

RESOLUTION NO. 2014-\_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION HELD ON NOVEMBER 4, 2014, DECLARING THE RESULT THEREOF AND OTHER SUCH MATTTERS AS PROVIDED BY LAW.**

**WHEREAS**, a Special Municipal election was held and conducted in the City of Desert Hot Springs, California, on Tuesday, November 4, 2014; and

**WHEREAS**, three measures, **Measures "HH," "II," and "JJ"** were submitted to the qualified voters of the City of Desert Hot Springs; and

**WHEREAS**, notice of said election was duly and regularly given in time, form, and manner as provided by law; voting precincts were properly established; election officers were appointed and in all respects said election was held and conducted and made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in cities; and

**WHEREAS**, pursuant to Resolution Nos. 2014-043, 2014-044, and 2014-045 adopted on August 7, 2014, the Registrar of Voters of Riverside County canvassed the returns of said election and has certified the results to the City Clerk and the City Clerk completed the canvass and has certified the results to this City Council, with said results received, attached and made a part hereto as "Exhibit A."

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**Section 1.   PRECINCTS**

That there were ten (10) voting precincts established for the purpose of holding said election consisting of consolidations of the special election precincts in the City of Desert Hot Springs as established for the holding of State and County elections.

**Section 2.   MEASURES "HH," "II," AND "JJ"**

That said Special General Municipal Election was held for the purpose of three measures:

Measure HH – Implementing an annual tax of twenty-five dollars (\$25.00) per square foot for the first 3,000 square feet and then ten dollars (\$10.00) per square foot for the remaining space utilized in connection with the cultivation of marijuana for medical or casual/recreational use, for the purpose of raising revenue to fund general municipal services.

Measure II – Implementing a monthly ten percent (10%) tax on the proceeds from the sale/provision of marijuana for medical or casual/recreational use for the purpose of raising revenue to fund general municipal services.

Measure JJ – Implementing a one percent transaction and use tax for the purpose of funding general municipal services.

**Section 3. VOTER TURNOUT**

That the whole number of ballots cast in the precincts except vote-by-mail ballots was 1140. That the whole number of vote-by-mail ballots cast in the City was 2,249, making a total of 3,389 ballots cast in the City (34.52% Voter Turnout).

**Section 4. BALLOT QUESTIONS**

That the following questions were placed on the ballot:

**Measure "HH"**

Shall an ordinance implementing an annual tax of twenty-five dollars (\$25.00) per square foot for the first 3,000 square feet and then ten dollars (\$10.00) per square foot for the remaining space utilized in connection with the cultivation of marijuana for medical or casual/recreational use, for the purpose of raising revenue to fund general municipal services, be adopted?	Yes
	No

**Measure "II"**

Shall an ordinance implementing a monthly ten percent (10%) tax on the proceeds from the sale/provision of marijuana for medical or casual/recreational use for the purpose of raising revenue to fund general municipal services, be adopted?	Yes
	No

**Measure "JJ"**

An Ordinance of the People of the City of Desert Hot Springs, California, implementing a one percent transaction and use tax for the purpose of funding general municipal services.	Yes
	No

**Section 5. NUMBER OF VOTES**

That the number of voters given at each precinct and the number of votes given in the City for and against Measures "HH," "II," and "JJ" are listed in "Exhibit A" attached.

**Section 6. ADOPTION**

That as a result of the election, a majority of the voters voting on Measure "HH" (cultivation of marijuana for medical or casual/recreational use) did vote in favor of this measure and that said measure was carried and shall be deemed adopted and ratified. A true copy of Measure "HH" is attached hereto as "Exhibit B," and is, by reference, incorporated and made a part hereof.

That as a result of the election, a majority of the voters voting on Measure "II" (a monthly ten percent (10%) tax on the proceeds from the sale/provision of marijuana for medical or casual/recreational use) did vote in favor of this measure and that said measure was carried and shall be deemed adopted and ratified. A true copy of Measure "II" is attached hereto as "Exhibit C," and is, by reference, incorporated and made a part hereof.

That as a result of the election, Measure "JJ" did not receive a majority vote in favor and that said measure was not carried and shall not be deemed adopted and ratified.

**Section 7. CERTIFICATION**

That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of said City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council of said City, in the minutes of the meeting at which the same is passed and adopted.

**PASSED AND ADOPTED** by the City Council of the City of Desert Hot Springs at a Regular meeting held on the 2nd day of December, 2014 by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Jerryl Soriano, City Clerk

\_\_\_\_\_  
Adam Sanchez, Sr., Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Steven B. Quintanilla, City Attorney

**EXHIBIT "A"**

**CERTIFICATION TO THE RESULTS AND CANVASS OF ELECTION RETURNS**

**EXHIBIT "B"**  
**MEASURE "HH" ORDINANCE**

**EXHIBIT "C"**  
**MEASURE "II" ORDINANCE**