

ORDINANCE NO. 2960

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA ADOPTING THE COMMERCIAL CANNABIS REGULATION AND PUBLIC SAFETY INITIATIVE MEASURE WITHOUT ALTERATION PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 9215(A)

WHEREAS, California Elections Code Section 9215(a) allows a legislative body to adopt an initiative as an ordinance, without alteration, upon a finding of sufficiency of such initiative by the elections official;

WHEREAS, on October 22, 2019, the initiative petition proponents of the Commercial Cannabis Regulation and Public Safety Measure (the "Initiative") presented and filed the Initiative with the City Clerk of the City of El Monte (the "City Clerk" of the "City") pursuant to California Elections Code Section 9210;

WHEREAS, the City Clerk conducted an examination of such Initiative in accordance with California Elections Code Section 9211 and submitted the Initiative to the Los Angeles County Registrar-Recorder/County Clerk (the "County") for signature verification pursuant to California Elections Code Sections 9114 and 9115;

WHEREAS, the County verified that the Initiative met the requisite signature threshold set forth in California Elections Code Section 9215 (3,998 signatures required; 5,320 signatures confirmed as sufficient) through correspondence dated as of November 20, 2019, which is on file with the City Clerk;

WHEREAS, at its November 25, 2019 regular meeting, the City Council adopted Resolution No. 10064 to verify the City Clerk's California Elections Code Section 9115(f) finding of sufficiency of the Initiative and directed City staff to prepare the Initiative for first reading pursuant to California Elections Code Section 9215(a).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The recitals above are true and correct and hereby approved, adopted, and incorporated into the body of this Ordinance by this reference.

SECTION 2. Approval and Adoption of Initiative. Pursuant to California Elections Code Section 9215(a), the City Council hereby approves and adopts the Initiative attached hereto as **Exhibit "A"** without alteration.

SECTION 2. Inconsistent Provisions. Any provision of the El Monte Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to implement the provisions of this Ordinance.

SECTION 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase would be subsequently declared invalid or unconstitutional.

SECTION 4. Publication and Effective Date. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in a newspaper of general circulation within fifteen (15) days after its adoption. This Ordinance shall become effective thirty (30) days after adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of El Monte at the regular meeting of this 3rd day of December, 2019.



André Quintero, Mayor
City of El Monte

ATTEST:



Catherine A. Eredia, City Clerk
City of El Monte

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF EL MONTE)

I, Catherine A. Eredia, City Clerk of the City of El Monte, hereby certify that the foregoing Ordinance No. 2960 was introduced for a first reading on the 27th day of November, 2019 and approved for a second reading and adopted by said Council at its regular meeting held on the 3rd day of December, 2019 by the following vote, to-wit:

AYES: Mayor Quintero, Mayor Pro Tem Velasco, Councilmember Morales

NOES: Councilmembers Ancona and Martinez Muela

ABSTAIN: None

ABSENT: None



Catherine A. Eredia, City Clerk
City of El Monte

EXHIBIT "A"
COMMERCIAL CANNABIS REGULATION AND
PUBLIC SAFETY INITIATIVE MEASURE