD L. FRANCIS
Assistant Chief Executive Officer

Attachments:

1. [Resolution 2016-29](#)
2. [Resolution 2016-30](#)
3. [Resolution 2016-31](#)
4. [Resolution 2016-32](#)
5. [Resolution 2016-33](#)
6. [Resolution 2016-34](#)