

RESOLUTION NO. 18-8338

A RESOLUTION OF PLUMAS COUNTY, STATE OF CALIFORNIA, CALLING A SPECIAL ELECTION AND CONSOLIDATING IT WITH THE NOVEMBER 6, 2018, GENERAL ELECTION FOR THE PURPOSE OF ENABLING THE PEOPLE OF PLUMAS COUNTY TO VOTE ON THE QUESTION OF WHETHER AN INITIATIVE KNOWN AS MEASURE B SHOULD BE ADOPTED, ADDING TITLE 11 TO THE PLUMAS COUNTY CODE TO LICENSE AND TAX MEDICINAL AND ADULT USE COMMERCIAL CANNABIS ACTIVITIES

WHEREAS, the initiative process is available to adopt county ordinances and to authorize the imposition of a local tax; and

WHEREAS, on February 28, 2018, Chelsea Bunch and Kimberly Anne Scales-Scott (hereafter collectively “initiative proponent”), presented to the Election Division of the Plumas County Clerk-Recorder Department (hereafter the “Election Division”) a Notice of Intention to Circulate a County Initiative Petition (hereafter referred to as the “Notice of Intent”) concerning the licensing and taxing of medicinal and adult use commercial cannabis activities (hereafter referred to as the “Initiative”); and

WHEREAS, the Initiative was referred to the Plumas County Counsel, who prepared the required Ballot Title and Summary within the time required by law, all pursuant to Elections Code section 9105; and

WHEREAS, the Notice of Intent and Ballot Title and Summary prepared by the Plumas County Counsel was published in a newspaper of general circulation in the County in the manner required by subsection (b) of Elections Code section 9105 and proof of publication was filed with the Election Division on March 7, 2018; and

WHEREAS, the Election Division has determined that the number of votes cast within the County for all candidates for Governor at the last gubernatorial election preceding the publication of the Notice of Intent was 7,105; and

WHEREAS, prior to the expiration of the circulation period the initiative proponent filed signatures with the Election Division equal in number to more than ten percent (10%) of the number of votes cast within the County for all candidates for Governor at the last gubernatorial election preceding the publication of the Notice of Intent; and

WHEREAS, the Election Division subsequently filed a report certifying that sufficient valid signatures had been gathered by the initiative proponent equal to more than 10% of the total persons who voted for all candidates for Governor at the last statewide election preceding the publication of the Notice of Intent, which report was submitted to the Clerk of the Board on April 13, 2018, for presentation to the Plumas County Board of Supervisors at its next regular meeting to be held May 1, 2018; and

WHEREAS, on May 1, 2018, the Board accepted said certification and ordered a report pursuant to section 9111 of the Elections Code for presentation to the Board within thirty days; and

WHEREAS, at the public meeting of the Board of Supervisors on May 31, 2018, staff presented, and the Board received, the Elections Code section 9111 report; and

WHEREAS, under Elections Code section 9118, the Board is now required either to adopt the Initiative without a vote of the people or to adopt a resolution calling an election and consolidating it with the next statewide election for purposes of enabling the people of Plumas County to approve or reject the Initiative; and

WHEREAS, the next regularly scheduled statewide election is the November 6, 2018 general election and sufficient time remains to enable the Board to place the Initiative on said ballot; and

WHEREAS, the Board has concluded that adopting a resolution calling an election and placing the Initiative on the ballot for the November 6, 2018 general election is the most appropriate manner in which to proceed.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Plumas County, State of California, pursuant to the provisions of Elections Code section 12001, hereby orders and proclaims that the question of whether the Measure should be adopted, shall be submitted to the voters of Plumas County as Measure “B” to be held and conducted by mail ballot on the 6th day of November, 2018. The manner of holding the election and the procedure for voting for and against the question presented shall be as set forth in the Elections Code for a local special election, which is consolidated with the general election.

BE IT FURTHER RESOLVED that Elections Code section 9160, *et seq.*, shall apply to this special election.

BE IT FURTHER RESOLVED that, in accordance with section 13119 of the Elections Code, Measure “B” be submitted on the ballot at said general election, and that the Registrar of Voters be, and hereby is, instructed to place the same on the ballot at said election in the following form:

“Shall Initiative Measure B to enact voter-approved county ordinance on cannabis activities be adopted adding Title 11 to Plumas County Code licensing certain medicinal and adult use commercial cannabis activities in specified land use zones, and imposing an initial 2% general tax on the net profits of such cannabis activity, with such rate subject to possible increase by the Board of Supervisors by not more than 1% per year for no more than four years?”

BE IT FURTHER RESOLVED that the final date for submission of arguments for or against Measure "B", not to exceed 300 words in length, shall be July 20, 2018, and shall be submitted to the Election Division located at 520 Main Street, Room 102, Quincy, California, 95971, no later than 5:00 p.m. on said day, and must be accompanied by an author's form available on the Election Division Website or at the office.

BE IT FURTHER RESOLVED that the final date for submission of rebuttals to arguments for or against Measure "B", not to exceed 250 words in length, shall be August 1, 2018, and shall be submitted to the Election Division located at 520 Main Street, Room 102, Quincy, California, 95971, no later than 5:00 p.m. on said day, and must be accompanied by an author's form available on the Election Division Website or at the office.

BE IT FURTHER RESOLVED that the impartial analysis by the County Counsel in the form required by Elections Code section 9160 (b) for each measure shall be prepared and filed with the Election Division on or before 5:00 p.m., Wednesday, August 1, 2018.

BE IT FURTHER RESOLVED that the entire text of Measure "B" shall not be printed on the ballot, but a copy shall be mailed at no cost to persons who call the Election Division at (530) 283-6256, and the full text of the measure may be accessed at the county Website at the following Website address <http://www.plumascounty.us/index.aspx?nid=142>.

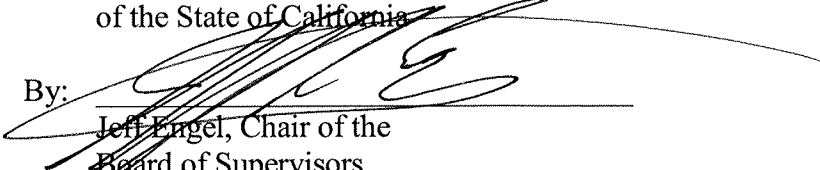
BE IT FURTHER RESOLVED that a fiscal impact statement which is authorized by Elections Code section 9160 (c) shall be prepared by the County Auditor and printed preceding the arguments for and against the measure.

BE IT FURTHER RESOLVED that the official conducting the election may publish a notice of the election in a newspaper of general circulation within the County of Plumas not later than fifty (50) days prior to the election.

The foregoing resolution was duly and regularly adopted at a special meeting of the Board of Supervisors of the County of Plumas, State of California, held on the 31st day of May, 2018, by the following vote:

AYES:	SUPERVISORS	SIMPSON, THRALL, GOSS, SANCHEZ, ENGEL
NOES:	SUPERVISORS	NONE
ABSTAIN:	SUPERVISORS	NONE
ABSENT:	SUPERVISORS	NONE

PLUMAS COUNTY, a political subdivision
of the State of California

By: 
Jeff Engel, Chair of the
Board of Supervisors

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <u>[Signature]</u> County Counsel</p> <p>Date: May <u>31</u>, 2018</p>	<p>APPROVED BY THE PLUMAS COUNTY BOARD OF SUPERVISORS</p> <p>Date: May <u>31</u>, 2018 Processed By: <u>[Signature]</u> Clerk of the Board</p>	<p>ATTEST: Clerk of the Board of Supervisors</p> <p>By: <u>[Signature]</u></p>
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