

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, WITH THE STATEWIDE ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE

WHEREAS, the City Council of the City of Commerce called a Special Municipal Election to be held on November 3, 2020, for the purpose of the allowing voters to decide on referendum petitions related to Ordinances Nos. 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, and 746; and

WHEREAS, the City Council of the City of Commerce on January 7, 2020, adopted Ordinances Nos. 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, and 746 (also, "Ordinances"); and

WHEREAS, the Ordinances were published as required by law; and

WHEREAS, pursuant to authority provided by Division 9, Chapter 3, Article 2 (commencing at 9235) of the Election Code of the State of California, eleven Referendum Petitions have been filed with the City of Commerce City Clerk, signed by more than ten percent (10%) of the registered voters of the City to repeal Ordinances No. 36, 737, 738, 739, 740, 741, 742, 743, 744, 745, and 746, or submit them to a vote of the voters; and

WHEREAS, the City of Commerce has received a certificate from the County of Los Angeles Registrar of Voters certifying the results of the Registrar's examination of the numbers of signatures and verification of the signatures affixed to the eleven Petitions for eleven referendum measures to City of Commerce Ordinances No. 36, 737, 738, 739, 740, 741, 742, 743, 744, 745, and 746; and

WHEREAS, said certification shows that the eleven Referendum Petitions were signed by not less than 10 percent of the voters of the City according to the report of registration by the County Elections Official to the Secretary of State pursuant to Elections Code §2187; and

WHEREAS, Elections Code §9241 provides that in those circumstances where the above-stated facts exist, as they do here, the City Council must either: (a) entirely repeal the Ordinances; (b) submit the Ordinances to the voters at the next regular municipal election occurring not less than 88 days after the order of the legislative body; or (c) submit the Ordinances to the voters at a special election called for that purpose occurring not less than 88 days after the order of the legislative body; and

WHEREAS, the submittal of an Ordinance to a vote of the electorate is exempt from California Environmental Quality Act (CEQA) review (CEQA Guidelines Section 15378(b)(3)); and

WHEREAS, the City Council has not voted in favor of repeal of the Ordinances; and

WHEREAS, the City Council is authorized and directed by statute to submit the Ordinances to the voters.

WHEREAS, the City Council is submitting to the voters at the municipal election the questions relating to the approval or rejection of Ordinance Nos. 36, 737, 738, 739, 740, 741, 742, 743, 744, 745, and 746; and

WHEREAS, it is desirable that the municipal election be consolidated with the Statewide General election to be held on the same date and that within the city the precincts, polling places and election officers of the two elections be the same, and that the county election department of the County of Los Angeles canvass the returns of the Municipal Election and that the election be held in all respects as if there were only one election.

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

SECTION 1. That pursuant to the requirements of § 10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a Special Municipal Election with the Statewide General election on Tuesday, November 3, 2020, for the purpose of the vote relating to referendum.

SECTION 2. The City Council intends to submit the following questions to the voters in the City of Commerce on Tuesday, November 3, 2020:

City of Commerce Ordinance No. 736: Shall Ordinance No. 736 of the City Council of the City of Commerce approving and adopting First Amendment to Development Agreement No. 726 [also identified as Commercial Cannabis Permit I.D No. 18-026] between the City of Commerce and VK Labs, LLC [a California Limited Liability Company] for transfer of ownership said of Development Agreement to operate a commercial cannabis business to Decano Laboratories, LLC; making findings consistent with and pursuant to Government Code Section 65867.5; and making findings of a CEQA categorical exemption be adopted?

Yes_____/ No_____/

City of Commerce Ordinance No. 737: Shall Ordinance No. 737 of the City

Council of the City of Commerce approving and adopting First Amendment to Development Agreement No. 717 [also identified as Commercial Cannabis Permit I.D No. 18-017] between the City of Commerce and 2SBK, Inc. [a California Corporation] for relocation of an approved commercial cannabis business to 6445 Bandini Boulevard; making findings consistent with and pursuant to Government Code Section 65867.5; and making findings of a CEQA categorical exemption. be adopted?

Yes_____/ No_____/

City of Commerce Ordinance No. 738: Shall Ordinance No. 738 of the City Council of the City of Commerce approving and adopting First Amendment to Development Agreement No. 715 [also identified as Commercial Cannabis Permit I.D No. 18-059] between the City of Commerce and Commerce Concentrates, LLC [a California Limited Liability Company] for change of membership and ownership of Commerce Concentrates, LLC, additional of cultivation and non-storefront retail delivery as license types, and relocation of an approved commercial cannabis business to 2700 Yates; making findings consistent with and pursuant to Government Code Section 65867.5; and making findings of a CEQA categorical exemption be adopted?

Yes_____/ No_____/

City of Commerce Ordinance No. 739: Shall Ordinance No. 739 of the City Council of the City of Commerce approving and adopting First Amendment to Development Agreement No. 722 [also identified as Commercial Cannabis Permit I.D No. 18-052] between the City of Commerce and DJCC Corporation [a California Corporation] for relocation of an approved commercial cannabis business to 5333 E. Slauson; making findings consistent with and pursuant to Government Code Section 65867.5; and making findings of a CEQA categorical exemption be adopted?

Yes_____/ No_____/

City of Commerce Ordinance No. 740: Shall Ordinance No. 740 of the City Council of the City of Commerce approving and adopting First Amendment to Development Agreement No. 720 [also identified as Commercial Cannabis Permit I.D No. 18-047] between the City of Commerce and Summit Manufacturing, LLC [a California Limited Liability Company] for addition of cultivation as a license type to an approved commercial cannabis business; making findings consistent with and pursuant to Government Code Section 65867.5; and making findings of a CEQA categorical exemption be adopted?

Yes_____/ No_____/

City of Commerce Ordinance No. 741: Shall Ordinance No. 741 of the City Council of the City of Commerce approving and adopting First Amendment to Development Agreement No. 733 [also identified as Commercial Cannabis Permit I.D No. 18-023] between the City of Commerce and A&E Investment Group, LLC [a California Limited Liability Company] for change of membership and ownership of A&E Investment Group, LLC, previously approved to operate a commercial cannabis business; making findings consistent with and pursuant to Government Code Section 65867.5; and making findings of a CEQA categorical exemption be adopted?

Yes _____ / No _____ /

City of Commerce Ordinance No. 742: Shall Ordinance No. 742 of the City Council of the City of Commerce approving and adopting Development Agreement No. 742 [also identified as Commercial Cannabis Permit I.D No. 18-006] between the City of Commerce and California Green World, LLC [a California Limited Liability Company] for a commercial cannabis business; making findings consistent with and pursuant to Government Code Section 65867.5; and making findings of a CEQA categorical exemption be adopted?

Yes _____ / No _____ /

City of Commerce Ordinance No. 743: Shall Ordinance No. 743 of the City Council of the City of Commerce approving and adopting Development Agreement No. 743 [also identified as Commercial Cannabis Permit I.D No. 18-013] between the City of Commerce and RD Commerce, LLC [a California Limited Liability Company] for a commercial cannabis business; making findings consistent with and pursuant to Government Code Section 65867.5; and making findings of a CEQA categorical exemption be adopted?

Yes _____ / No _____ /

City of Commerce Ordinance No. 744: Shall Ordinance No. 744 of the City Council of the City of Commerce approving and adopting Development Agreement No. 744 [also identified as Commercial Cannabis Permit I.D No. 18-053] between the City of Commerce and RS Innovations, Inc. [a California Corporation] for a commercial cannabis business; making findings consistent with and pursuant to Government Code Section 65867.5; and making findings of a CEQA categorical exemption be adopted?

Yes _____ / No _____ /

City of Commerce Ordinance No. 745: Shall Ordinance No. 745 of the City Council of the City of Commerce approving and adopting Development Agreement No. 745 [also identified as Commercial Cannabis Permit I.D No. 18-005] between the

City of Commerce and HENG XIN INT'L, Corporation [a California Corporation] for a commercial cannabis business; making findings consistent with and pursuant to Government Code Section 65867.5; and making findings of a CEQA categorical exemption be adopted?

Yes_____ / No_____ /

City of Commerce Ordinance No. 746: Shall Ordinance No. 746 of the City Council of the City of Commerce approving and adopting Development Agreement No. 746 [also identified as Commercial Cannabis Permit I.D No. 18-046] between the City of Commerce and Septem Leaf, Corp. [a California Corporation] for a commercial cannabis business; making findings consistent with and pursuant to Government Code Section 65867.5; and making findings of a CEQA categorical exemption be adopted?

Yes_____ / No_____ /

SECTION 3. Authorizing that the full text of Ordinances not be printed in the voter guide, but direct City Attorney to prepare an impartial analysis to be included in the voter guide and the impartial analysis indicate that the qualified voters of the City of Commerce will be able to obtain full copies of the ordinances, at no cost, by contacting the City Clerk or accessing the City's website

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

SECTION 5. That the county election department is authorized to canvass the returns of the 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. *The election will be held and conducted in accordance with the provisions of law regulating the statewide I election.*

SECTION 6. That the 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 7. That the City of Commerce recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 8. That the City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Election Department of the County of Los Angeles.

SECTION 9. 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 this July 7, 2020

Mayor Ivan Altamirano

ATTEST:

Lena Shumway, City Clerk