

FILED

AUG 02 2018

BY  DEPUTY
REGISTRAR OF VOTERS

RESOLUTION NO. R-83-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON, CALIFORNIA, CALLING FOR THE PLACEMENT OF A GENERAL TAX MEASURE ON THE BALLOT AT THE NOVEMBER 6, 2018 GENERAL MUNICIPAL ELECTION FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF A PROPOSED ORDINANCE ESTABLISHING A TAX ON CANNABIS BUSINESSES OPERATING WITHIN THE CITY OF COLTON.

WHEREAS, pursuant to California Elections Code Section 9222, the City Council has authority to place measures on the ballot to be considered at a Municipal Election; and

WHEREAS, the City Council desires to submit to the voters an amendment to the Colton Municipal Code to establish a general business tax on cannabis business operating in the City; and

WHEREAS, the proposed cannabis business tax will be a general tax the proceeds of which are deposited into the City's general fund. The general fund pays for City services such as police protection, fire and paramedic services, street operations and maintenance, library services, parks and recreation services and general municipal services to the public; and

WHEREAS, on November 6, 1996, the voters of the State of California approved Proposition 218 (California Constitution, Article XIIC), an amendment to the State Constitution which requires that all general taxes which are imposed, extended or increased must be submitted to the electorate and approved by a majority vote of the qualified electors voting in the election; and

WHEREAS, pursuant to Proposition 218 (California Constitution Article XIIC, §2(b)), an election for the approval of a new or increased general tax must generally be consolidated with a regularly scheduled general election for members of the governing body of the local government; and

WHEREAS, pursuant to the Colton Municipal Code, §1.24.020, the City's regular municipal elections for officers are held on the first Tuesday after the first Monday in November of each even-numbered year. Therefore, the next regularly scheduled General Municipal Election for the election of members of the City Council will be held on Tuesday, November 6, 2018; and

WHEREAS, pursuant to Government Code §53724 ("Proposition 62"), a two-thirds (2/3) vote of the membership of the City Council is required to place the Measure on the November 8, 2016 ballot.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS

the existing law and the operation of the measure, and transmit such impartial analysis to the City Clerk not later than end of business on **August 20, 2018**. The impartial analysis shall include a statement indicating whether the Measure was placed on the ballot by a petition signed by the requisite number of voters or by the City Council. In the event the entire text of the Measure is not printed on the ballot, or in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-font bold type, the following: **“The above statement is an impartial analysis of Ordinance or Measure “___”. If you desire a copy of the ordinance or measure, please call the election official’s office at (909) 370-5001 and a copy will be mailed at no cost to you.”**

SECTION 7. Certification. The City Clerk shall certify to the adoption of this Resolution.

SECTION 8. Filing with County. The City Clerk shall, not later than the 88th day prior to the General Municipal Election to be held on Tuesday, November 6, 2018, file with the Board of Supervisors and the County Clerk – Registrar of Voters of the County of San Bernardino, State of California, a certified copy of this Resolution.

SECTION 9. Public Examination. Pursuant to California Elections Code Section 9295, this measure will be available for public examination for no fewer than ten (10) calendar days prior to being submitted for printing in the voter information guide. The Clerk shall post notice in the Clerk’s office of the specific dates that the examination period will run.

[signatures on next page]

PASSED, APPROVED and ADOPTED this 17th day of July, 2018.



RICHARD A. DELAROSA, Mayor

ATTEST:



CAROLINA R. PADILLA, City Clerk

APPROVED AS TO FORM:



CARLOS CAMPOS, City Attorney
Best Best & Krieger

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss.
CITY OF COLTON)

I HEREBY CERTIFY that the foregoing Resolution No. R-83-18 was duly adopted by the City Council of the City of Colton at a regular meeting thereof, held on the 17 day of July, 2018, by the following vote of Council:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

Jacqueline K Shook for
City Clerk