

RESOLUTION NO. 2022-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS AND IMPARTIAL ANALYSES CONCERNING REGULATION AND TAXATION OF COMMERCIAL CANNABIS BUSINESSES WITHIN THE CITY OF HUNTINGTON BEACH

WHEREAS, a General Municipal Election is to be held in the City of Huntington Beach, California, on November 8, 2022, at which there will be submitted to the voters three ballot Measures related to amendments to the City Charter and 2 ballot Measures concerning the regulation and taxation of Commercial Cannabis Businesses; and

The City Council wishes to authorize arguments in favor of and in opposition to these Measures and authorize the preparation of impartial analyses of these Measures,

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

SECTION 1. That with respect to the Measure entitled:

Measure __: Advisory Measure Concerning Regulation of Commercial Cannabis Businesses “Shall the City of Huntington Beach repeal the City’s current ban on commercial cannabis businesses and allow a limited number of cannabis retailers and non-retailers to operate only in permitted areas of Huntington Beach, subject to business and land use regulations by City Council?”	YES
	NO

- a. That the City Council authorizes the following member(s) of its body:

_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)

to file a written argument regarding the Measure as specified above in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the Measure may be submitted to the City Clerk. Said argument to be accompanied by the printed name(s) and signature(s) of the authors(s) 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.

b. That the City Council directs the City Clerk to transmit a copy of the Measure to the City Attorney to prepare an impartial analysis of the Measure not exceeding 500 words showing the effect of the Measure on the existing law and the operation of the Measure.

c. The analysis shall include a statement indicating the Measure was placed on the ballot by the governing body of the City.

d. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

SECTION 2. That with respect to the Measure entitled:

<p>Measure __: Taxation of Commercial Cannabis Businesses</p> <p>“Shall the City adopt an Ordinance that taxes cannabis businesses up to 6% of gross receipts for retailers and up to 1% of gross receipts for all other cannabis businesses if they were to be permitted in the City; which is expected to generate an estimated \$300,000 to \$600,000 annually to fund general municipal services for Huntington Beach and will be levied until repealed by the voters?”</p>	YES
	NO

- a. That the City Council authorizes the following member(s) of its body:

_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)
_____	(Councilmember In Favor/Against)

to file a written argument regarding the Measure as specified above in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the Measure may be submitted to the City Clerk. Said argument to be accompanied by the printed name(s) and signature(s) of the authors(s) 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.

b. That the City Council directs the City Clerk to transmit a copy of the Measure to the City Attorney to prepare an impartial analysis of the Measure not exceeding 500 words showing the effect of the Measure on the existing law and the operation of the Measure.

c. The analysis shall include a statement indicating the Measure was placed on the ballot by the governing body of the City.

d. In the event the entire text of the Measure is not printed on the ballot, nor in the voter information portion of the voter information guide, there shall be printed immediately below the impartial analysis, in no less than 10-point type, the following: "The above statement is an impartial analysis of Municipal Code Amendment Measure. If you desire a copy of the Ordinance or Measure, please call the election official's office at 714-536-5405 and a copy will be emailed at no cost to you."

e. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

SECTION 3. 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 by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 19th day of July, 2022.

Mayor

REVIEWED AND APPROVED:

APPROVED AS TO FORM:

City Manager

City Attorney *mm*

INITIATED AND APPROVED:

Tom Hopkin

Assistant City Manager