



I hereby certify, the foregoing instrument to be a full, true and correct copy of the original on file.

Date: 7/28/16 Attest: [Signature]
Office of the City Clerk

FILED

JUL 28 2016

BY [Signature] DEPUTY
REGISTRAR OF VOTERS

RESOLUTION NO. 16-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ADELANTO AMENDING RESOLUTION NO. 16-47 AND SUBMITTING AN ARGUMENT IN FAVOR OF THE CITY'S PROPOSITION TO AUTHORIZE IMPOSITION OF EXCISE TAXES ON COMMERCIAL MARIJUANA ACTIVITIES

WHEREAS, the City of Adelanto ("City") is holding a General Municipal Election to be consolidated with the statewide election on November 8, 2016 in accordance Adelanto Municipal Code section 1.15.010.

WHEREAS, City Council Resolution No. 16-47 ("Resolution 16-47") submits a measure to voters at the November 8, 2016 authorizing the imposition of excise taxes on commercial marijuana activities within the City.

WHEREAS, Elections Code section 9282 authorizes the City Council to file a written argument in favor of the commercial marijuana activity tax measure.

WHEREAS, the City Council retained the right to file an argument in favor of the City's commercial marijuana activity tax measure in Resolution 16-47.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ADELANTO RESOLVES AS FOLLOWS:

SECTION 1: The above recitals are true and correct and are incorporated herein.

SECTION 2: Pursuant to Elections Code section 13119(b), the City Council hereby amends Resolution 16-47, Section 2, to read as follows:

Pursuant to Elections Code sections 10201 and 9222, the City Council hereby submits the following proposition to the voters at the General Municipal Election on November 8, 2016:

Measure _____—Commercial Marijuana Activity Excise Tax	YES
Shall the Adelanto City Council be authorized to impose excise taxes, with no termination date, on each commercial marijuana activity business licensed or operating within the City of Adelanto in an amount of not more than five percent of the gross revenue attributable to that business's revenue earned from within the City of Adelanto, potentially generating millions of dollars annually in additional tax revenue for the City of Adelanto?	NO

SECTION 3: Pursuant to Elections Code section 9282(b) and City Council Resolution 16-47, section 6, the City Council hereby submits the following argument in favor of the measure for a Commercial Marijuana Activity Excise Tax:

**Argument In Favor Of Measure _____
Commercial Marijuana Activity Excise Tax**

Submitted by the City Council for the City of Adelanto

The City of Adelanto ("City") faces a significant budget deficit that threatens the viability of this great City. Despite every effort to cut costs and raise revenue, the City still faces deficits that undermine essential services and threaten the health and of safety of the People of Adelanto. The City is at a cross-roads and must find additional sources of revenue or risk facing the potentially severe consequences of municipal bankruptcy.

The State of California recently adopted the Medical Marijuana Regulation and Safety Act that authorizes and regulates commercial medical marijuana activities within the State. The Adelanto City Council has determined that the medical marijuana industry will generate a significant source of revenue that is taxable by the City.

As one of the first cities in the State to authorize and regulate commercial medical marijuana activities, the City of Adelanto is on the cutting edge of this industry. The City's own safeguards, coupled with State regulations, will create a safe and profitable environment for businesses in the medical marijuana industry to flourish. Consequently, the adoption of these taxes will provide the City with a significant and much needed source of tax revenue without having to tax the City's citizens directly.

In its ongoing efforts to address the City's budget deficits, the City Council unanimously supports these new taxes and respectfully requests that the People of Adelanto vote in favor of this measure.

This is not a tax on the People of Adelanto.

City Council of the City of Adelanto

Richard Kerr, Mayor

Jermaine Wright Sr., Mayor Pro Tem

Ed Camargo, Council Member

Charley B. Glasper, Council Member

John Woodard Jr., Council Member

SECTION 4: Pursuant to Elections Code section 9285, the City Council hereby authorizes Richard Kerr, Mayor for the City of Adelanto, to submit a rebuttal argument to any argument submitted against the measure for a commercial marijuana activity excise tax.

SECTION 5: All arguments submitted pursuant to this Resolution shall be submitted to the San Bernardino Elections Office of the Registrar of Voters in accordance with the Elections Code and other applicable laws.


SECTION 6: The City Council determines that this Resolution does not have the potential to have a physical effect on the environment. Therefore, pursuant to the California Environmental Quality Act ("CEQA") and its implementing regulations, this activity is not subject to CEQA. (Cal. Pub. Res. Code, § 21000 et seq.; 14 Cal. Code Regs., §§ 15060(c)(2), 15378(a).)

SECTION 7: If any section, subsection, or other provision of this Resolution is for any reason held to be invalid, unconstitutional, illegal, or unenforceable by any court of competent jurisdiction, or contravened by reason of any preemptive legislation, then such section or provision shall be severed and shall be inoperative, and the remainder of this Resolution shall remain in full force and effect.

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PASSED, APPROVED, AND ADOPTED by the City Council of the City of Adelanto on this 27^h day of July, 2016.


Richard Kerr, Mayor

Attest:


Cindy M. Herrera, MMC, City Clerk

Approved as to Form


Curtis R. Wright, City Attorney