

RESOLUTION NO. CC-2207-057

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALLING FOR THE HOLDING OF A SPECIAL MUNICIPAL ALL-MAILED BALLOT ELECTION FOR THE SUBMISSION OF A VOTER-SPONSORED INITIATIVE MEASURE TO THE QUALIFIED ELECTORS OF THE CITY TO ALLOW CANNABIS RETAILERS, REPEAL THE CITY'S PROHIBITION ON CANNABIS, IMPOSE REQUIREMENTS ON SAID BUSINESSES AND TO ORDER A CALL FOR A RECALL ELECTION FOR DISTRICT 4 TO BE HELD ON WEDNESDAY, OCTOBER 19, 2022 AND TO CONSOLIDATE THE VOTER-SPONSORED INITIATIVE MEASURE TO THE QUALIFIED ELECTORS OF THE CITY TO ALLOW CANNABIS RETAILERS, REPEAL THE CITY'S PROHIBITION ON CANNABIS, IMPOSE REQUIREMENTS ON BUSINESSES WITH THE RECALL ELECTION FOR DISTRICT 4 FOR THE SUBMISSION OF THE QUESTION OF THE RECALL OF CERTAIN OFFICER AND THE ELECTION OF CANDIDATE IF THE RECALL PREVAILS; AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS, AND REQUEST ELECTION SERVICES FROM THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES

WHEREAS, pursuant to authority provided by statute Article XI of the Constitution of the State of California, and Title 4, Division 2, Chapter 3 of the Government Code and Division 9, Chapter 3, Article 1 (commencing at Section 9200) of the Election Code of the State of California, a petition has been filed with the City of Redondo Beach, California, signed by more than 10 percent of the registered voters of the City according to the county election department's last official report of registration to the Secretary of State to submit a proposed ordinance to the voters; and

WHEREAS, on July 12, 2021, the City received a Notice of Intent to Circulate Petition, which requested the preparation of a Ballot Title and Summary;

WHEREAS, a Ballot Title and Summary was prepared, titling the Measure "An initiative ordinance to (1) allow a maximum of three cannabis retailers in Redondo Beach; (2) repeal the City's prohibition on commercial cannabis activity (except for deliveries of medicinal cannabis) and allow the City Council discretion to legalize other Cannabis uses; and (3) impose operational, design, and location requirements on such businesses" ("Initiative Measure");

WHEREAS, on January 19, 2022 the City Clerk examined the records of registration and ascertained and certified that the petition was signed by the requisite number of voters; and

WHEREAS, the City Council has decided to place the initiative on the ballot for public vote on Wednesday October 19, 2022, pursuant to Election Code S 1405(b); and

WHEREAS, the City Council is authorized and directed by statute to submit the proposed ordinance to the voters; and

WHEREAS, under the provisions of the law relating to cities in the State of California, recall petitions were filed demanding the recall of Zein Obagi, Jr., Member of the City Council, District 4; and

WHEREAS, the petitions were signed by more than twenty-five per cent (25%), or 2452 verified signatures of the voters of the City of Redondo Beach, City Council District 4; and

WHEREAS, the City Council received and filed the Certificate of Sufficiency of the recall petition at their Regular Meeting of July 12, 2022 pursuant to §10403 of the Elections Code; and

WHEREAS, a candidate shall be elected if the recall prevails; and

WHEREAS, the City Council is authorized and directed by statute to submit the proposed recall to the voters; and

WHEREAS, the City Council of the City of Redondo Beach hereby calls a Recall Municipal Election for District 4 to be held on Wednesday, October 19, 2022; and

WHEREAS, it is ordered that the Recall Municipal Election for District 4 be consolidated with the special municipal election for the submission of a voter-sponsored initiative measure to the qualified electors of the City to allow cannabis retailers, repeal the City's prohibition on cannabis, impose requirements on said businesses to be held on the same date, and that within the City the precincts.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the City Council, pursuant to its rights and authority, does hereby submit the Initiative Measure to the voters at a Special Municipal Election on Wednesday, October 19th, 2022 the following question:

MEASURE E:

AN INITIATIVE ORDINANCE TO (1) ALLOW A MAXIMUM OF THREE CANNABIS RETAILERS IN REDONDO BEACH; (2) REPEAL THE CITY'S PROHIBITION ON COMMERCIAL CANNABIS ACTIVITY (EXCEPT FOR DELIVERIES OF MEDICINAL CANNABIS) AND ALLOW THE CITY COUNCIL DISCRETION TO LEGALIZE OTHER CANNABIS USES; AND (3) IMPOSE OPERATIONAL, DESIGN, AND LOCATION REQUIREMENTS ON SUCH BUSINESSES.	YES
Shall a measure repealing Redondo Beach's existing prohibition of all commercial cannabis activity; allowing three cannabis retailers within city limits; allowing the Redondo Beach City Council discretion to legalize other cannabis uses; and imposing operational, design, and location requirements on such businesses, be adopted?	NO

SECTION 2. That the text of the Initiative Measure submitted to the voters is attached as Exhibit A, and shall be reprinted in full in the Supplemental Voter Information Pamphlet mailed to the voters, if it is required pursuant to Section 27 of Article XXVII of the City Charter findings pertaining to major changes in allowable land use. If not, copies of the ordinance will be provided upon request at the City Clerk's Office, and posted on the City Website.

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SECTION 3. That the City Council adopts the procedures from Election Code Section 1405(b) for the purpose of this election. Only one (1) copy of the Supplemental Voter Information Pamphlet shall be mailed to a postal address where two or more registered voters have the same surname and the same postal address.

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

SECTION 5. That pursuant to the requirements of the laws of the State of California relating to charter cities, there is called and ordered to be held in the City of Redondo Beach, California, on Wednesday, October 19, 2022, a Recall Municipal Election for District 4 in consolidation with the Special Municipal Election for the submission of a voter-sponsored initiative measure to the qualified electors of the City to allow cannabis retailers, repeal the City's prohibition on cannabis, impose requirements on said businesses to be conducted for the purpose of submitting the question of the recall of Zein Obagi, Jr. Member of the City Council representing District 4; and the election of a candidate if the recall prevails.

SECTION 6. That on the ballots to be used at the election, in addition to any other matters required by law, there shall be printed substantially the following:

Shall Zein Obagi, Jr. be recalled (removed) from the office of Member of the Redondo Beach City Council representing District 4?	YES		
	NO		
<i>For a Member of the Redondo Beach City Council representing District 4</i> To succeed Zein Obagi, Jr. if he is recalled. Term Ending March 31, 2025 (Followed by the list of candidates qualifying for this office) <hr/>	Vote for ONE		

SECTION 7. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 8. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding a municipal consolidated special election.

SECTION 9. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the municipal consolidated special election, in the time, form, and manner required by law.

SECTION 10. That the City Attorney shall prepare an impartial analysis for the Initiative Ballot Measure.

SECTION 11. That pursuant to the provisions of Section 10002 of the Elections Code of the State of California, the City Council requests the Board of Supervisors of the County of Los Angeles to permit the County Elections Department to prepare and furnish to the City and their authorized vendors for use in conducting the election, computer data consisting of the names and addresses and current precinct of all eligible registered voters in the City of Redondo Beach in order that the City may print labels for mailing and/ or by electronic mail the Voter Information/Sample Ballot pamphlet to all registered voters in the City and for processing vote by mail ballots; provide other services, which may include consolidation of precincts as directed by the City; and to make available to the City additional election equipment and assistance according to State law. That the City shall reimburse the County for services performed when the work is completed and upon presentation to the City a properly approved bill.

SECTION 12. That the election shall be all mail-in ballot election in accordance with Redondo Beach Municipal Code Section 2-2.206.

SECTION 13. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED ON THIS 19TH DAY OF JULY, 2022.

William C. Brand, Mayor

APPROVED AS TO FORM:

ATTEST:

Michael W. Webb, City Attorney

Eleanor Manzano, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss
CITY OF REDONDO BEACH)

I, Eleanor Manzano, City Clerk of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No. CC-2207-057 was duly passed, approved and adopted by the City Council of the City of Redondo Beach, California, at a regular meeting of said City Council held on the 19^h day of July, 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eleanor Manzano, CMC
City Clerk

EXHIBIT A