



# *City Council Agenda*

City of Campbell, 70 North First Street, Campbell, California

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## **CAMPBELL CITY COUNCIL STUDY SESSION**

**Tuesday, November 15, 2016 - 7:00 p.m.**

**Ralph Doetsch Conference Room - 70 N. First Street**

**NOTE: No action may be taken on a matter under Study Session other than direction to staff to further review or prepare a report. Any proposed action regarding items on a Study Session must be agendaized for a future Regular or Special City Council meeting.**

### **CALL TO ORDER, ROLL CALL**

### **ORAL REQUESTS**

### **NEW BUSINESS**

- 1. Discussion on Medical Marijuana initiative in anticipation of a Special Election**  
**Recommended Action: Conduct study session and provide direction to staff.**

### **ADJOURN**

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**MEMORANDUM**

City Manager's Office

**To:** Honorable Mayor and City Council **Date:** November 15, 2016

**From:** Mark Linder, City Manager 

**Subject:** Study Session – Discussion on Medical Marijuana Initiative in Anticipation of a Special Election

**PURPOSE**

Discuss and consider options to prepare an alternative measure for the special election and/or gross receipts tax proposal.

**BACKGROUND**

On June 22, 2016 the City received a request from Kale Schulte (petitioner) to circulate an initiative petition to adopt a new City ordinance permitting dispensaries, delivery and limited cultivation of medical cannabis and medical cannabis products in the City of Campbell. Given the timing of this petition, the City would be required to hold a Special Election. On October 19, 2016 the petitioner filed the 4,782 signatures which was well above the 3,143 signatures required to hold a special election, based on the May 26, 2016 Secretary of State report listing 20,955 reregister Campbell voters. On October 20, 2016 the City Clerk personally delivered the petitions to the Registrar of Voters Office and requested the examination of signature be performed using the random sampling method pursuant to Election Code Section 9115. The Election Code requires that the signature are to be verified within 30 working days, beginning October 20, 2016 and excluding Saturdays, Sundays, and holiday. Upon completion of the signature verification the Registrar of Voters Office is to prepare a certified copy of the results and arrange for the return of the petitions to the Clerk's Office.

**DISCUSSION**

In anticipation of the Special Election for the Medical Marijuana Initiative staff is requesting direction from Council on the following options:

1. Prepare an alternative measure;
2. Prepare a gross receipts tax proposal;
3. Prepare and alternative measure and a tax measure; or
4. Proceed with the special election with no additional measures.

MEMORANDUM



City of Campbell  
City Clerk's Office

**To:** Honorable Mayor and City Council **Date:** November 15, 2016  
**From:** Andrea Sanders, Deputy City Clerk *AS*  
**Via:** Mark Linder, City Manager *ML*  
**Subject:** **Desk Item 1 – Study Session** Additional Information for the Medical Marijuana Anticipated Ballot Measure

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Discussion

The City has not received an official written certification regarding the petitions for a special election from the Registrar of Voters.

First, I want to discuss the probable schedule should we receive written certification.

December 6 City Council meeting – Staff reports receipt of the written certification and recommends that staff prepare a written report on the impact of the ballot measure if it is approved by the voters.

If Council agrees with the staff recommendation, staff shall have up to 30 days to report back to Council. The report would be returned to Council for its first meeting in January. Council will decide its 2017 meeting schedule on December 12.

Council shall have ten days after receiving the report to either adopt the ordinance or call the election. If Council decides to meet on January 3 and 17, Council would receive the report on December 21 for action on January 3. If the January Council meetings are January 10 and 24, Council would receive the report on January 4 for action on January 10.

The election has to be called no sooner than 88 days and no later than 103 days. If decision is made on January 3, election dates that meet this criteria would be April 4 or April 11. If Council decides on January 10, the election day could be April 11 or April 18.

If Council decides to have a competing ballot measure that measure would need to be approved 88 days before the election. Council would need to act on January 3 or January 10.

The second item for discussion is which option you would like staff to work on for a special election.

Options include:

- Competing ballot measure i.e. a measure allowing delivery only
- Gross receipts tax
- No additional measurers