



Mendocino County

Legislation Text

File #: 16-892, **Version:** 1

To: Board of Supervisors

From: Supervisors Gjerde and McCowen

Meeting Date: August 16, 2016

Department Contact: Supervisor Gjerde

Phone: 463-4441

Department Contact: Supervisor McCowen

Phone: 463-4441

Item Type: Regular Agenda

Time Allocated for Item: 10 min

Agenda Title:

Discussion and Possible Action Regarding Ballot Statements in Support of Measure AI; Measure Seeking Voter Approval For Imposing A Business Tax On Commercial Cannabis Businesses, "Shall Chapter 6.32 be added to the Mendocino County Code, Placing a Business Tax on Cannabis Cultivation and Dispensaries (not to Exceed 10% of Gross Receipts) and Cannabis Distribution, Delivery, Manufacturing, Nurseries, Testing Laboratories and Transportation Businesses (\$2,500.00 Per Year, to be Adjusted in Accordance with Consumer Price Index Increases) of Medical and Nonmedical Cannabis where Legalized by State Law, Potentially Generating Millions of Dollars Annually to help Fund County Services?", Along with Measure AJ; its Companion Advisory Measure, "If Mendocino County Adopts Business License Taxes on Cannabis Businesses by the Adoption of the Measure Adopting Chapter 6.32, Measure AI, Should the County use a Majority of that Revenue for Funding Enforcement of Marijuana Regulations, Enhanced Mental Health Services, Repair of County Roads, and Increased Fire and Emergency Medical Services?", Appearing on the November 2016 Ballot, and Possible Formation of an Ad Hoc Committee to Finalize and Submit Said Ballot Statements (Sponsors: Supervisor Gjerde and Supervisor McCowen)

Recommended Action/Motion:

Authorize the submittal of ballot statements in support of Measure AI; Measure Seeking Voter Approval For Imposing A Business Tax On Commercial Cannabis Businesses, "Shall Chapter 6.32 be added to the Mendocino County Code, placing a business tax on cannabis cultivation and dispensaries (not to exceed 10% of gross receipts) and cannabis distribution, delivery, manufacturing, nurseries, testing laboratories and transportation businesses (\$2,500.00 per year, to be adjusted in accordance with Consumer Price Index increases) of medical and nonmedical cannabis where legalized by state law, potentially generating millions of dollars annually to help fund County services?", along with Measure AJ; its companion advisory measure, "If Mendocino County adopts business license taxes on cannabis businesses by the adoption of the measure adopting Chapter 6.32, Measure AI, should the County use a majority of that revenue for funding enforcement of marijuana regulations, enhanced mental health services, repair of county roads, and increased fire and emergency medical services?", appearing on the November 2016 Ballot; and appoint Supervisor Gjerde and Supervisor McCowen to an ad hoc committee to finalize and submit the ballot statements.

Previous Board/Board Committee Actions:

On July 12, July 19 and August 2 the full Board of Supervisors received hours of public comment on a proposed Cannabis Business License Tax (Measure AI). During the hours of deliberation, supervisors extensively amended the proposed Cannabis Business License Tax, and then voted to place the tax, along with a

companion advisory measure (Measure AJ), on the November 2016 ballot.

Summary of Request:

The Board of Supervisors, as the proponents of the Measure imposing a business tax on commercial cannabis businesses (Measure AI) and its companion advisory measure regarding how the business license tax revenues are used resulting from Measure AI should it be passed by the voters (Measure AJ), has the opportunity to present arguments in favor of the measures to the voters and to submit rebuttals to any arguments that may be submitted against the measures. Supervisors Gjerde and McCowen seek direction from the Board on the following issues: 1) Shall the Board submit official statements in support of the measures? 2) Who shall sign the measures?; and 3) What suggestions does the Board have for concepts that ought to be included in the ballot statements.

Arguments in favor must be submitted no later than August 22, 2016. Rebuttals to arguments against (if any) must be submitted before the Board's next regularly scheduled meeting. Due to the timelines for submitting ballot statements, Supervisors Gjerde and McCowen are requesting that they be appointed to an ad hoc committee to finalize and submit ballot statements in support of the measures, and to submit rebuttals to arguments against the measures, if any are filed. Up to five signatures may be included on each ballot statement. All Supervisors could sign, or a Supervisor could be authorized to sign on behalf of the Board, which would allow other community members to sign.

Due to deadlines set in state election code, the Board must decide how it wishes to proceed at its August 16, 2016, meeting.

Alternative Action/Motion:

Do not approve submittal of ballot arguments and/or do not appoint an ad hoc committee.

Supplemental Information Available Online at: N/A

Fiscal Impact:

Source of Funding: N/A

Current F/Y Cost: N/A

Budgeted in Current F/Y: N/A

Annual Recurring Cost: N/A

Supervisory District: All

Vote Requirement: Majority

Agreement/Resolution/Ordinance Approved by County Counsel: N/A

CEO Liaison: Janelle Rau, Deputy CEO

CEO Review: Yes

Comments: