

RESOLUTION NO. 20- 97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENICIA CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 3, 2020, FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF THE CITY AN ADVISORY MEASURE REGARDING RETAIL CANNABIS BUSINESSES WITHIN THE CITY

WHEREAS, the City Council of the City of Benicia desires to submit to the voters at a Municipal Election an advisory ballot question to advise the City Council regarding number and location of retail cannabis businesses within the City, the City of Benicia 2020 Cannabis Retail Advisory Measure; and

WHEREAS, the City Council is authorized by statute to submit this advisory measure to the voters of the City pursuant to Section 9603 of the Elections Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BENICIA DOES RESOLVE, DECLARE, AND ORDER AS FOLLOWS:

Section 1. Pursuant to the requirement of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Benicia, California on Tuesday, November 3, 2020, a Municipal Election for the purpose of submitting to the voters of the City of Benicia, the measure specified in Section 2, below. Pursuant to Elections Code Section 9222 and Section 9603, it is the intent of the City Council that the measure be submitted to the voters of Benicia at the aforementioned Municipal Election.

Section 2. The question to be put to the voters of the City shall read as follows, after the heading "Advisory Vote Only" as provided by Elections Code Section 9603(b):

Measure D: The City of Benicia 2020 Cannabis Retail Advisory Measure 1. Shall the City allow any new retail cannabis dispensaries in Benicia?	YES	
	NO	

Section 3. The City Council of the City of Benicia further does resolve, declare and order:

(a) That notice of time and place of holding said election is hereby given and the City Clerk is hereby authorized, instructed and directed to give such further or additional notice of said election in the time, form and manner as required by California law.

(b) That the City Council authorizes the City Clerk to administer said election, including but not limited to, contracting with the County of Solano and any consultant necessary to assist with conducting the election, and otherwise take all reasonably necessary steps to ensure the proper handling and conduct of the election authorized by this resolution, and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

(c) That upon presentation of this Resolution to the County of Solano, this Resolution shall constitute a request to the County Board of Supervisors and County elections official to consolidate this election with any other election being held within the jurisdiction on the same date, and for provision of services which may include preparation and printing of election materials, use of County lists of registered voters, distribution of ballots, counting of votes, and any other election-related services.

(d) That this Resolution shall be effective immediately upon passage and adoption.

On motion of Council Member **Young**, seconded by Mayor **Patterson**, the above Resolution was adopted by the City Council of the City of Benicia at a regular meeting of said Council held on the 21st day of July, 2020 by the following vote:

Ayes: **Council Members Campbell, Young, and Mayor Patterson**

Noes: **Council Members Largaespada and Strawbridge**

Absent: **None**

Elizabeth Patterson, Mayor

Attest:

Lisa Wolfe, City Clerk

Date