

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA, CALIFORNIA, CALLING FOR AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF PASADENA, ON TUESDAY, JUNE 5, 2018, FOR THE SUBMISSION TO THE QUALIFIED VOTERS A PROPOSED ORDINANCE TO ALLOW A LIMITED NUMBER OF COMMERCIAL CANNABIS BUSINESSES TO OPERATE IN THE CITY SUBJECT TO BUSINESS, HEALTH, AND LAND USE REGULATIONS, AND FOR THE SUBMISSION TO THE QUALIFIED VOTERS A PROPOSED ORDINANCE TO IMPOSE A CANNABIS BUSINESS TAX**

WHEREAS, the City of Council of the City of Pasadena, California, desires to submit to the voters at a Special Municipal Election a proposed ordinance to allow a limited number of commercial cannabis businesses to operate in the City subject to business, health, and land use regulations; and

WHEREAS, the City of Council of the City of Pasadena, California, desires to submit to the voters at a Special Municipal Election a proposed ordinance to impose a cannabis business tax; and

WHEREAS, in accordance with article XIII C, Section 2(b) of the California Constitution, and Proposition 218, a declaration of fiscal emergency was unanimously approved by the City Council of the City of Pasadena, attached hereto as Exhibit "C" to this resolution, to submit a cannabis business tax at a Special Municipal Election to be held in the City of Pasadena on Tuesday, June 5, 2018; and

WHEREAS, pursuant to Pasadena City Charter Section 1206, the City Council is authorized to submit the proposed ordinances to the voters.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pasadena, California, as follows, that:

SECTION 1. Pursuant to the requirements of the Pasadena City Charter and the laws of the State of California, a Special Municipal Election is hereby called and ordered to be held in the City of Pasadena on Tuesday, June 5, 2018.

SECTION 2. At said election there shall be submitted to the qualified voters of said City, a proposed ordinance to allow a limited number of commercial cannabis businesses to operate in the City subject to business, health, and land use regulations.

SECTION 3. The text of said measure of the proposed ordinance to be submitted to the voters is attached hereto as Exhibit "A", and incorporated herein by this reference.

SECTION 4. The procedures for voting for and against said ordinance measure shall be those established by Los Angeles County and the question shall be printed in substantially the following form:

Shall an ordinance be adopted to allow a limited number of commercial cannabis businesses to operate in Pasadena, subject to business, health and land use regulations, and to repeal the City of Pasadena's current ban on commercial cannabis businesses, provided that: (1) the ordinance shall not take effect unless voters approve a Cannabis Business Tax, and (2) the City Council retains authority to amend existing ordinances and adopt future ordinances regarding commercial cannabis business activities?	YES	
	NO	

SECTION 5. Pursuant to the requirements of the Pasadena City Charter and the laws of the State of California, a Special Municipal Election is hereby called and ordered to be held in the City of Pasadena on Tuesday, June 5, 2018.

SECTION 6. At said election there shall be submitted to the qualified voters of said City, a proposed ordinance to impose a cannabis business tax.

SECTION 7. The text of said measure of the proposed ordinance to be submitted to the voters is attached hereto as Exhibit "B", and incorporated herein by this reference.

SECTION 8. The procedures for voting for and against said ordinance measure shall be those established by Los Angeles County and the question shall be printed in substantially the following form:

Shall the City tax cannabis (marijuana) businesses at annual rates not to exceed \$10.00 per canopy square foot for cultivation (adjustable for inflation), 6% of gross receipts for retail cannabis businesses, and 4% for all other cannabis businesses, to fund unrestricted general revenue purposes such as police, fire, roads and recreation; which is expected to generate an estimated \$1.4 to \$2.1 million annually and will be levied until repealed by the voters or City Council?	YES	
	NO	

SECTION 9. The ballots to be used at the election shall be in form and content as required by law.

SECTION 10. The polls shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, pursuant to California Elections Code, Section 10242, except as provided in California Elections Code, Section 14401.

SECTION 11. The vote requirement for passage of each ordinance measure shall be a majority of votes cast (50% plus 1) for each measure.

SECTION 12. The City of Pasadena agrees to reimburse the County for all expenses incurred for services requested by this resolution.

SECTION 13. In all particulars not recited in this resolution, the election hereby called shall be held and conducted as provided by law for holding municipal elections in said City.

SECTION 14. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

Adopted at the regular meeting of the City Council on the \_\_\_\_\_ day of February, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Mark Jomsky, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Theresa Fuentes  
Assistant City Attorney

**EXHIBIT A: PROPOSED ORDINANCE TO ALLOW A LIMITED NUMBER OF COMMERCIAL CANNABIS BUSINESSES TO OPERATE IN THE CITY, SUBJECT TO BUSINESS, HEALTH, AND LAND USE REGULATIONS (SEE AGENDA ITEM 24 FOR FULL TEXT OF ORDINANCE)**

**EXHIBIT B: PROPOSED ORDINANCE TO IMPOSE A CANNABIS BUSINESS TAX (SEE AGENDA ITEM 25 FOR FULL TEXT OF ORDINANCE)**

**EXHIBIT C: RESOLUTION DECLARING FISCAL EMERGENCY TO PLACE CANNABIS BUSINESS TAX ON JUNE 5, 2018 BALLOT (SEE AGENDA ITEM 25 FOR FULL TEXT OF RESOLUTION)**

**ORIGINAL AND FINAL VERSIONS OF EXHIBITS A, B, & C WILL BE ATTACHED TO THIS RESOLUTION UPON FINALIZATION AND APPROVAL OF THE CITY COUNCIL**