

JUL 19 2012

REGISTRAR OF VOTERS
COUNTY OF SANTA CLARABy SPB Deputy

Resolution No. 9274

Resolution of the Council of the City of Palo Alto
Calling a Special Election for November 6, 2012 on the Initiative Ordinance to
Permit Three Medical Marijuana Dispensaries to Operate in Palo Alto

WHEREAS, an initiative petition to amend the City of Palo Alto Municipal Code to Permit Three Medical Marijuana Dispensaries to Operate in Palo Alto has been submitted to the City in accordance with the requirements of Article VI of the Charter of the City of Palo Alto; and

WHEREAS, by its Resolution No. 9254, the City Council called a general municipal election for November 6, 2012 ("Election");

WHEREAS, on October 3, 2011, the City Council accepted the Certificate of Sufficiency of the Initiative Ballot and directed staff to return with a resolution putting the measure on the November 2012 ballot;

WHEREAS, elections are scheduled to be held on November 6, 2012, in certain school districts and certain special districts in Santa Clara County; and

WHEREAS, under Part 3 of Division 10 of the Elections Code, commencing at Section 10400, and Education Code Section 5342, elections called by various governing bodies may be partially or completely consolidated;

NOW, THEREFORE, the City Council of the City of Palo Alto does hereby RESOLVE as follows:

SECTION 1. Special Election. A special municipal election is called for the City of Palo Alto to be held on Tuesday, November 6, 2012, under Charter Article VI for the purpose of submitting the following question to the voters at the election:

Label Starts CITY OF PALO ALTO INITIATIVE MEASURE _____:

Shall the Palo Alto Municipal Code be amended to permit three medical marijuana dispensaries to operate in Palo Alto in any commercial or industrial zone subject to prescribed zoning criteria?

For the Ordinance _____
Against the Ordinance _____

ends

SECTION 2. Adoption of Measure. The measure to be submitted to the voters is attached to this Resolution as Exhibit "1" and incorporated by this reference. If a majority of

qualified electors voting on such measure shall vote in favor of City of Palo Alto Initiative Measure “___”, it shall be deemed ratified and shall read as provided in Exhibit “1”.

SECTION 3. Notice of Election. Notice of the time and place of holding the election is hereby given, and the City Clerk is authorized, instructed and directed to give further or additional notice of the election in time, form, and manner as required by law.

SECTION 4. Impartial Analysis. The City Council hereby directs the City Clerk to transmit a copy of the measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of the measure, and transmit such impartial analysis to the City Clerk on or before August 21, 2012.

SECTION 5. Ballot Arguments. Arguments in favor of or against the measure shall be submitted to the City Clerk on or before August 14, 2012 at 5:30 p.m. under Elections Code section 9286 et seq.. If the City Clerk receives more than one argument for and/or against, the priorities established by Elections Code section 9287 shall control.

SECTION 6. Rebuttal Arguments. Rebuttal arguments shall be controlled by the provisions of Elections Code section 9285. The deadline for filing rebuttal arguments shall be August 21, 2012, at 5:30 p.m.

SECTION 7. Duties of City Clerk. The Palo Alto City Clerk shall do all things required by law to effectuate the November 6, 2012, general municipal election, including but not limited to causing the posting, publication and printing of all notices or other election materials under the requirements of the Charter of the City of Palo Alto and the California Elections and Government Codes.

SECTION 8. Request and Consent to Consolidate. The Council of the City of Palo Alto requests the governing body of any other political subdivision, or any officers otherwise authorized by law, to partially or completely consolidate such elections and the City Council consents to such consolidation. The Council requests the Board of Supervisors of Santa Clara County to include on the ballots and sample ballots, all qualified measures submitted by the City Council to be ratified by the qualified electors of the City of Palo Alto.

SECTION 9. Request for County Services. Under Section 10002 of the California Elections Code, the Council of the City of Palo Alto requests the Board of Supervisors of Santa Clara County to permit the Registrar of Voters to render services to the City of Palo Alto relating to the conduct of Palo Alto’s General Municipal and Special Elections which are called to be held on Tuesday, November 6, 2012. The services shall be of the type normally performed by the Registrar of Voters in assisting the clerks of municipalities in the conduct of elections including but not limited to checking registrations, mailing ballots, hiring election officers and arranging for polling places, receiving absentee voter ballot applications, mailing and receiving absent voter ballots and opening and counting same, providing and distributing election supplies, and furnishing voting machines.