



Legislation Text

File #: 22-0688, Version: 1

REQUEST FOR CITY COUNCIL ACTION

DATE: 08/17/22

TO: Honorable Mayor and City Council Members

FROM: Legal and Risk Management

SUBJECT:

City Council approval of primary argument in favor of commercial cannabis tax measure.

EXECUTIVE SUMMARY:

City Council consideration of language for a primary argument in favor of the commercial cannabis tax measure for the November 8, 2022, general municipal election, which has been reviewed and recommended for approval by the Council cannabis ad-hoc committee. The City Council has authorized the placement of a commercial cannabis tax measure on the ballot for the November 8, 2022, general municipal election. Elections Code Section 9282 and City Council Resolution No. 2022-104 authorize the City Council or any member(s) of the City Council to file a written argument in favor of the ballot measure.

RECOMMENDED ACTION:

That the City Council review and approve language for a primary argument in favor of the commercial cannabis tax measure for the November 8, 2022, general municipal election.

BACKGROUND & HISTORY:

On July 6, 2022, the City Council adopted Resolution No. 2022-102, placing a measure on the November 8, 2022, general municipal election ballot for a proposed ordinance amending the Corona Municipal Code to establish a tax on commercial cannabis businesses operating within the City. On August 10, 2022, the City Council adopted Resolution No. 2022-103, slightly amending the ballot question to reduce the number of words to 75 in compliance with the Elections Code and making minor formatting changes to the proposed tax ordinance. The City Council also adopted Resolution No. 2022-104 authorizing, among others, the City Council or any member(s) of the City Council to file a written argument in favor of the measure, as permitted by Elections Code Section 9282.

ANALYSIS:

Pursuant to Resolution No. 2022-104, written arguments for or against the commercial cannabis tax

measure must be submitted to the City Clerk by 5:00 p.m. on Monday, August 22, 2022. In addition to the City Council, any individual voter who is eligible to vote on the measure or bona fide association of citizens may file a written argument for or against the tax measure. Arguments must be accompanied by the printed name(s) and signature(s) of the author(s) submitting them, 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. No direct argument shall exceed 300 words in length and no more than five signatures shall appear with any argument submitted. Primary arguments and any rebuttal arguments will be printed in the Voter Information Guide mailed out to each registered voter within the City of Corona.

If more than one argument for or more than one argument against the measure is submitted to the City Clerk's office within the time prescribed, the Clerk selects one argument in favor and one argument against the measure for printing and distribution to the voters of the City in accordance with the priority established in Elections Code Section 9287. Arguments filed by the City Council or any member(s) of the City Council are given first priority.

The attached written argument in favor of the commercial cannabis tax measure has been prepared for the City Council's consideration. Staff will be prepared to discuss any comments or suggestions.

COMMITTEE ACTION:

The Council's cannabis ad-hoc committee, comprised of Councilmember Casillas and Steiner, has reviewed the argument and recommends approval.

FINANCIAL IMPACT:

There is no financial impact associated with this action.

ENVIRONMENTAL ANALYSIS:

This action is exempt under the California Environmental Quality Act ("CEQA") Guidelines Section 15378(b)(5), which states that a project is exempt from CEQA if the activity relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of CEQA. The recommended action simply approves a written argument in favor of a proposed tax measure on the November ballot, and there is no possibility that this action will have a significant effect on the environment. Therefore, no further environmental analysis is required.

PREPARED BY: JAMIE RAYMOND, CHIEF DEPUTY CITY ATTORNEY

REVIEWED BY: DEAN DERLETH, CITY ATTORNEY/LRM DIRECTOR

Attachments:

1. Exhibit 1 - Argument in Favor of Commercial Cannabis Tax Measure