

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STOCKTON SUBMITTING TO THE QUALIFIED VOTERS AT THE NOVEMBER 8, 2016 MUNICIPAL ELECTION A BALLOT MEASURE PROPOSING AMENDMENTS TO CHAPTERS 5.100, 16.20, 16.80 AND 16.240 OF THE STOCKTON MUNICIPAL CODE; REQUESTING THAT THE SAN JOAQUIN COUNTY BOARD OF SUPERVISORS ADD THESE AMENDMENTS TO THE BALLOT FOR THE NOVEMBER 8, 2016 ELECTION; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE; AUTHORIZING ARGUMENTS AND THE FILING OF REBUTTAL ARGUMENTS FOR OR AGAINST THE MEASURE; AUTHORIZING THE CITY MANAGER TO APPROPRIATE FUNDS NECESSARY TO PAY THE CITY OF STOCKTON'S COST OF PLACING THE MEASURE ON THE BALLOT; AND DIRECTING THE CITY CLERK TO TAKE STEPS NECESSARY TO PLACE THE MEASURE ON THE BALLOT AND TO CAUSE THE MEASURE TO BE PRINTED

Under the provisions of Article XI, Section 7 of the California Constitution and the Charter of the City of Stockton, the City Council of the City of Stockton, on its own motion, has proposed to submit to the qualified electors of the City of Stockton at the General Municipal Election on November 8, 2016, a measure to amend Chapters 5.100, 16.20, 16.80 and 16.240 of the Stockton Municipal Code; and

There has been submitted to the City Council a draft initiative that would overturn the current ban on medical marijuana dispensaries and cultivation within the City; and

The City Council has requested that staff provide a draft measure to address the current ban on medical marijuana dispensaries and cultivation within the City; and

The City Council has determined that the above topic is one that is important to a significant segment of the population and therefore has decided to offer corresponding amendments to the Stockton Municipal Code to the voters of the City for their thoughtful consideration; now therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

Section 1. The City Council of the City of Stockton hereby submits to the qualified electors of the City of Stockton at the General Municipal Election of November 8, 2016, a ballot measure to amend the Stockton Municipal Code. The full text of the proposed amendments shall be in the form attached hereto as Exhibit 1 and is hereby incorporated by this reference into this Resolution.

That question is to appear as follows:

MEASURE: _____		
Revisions to Stockton Municipal Code Chapters 5.100, 16.20, 16.80 and 16.240 - Medical Marijuana Dispensaries and Cultivation		
Shall the Stockton Municipal Code be revised to overturn the ban on medical cannabis dispensaries; to allow within the city four medical cannabis dispensaries in certain commercial and industrial zones and four cultivation sites in certain industrial zones subject to locational restrictions and the issuance of a use permit, an operators permit, and employee permits?	YES	
	NO	

Section 2. (a) A General Municipal Election is hereby called to be held in the City of Stockton on Tuesday, November 8, 2016, (consolidated with the State of California General Election) for the purpose of submitting to the qualified electors of said city the Measure set forth in Section 1 of this Resolution to amend the municipal code of said city.

(b) Said General Municipal Election hereby called shall be held and conducted, and the votes canvassed and the returns thereof made, and the results thereof ascertained and determined as herein provided, and in all particulars not prescribed in this Resolution, said General Municipal Election shall be held as provided for in the City Charter and otherwise in accordance with the Elections Code of the State of California.

Section 3. The City Attorney of the City of Stockton is hereby authorized and directed to prepare an impartial analysis of the measure by August 19, 2016; and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election in the time, form and manner as required by law.

Section 4. The City Council request the San Joaquin County Board of Supervisors add the amendments to the Stockton Municipal Code set forth in Section 1 of this Resolution to the ballot of the General Municipal Election to be held November 8, 2016.

Section 5. The deadline for filing arguments for or against the measure shall be August 19, 2016, for the direct arguments, and August 29, 2016, for rebuttal arguments.

Section 6. The City Manager is hereby authorized and directed to appropriate the necessary funds to pay for the City of Stockton's cost of placing the measure on the ballot.

Section 7. The City Clerk is hereby authorized and directed to take all steps necessary to place the measure on the ballot and to cause the measure to be printed. A copy of the measure shall be made available to any voter upon request.

Section 8. Notice of the time and place of holding the election is hereby given and the City Clerk is authorized, instructed, and directed to sign and publish notice as required by law.

Section 9. The City Clerk is directed to file a certified copy of this Resolution with the Board of Supervisors of San Joaquin County and the Registrar of San Joaquin County.

Section 10. This measure shall become effective, upon the majority affirmative vote of the eligible voters of the City of Stockton and after 10 days have elapsed following certification and filing of the election results, in accordance with the provisions of the Elections Code of the State of California.

PASSED, APPROVED AND ADOPTED. June 28, 2016.

ANTHONY SILVA, Mayor
City of Stockton

ATTEST:

BONNIE PAIGE, City Clerk
City of Stockton