

RESOLUTION NO. 17-54

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA REQUESTING PLACEMENT OF A BALLOT MEASURE ENTITLED "TOWN OF YUCCA VALLEY EXEMPTION OF STATE LICENSED COMMERCIAL CANNABIS OPERATIONS FROM TOWN PROHIBITION ON COMMERCIAL MARIJUANA ACTIVITIES" ON A SPECIAL MUNICIPAL ELECTION BALLOT FOR THE TOWN OF YUCCA VALLEY TO BE HELD ON TUESDAY, JUNE 5, 2018, CONSOLIDATING WITH THE STATE-WIDE PRIMARY ELECTION, TO CONSIDER A BALLOT MEASURE RELATING TO THE PROHIBITION EXEMPTION OF COMMERCIAL CANNABIS OPERATIONS WITHIN CERTAIN ZONING DISTRICTS.

WHEREAS, on August 9, 2017 an initiative petition (the "Petition") was submitted to the Town of Yucca Valley setting forth a sufficient number of signatures to require the Town to call an election no later than 103 days after its submission unless the election can be consolidated with a state or county election; and

WHEREAS, a stand-alone special municipal election may be held for the initiative measure under the provisions of the California Elections Code § 1405(a) between the 88th and 103rd day from the order of the election, and

WHEREAS, a special municipal election may be called to consolidate with a regular or special election occurring wholly or partially within the same territory pursuant to Elections Code § 1405(a)(1) within 180 days of the order of the election (or soon thereafter, (§ 1405(a)(3))), and

WHEREAS, the consolidation of a special municipal election with an established regular election reduces the cost of bringing the item before the voters, providing a significant savings, and benefiting local Yucca Valley residents.

WHEREAS, pursuant to the requirements of the laws of the State of California relating to general law cities, the Town Council of the Town of Yucca Valley requests that a ballot measure relating to the prohibition exemption of commercial cannabis operations within certain zoning districts entitled, "Town of Yucca Valley Exemption of State Licensed Commercial Cannabis Operations from Town Prohibition on Commercial Marijuana Activities" be placed on the State Primary Election ballot for the election to be held in the Town of Yucca Valley, California on Tuesday, June 5, 2018.

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. Pursuant to the requirements of the laws of the State of California relating to general law cities within the state, there shall be, and there is hereby called and ordered to be held in the Town of Yucca Valley, California, on Tuesday, June 5, 2018, a special election of the

qualified electors of the Town of Yucca Valley on that ballot measure set forth as Exhibit "A" hereto and incorporated herein by reference relating to the prohibition exemption of commercial cannabis operations within certain zoning districts in the Town of Yucca Valley.

SECTION 2. That the Town Council, pursuant to its right and authority, does order submitted to the eligible electorate at a special municipal election to be held on Tuesday, June 5, 2018, the following question:

MEASURE _____

Shall the ordinance, exempting State licensed commercial cannabis operations within certain Town Industrial/Commercial Zoning Districts from the Town's existing prohibition, other than retail sales, dispensaries, microbusiness, or outdoor cannabis cultivation, be adopted?	YES
	NO

SECTION 3. That the complete proposed text of the measure submitted to the voters is attached as Exhibit A.

SECTION 4. That the vote requirement for the measure to pass is a majority (50% + 1) of the votes cast.

SECTION 5. Pursuant to the requirements of Sections 10402 and 10403 of the Elections Code, the San Bernardino County Board of Supervisors is hereby requested to consent and agree to the consolidation of the special municipal election with the election conducted by San Bernardino County to be held on Tuesday, June 5, 2018, for the purposes of submitting a ballot measure as provided above.

SECTION 6. That the San Bernardino County Election Department is authorized to canvass the returns of the special municipal election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 7. That the San Bernardino County Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the consolidated election.

SECTION 8. That the Town shall reimburse the County for services performed when the work is complete and upon presentation to the Town of a properly approved bill.

SECTION 9. That the ballots to be used at the election shall be in form and content as

required by law.

SECTION 10. That the Town Clerk is authorized, instructed, and directed to coordinate with the County of San Bernardino Registrar of Voters to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 11. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously that time until eight o'clock p.m. on the same day when the polls shall be closed pursuant to Elections Code Section 10242, except as provided in Section 14401 of the Elections Code.

SECTION 12. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding special elections in the Town.

SECTION 13. That notice of the time and place of holding the election is given and the Town Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 14. The Town Clerk is directed to forward without delay to the San Bernardino County Registrar of Voters, a certified copy of this Resolution.

SECTION 15. The Town Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

APPROVED AND ADOPTED this 5th day of December, 2017.



MAYOR

ATTEST:



TOWN CLERK

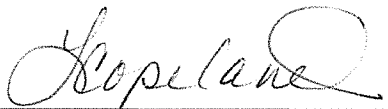
STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Lesley R. Copeland, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing Resolution No. 17-54 as duly and regularly adopted at a meeting of the Town Council of the Town of Yucca Valley, California at a meeting thereof held on the 5th day of December 2017, by the following vote:

Ayes:	Council Members Abel, Drozd, Leone, Lombardo and Mayor Denison
Noes:	None
Abstain:	None
Absent:	None



Lesley R. Copeland, CMC
TOWN CLERK