

RESOLUTION NO. 6417(21)

A Resolution of the City Council of the City of Lompoc, County of Santa Barbara, State of California, Directing The City Attorney To Prepare An Impartial Analysis, And Setting Priorities For Filing Written Arguments

WHEREAS, a special mail-in only election shall be held in the City of Lompoc, California, on August 31, 2021, at which there will be submitted to the voters a ballot measure to consider changes to Lompoc Municipal Code, Chapter 3.50 relating to establishing a new taxing structure of cannabis manufacturing and distribution operations and changes to certain definitions and regulations (Measure); and

WHEREAS, whenever a municipal ballot measure is authorized, State law provides the City Council may direct the City Attorney to prepare an impartial analysis and provide for the filing of written arguments for and against a measure and for rebuttal arguments to be filed with the City elections official.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are hereby incorporated and made an operative part of this Resolution.

SECTION 2. The City Council directs the City Attorney to prepare an impartial analysis of the Measure. The impartial analysis shall be filed within 15 days of the adoption of this Resolution or by the date set by the City Clerk for the filing of primary arguments, whichever is later.

SECTION 3. The City Council authorizes members of the Lompoc City Council, collectively or individually, or any individual Lompoc voter or association of Lompoc citizens, to file written arguments in favor or against the Measure, and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the Measure may be submitted to the City Clerk. The City Clerk shall follow Elections Code sections 9281 through 9287 in determining the printing of all arguments in favor and against the Measure.

SECTION 4. Any argument filed for or against the Measure and filed with the City Clerk shall not exceed 300 words, and shall be signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument. The arguments shall be accompanied by the "Form of Statement to be filed by Author(s) of Argument" attached as Exhibit A to this Resolution in accordance with Article 4, Chapter 3, Division 9 of the California Elections Code.

SECTION 5. When the City Clerk has selected the arguments for and against the Measure that will be printed and distributed to the voters, the City Clerk shall send a copy of the argument in favor of the Measure to the authors of any argument against the Measure and a copy of the argument against the Measure to the authors of any argument in favor of the Measure. In selecting the argument, the City elections official shall give preference and priority, in the order named, to the arguments of the following:

- a) The legislative body, or member or members of the legislative body authorized by that body;
- b) The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure;
- c) Bona fide associations of citizens;
- d) Individual voters who are eligible to vote on the measure.

If more than one argument is submitted by individuals falling within the same priority category for submittal of ballot arguments, then the City Clerk may utilize a random method of selecting the argument to be utilized.

SECTION 6. The author or a majority of the authors of an argument relating to the Measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument. A rebuttal argument may not be signed by more than five persons. The rebuttal argument(s) shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers. Any rebuttal argument must be filed within 10 days after the final date for filing direct arguments. The rebuttal arguments shall be accompanied by the Form of Statement to be filed by Author(s) of Argument attached as Exhibit A to this Resolution in accordance with Article 4, Chapter 3, Division 9 of the California Elections Code.

SECTION 7. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

SECTION 8. The City Clerk shall cause the City Attorney's Impartial Analysis, and duly selected arguments and rebuttals (if authorized) to be printed and distributed to voters in accordance with State law regarding same.

SECTION 9. This Resolution shall become effective immediately upon its passage and adoption.

The foregoing Resolution was proposed by Council Member _____, seconded by Council Member _____, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on June 1, 2021, by the following vote:

AYES: Council Member(s):
 NOES: Council Member(s):
 ABSENT: Council Member(s):

 Jenelle Osborne, Mayor
 City of Lompoc

ATTEST:

 Stacey Haddon, City Clerk
 City of Lompoc

Exhibit A: Form of Statement Pursuant to Article 4, Chapter 3, Division 9 of the California Elections Code