

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
BOARD ACTION SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA: 5.A.5  
AGENDA DATE: June 26, 2018

**SUBJECT:**

Approval of a Request to Consolidate the Municipal Election and a Measure Regarding Cannabis Business License Tax for the City of Patterson with the Gubernatorial General Election to be Held on November 6, 2018.

**BOARD ACTION AS FOLLOWS:**

**RESOLUTION NO. 2018-0284**

On motion of Supervisor Chiesa Seconded by Supervisor Olsen  
and approved by the following vote,

Ayes: Supervisors: Olsen, Chiesa, Monteith, and Vice-Chairman Withrow


Noes: Supervisors: None

Excused or Absent: Supervisors: Chairman DeMartini

Abstaining: Supervisor: None

- 1)  Approved as recommended
- 2)  Denied
- 3)  Approved as amended
- 4)  Other:

MOTION:

ATTEST:   
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: Board of Supervisors

BOARD AGENDA:5.A.5  
AGENDA DATE: June 26, 2018

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

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**SUBJECT:**

Approval of a Request to Consolidate the Municipal Election and a Measure Regarding Cannabis Business License Tax for the City of Patterson with the Gubernatorial General Election to be Held on November 6, 2018.

**STAFF RECOMMENDATION:**

1. Approve the consolidation of the Municipal Election and a Measure Regarding Cannabis Business License Tax for the City of Patterson with the Gubernatorial General Election to be held on November 6, 2018.

**CONTACT PERSON:**

Elizabeth King, Clerk of the Board

Phone number: 209-525-4494

**ATTACHMENT(S):**

1. City of Patterson Resolution to Consolidate Election



# City of Patterson

1 Plaza  
P.O. Box 667  
Patterson, California 95363  
Phone (209) 895-8010 | Fax (209) 895-8019  
Web Site [www.ci.patterson.ca.us](http://www.ci.patterson.ca.us)

June 18, 2018

Ms. Elizabeth A. King, Clerk of the Board  
Stanislaus County Board of Supervisors  
1010 10<sup>th</sup> Street, Suite 6700  
Modesto, CA 95354

Re: November 6, 2018 Statewide (Gubernatorial) General Election

Dear Ms. King:

Enclosed please find a certified copy of the City of Patterson Resolution No. 2018-41, formally requesting from the Stanislaus County Board of Supervisors to consolidate the City of Patterson's Election for Districts B and D (4-Year Full Terms), and Mayor at Large (2-Year Full Term), being up this November 2018, with the County's Statewide (Gubernatorial) General Election to be held on Tuesday, November 6, 2018, requesting the services of the Stanislaus County Registrar of Voters, Elections Division to conduct the election on behalf of the City of Patterson.

Enclosed please further find a certified copy of the City of Patterson Resolution No. 2018-47, formally requesting from the Stanislaus County Board of Supervisors to consolidate the City of Patterson's Election with the County's Statewide (Gubernatorial) General Election to be held on Tuesday, November 6, 2018, for the purpose of submitting a Ballot Measure to the City's qualified voters, authorizing the City to impose a business license tax on the gross receipts of cannabis businesses in an amount not to exceed fifteen percent, requesting the services of the Stanislaus County Registrar of Voters, Elections Division to conduct the election on behalf of the City of Patterson.

The City of Patterson City Clerk's Office will be responsible for issuing/collecting election information, publishing the Notice of Election, the Nominees for Public Office and the Notice to Voters of Notice of Election, Measure to be Voted On, and Notice of Arguments. The City of Patterson respectively requests for Stanislaus County Elections Division to furnish all other services, facilities, supplies and equipment. The City of Patterson will reimburse the County of Stanislaus for all costs for services performed to conduct the election.

BOARD OF SUPERVISORS  
2018 JUN 19 A 9:12

On behalf of the City of Patterson thank you for your continued cooperation in conducting our City's election. Your support is greatly appreciated.

If you should have any questions, concerns or need additional information, please do not hesitate to contact me at (209) 895-8014 or by email at [cityclerk@ci.patterson.ca.us](mailto:cityclerk@ci.patterson.ca.us)

Sincerely,

A handwritten signature in black ink, appearing to read 'Maricela L. Vela', with a stylized, cursive script.

Maricela L. Vela  
City Clerk/Elections Official

Enclosure

cc: Lee Lundrigan, Stanislaus County Clerk-Recorder, Registrar of Voters Elections Division  
Jim DeMartini, District 5, Stanislaus County Board of Supervisors

RESOLUTION NO. 2018-41

2018 JUN 19 A 9:12

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON, CALLING THE ELECTION, REQUESTING FROM THE STANISLAUS COUNTY BOARD OF SUPERVISORS TO CONSOLIDATE THE CITY OF PATTERSON'S DISTRICT B AND D (4-YEAR FULL TERMS) AND MAYOR-AT-LARGE (2-YEAR FULL TERM) WITH THE NOVEMBER STATEWIDE (GUBERNATORIAL) GENERAL ELECTION TO BE HELD ON NOVEMBER 6, 2018, REQUESTING THE SERVICES OF THE STANISLAUS COUNTY REGISTRAR OF VOTERS, ELECTIONS DIVISION TO CONDUCT THE ELECTION ON BEHALF OF THE CITY OF PATTERSON**

**WHEREAS**, pursuant to the Election Code of the State of California, Section 10403, the City Council is authorized to request the consolidation of this election with the Statewide (Gubernatorial) General election to be held on November 6, 2018; and

**WHEREAS**, pursuant to the Election Code of the State of California, Section 10401, the Stanislaus County Board of Supervisors is authorized to order said consolidation.

**WHEREAS**, the City of Patterson will hold an election on November 6, 2018, for the purpose of electing a Mayor at Large (2-Year Full Term) and two Councilmembers; one from District B, and one from District D (4-Year Full Terms); and

**WHEREAS**, the City of Patterson respectively requests that the Stanislaus County Registrar of Voters, Elections Division furnish all other services, facilities, supplies, equipment, etc. necessary for the election; and

**WHEREAS**, the City of Patterson City Clerk/Elections Official's Office will be responsible for issuing/collecting election information, publishing the Notice of Election, the Nominees for Public Office, etc.; and

**WHEREAS**, the City of Patterson will reimburse the County of Stanislaus for all actual costs for services performed to conduct the municipal election on behalf of the City.

**WHEREAS**, all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**WHEREAS**, the City Council hereby requests that the municipal election commended herein be consolidated with the statewide (gubernatorial) general election which will be held on November 6, 2018, and that copies of this resolution, as adopted herein, be filed with the Stanislaus County Board of Supervisors and the Stanislaus County Elections Official.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Patterson that it hereby formally requests from the Board of Supervisors of Stanislaus County, California, to consolidate the City of Patterson, Districts B and D (4-Year Full Terms) and Mayor at Large (2-Year Full Term) Being Up this November 6, 2018 Election, with the County's Statewide (Gubernatorial) General Election to be Held on November 6, 2018, requesting the Services of the

Registrar of Voters, Elections Division of the County of Stanislaus to Conduct the Election of Behalf of the City of Patterson.

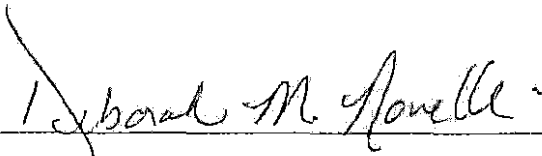
The foregoing resolution was introduced at a special meeting of the City Council of the City of Patterson held on the 11th day of June 2018 by Councilmember Farinha, who moved its adoption, which motion was duly seconded by Councilmember McCord, and the resolution adopted by the following roll call vote:

AYES: Councilmembers McCord, Naranjo, Farinha, Parham and Mayor Novelli

NOES: None

EXCUSED: None

APPROVED:

  
\_\_\_\_\_  
Deborah M. Novelli, Mayor of the City of Patterson

ATTEST:

  
\_\_\_\_\_

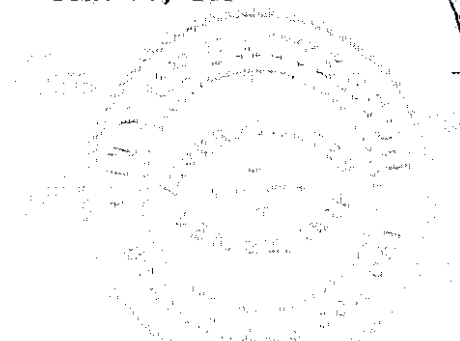
Maricela Vela, City Clerk of the City of Patterson

I hereby certify that the foregoing is a full, correct and true copy of a resolution passed by the City Council of the City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a special meeting held on the 11<sup>th</sup> day of June 2018, and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATED: June 18, 2018

  
\_\_\_\_\_

City Clerk of the City of Patterson  
Maricela Vela



**RESOLUTION NO 2018-47**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON SUBMITTING A BALLOT MEASURE TO THE CITY'S QUALIFIED VOTERS AT THE NOVEMBER 6, 2018, STATEWIDE GENERAL ELECTION, AUTHORIZING THE CITY TO IMPOSE A BUSINESS LICENSE TAX ON THE GROSS RECEIPTS OF CANNABIS BUSINESSES IN AN AMOUNT NOT TO EXCEED FIFTEEN PERCENT, REQUESTING THE STANISLAUS COUNTY BOARD OF SUPERVISORS AND REGISTRAR OF VOTERS TO CONSOLIDATE THE ELECTION OF THIS MEASURE WITH THE STATEWIDE GENERAL ELECTION TO BE CONDUCTED ON NOVEMBER 6, 2018**

**WHEREAS**, in 2016, the voters of California approved Proposition 64 entitled the "Control, Regulate and Tax Adult Use of Marijuana" ("AUMA"). AUMA legalized the adult-use and possession of cannabis by persons 21 years of age or older and the personal cultivation of up to six cannabis plants within a private residence; and

**WHEREAS**, on November 7, 2017, the City Council of the City of Patterson ("City") adopted Ordinance No. 806 amending the City's municipal code, thereby authorizing commercial cannabis activity in the City; and

**WHEREAS**, the City Council seeks authorization to enact a tax on the gross receipts of cannabis businesses located in the City; and

**WHEREAS**, pursuant to Elections Code section 9222 and Government Code section 53724, the City Council desires to submit a measure to the qualified electors of the City at the next Statewide General Election on November 6, 2018, asking for authorization to impose a business license tax on cannabis businesses in an amount not to exceed fifteen percent (15%); and

**WHEREAS**, pursuant to Government Code section 53724, the City Council must approve this resolution by a two-thirds vote to submit the Measure to the City's qualified voters; and

**WHEREAS**, pursuant to Elections Code section 10400 et seq., the City Council finds it necessary and desirable to request consolidation of this measure with the Stanislaus County Board of Supervisors and Registrar of Voters.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council for the City of Patterson as follows:

1. The foregoing recitals are true and correct and are hereby incorporated by reference.

2. Pursuant to California Elections Code section 9222, the City Council hereby calls an election to be held during the Statewide General Election on Tuesday, November 6, 2018, and orders that the following question be submitted to the voters at such election:

Shall the measure adopting an ordinance authorizing the City Council of the City of Patterson to impose a business license tax at a rate of up to fifteen percent (15%) of gross receipts on cannabis businesses and dispensaries, to help fund general municipal services, be adopted?	YES	
	NO	

3. Pursuant to Elections Code sections 10002 and 10403, the City Council hereby requests that the Stanislaus County Board of Supervisors consolidate the election of this measure with the Statewide General Election, to be conducted on November 6, 2018, and that the consolidated election be held and conducted in the manner prescribed by Elections Code section 10418.

4. The City Council hereby requests that the Stanislaus County Board of Supervisors authorize the Stanislaus County Registrar of Voters to provide any and all services necessary to conduct the election, and the City agrees to pay for said services.

5. The City Council hereby directs the City Clerk to deliver certified copies of this Resolution to the Clerk of the Stanislaus County Board of Supervisors and the Stanislaus County Registrar of Voters on or before July 1, 2018.

6. The City Attorney is hereby directed to prepare an impartial analysis of the measure pursuant to Election Code section 9280, to be submitted to the City Elections Official on or before July 23, 2018.

7. The City Council hereby approves the argument in favor of the measure attached to this resolution, which shall be signed by no less than two (2) City Councilmembers. The signing Councilmembers shall also submit a signature statement form as provided by the City Clerk and required by Elections Code section 9600.

8. The City Clerk and other City officers and employees are hereby authorized and directed to take all other actions that are necessary to have the City's measure properly submitted to the City voters at the Statewide General Election on November 6, 2018.

**PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PATTERSON ON THIS 11th DAY OF JUNE 2018, BY THE FOLLOWING ROLL CALL VOTE:**

**AYES:** Councilmembers McCord, Naranjo, Farinha, Parham and Mayor Novelli

**NOES:** None

**EXCUSED:** None

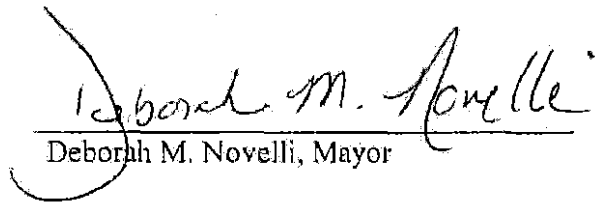


ATTEST:



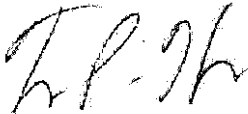
Maricela L. Vela, City Clerk

APPROVED:



Deborah M. Novelli, Mayor

APPROVED AS TO FORM:



Thomas P. Hallinan, City Attorney

I hereby certify that the foregoing is a full, correct and true copy of a resolution passed by the City Council of the City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a special meeting held on the 11<sup>th</sup> day of June 2018, and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATED: June 18, 2018



City Clerk of the City of Patterson  
Maricela L. Vela