Your polling place may have changed. Please see the back cover for your current location.

Polls are open from 7:00 a.m. to 8:00 p.m.

VOTE in one of three convenient ways: By Mail, Early, or at the Polls on Election Day. Check inside for more information.

Voters now have the option to receive the County Voter Information Guide electronically by completing the form inside this guide or at www.sccvote.org.
The County of Santa Clara provides voting materials in English to all registered voters. In addition, as required by law, the Santa Clara County Registrar of Voters provides voting materials in Chinese, Spanish, Tagalog, and Vietnamese. To ensure our records are correct, the County began conducting a Preferred Language Survey in November 2004. Voters may change their language preference at any time by calling the office or by mailing/faxing in a completed VOTER'S ACTION REQUEST FORM located in this guide.

For language assistance, please call: 1-408-299-VOTE (8683)
1-866-430-VOTE (8683) toll free

or

ESPÁNOL 1-408-282-3086
TAGALOG 1-408-282-3095
TIÉNG VIỆT 1-408-282-3097
हिन्दी, 日本語, ភាសាខ្មែរ & 한국어 1-408-299-7655

Accessible Voting for Citizens with Disabilities

The Registrar of Voters strives to provide polling places that are accessible to the elderly and voters with disabilities. To check polling place accessibility, refer to this symbol on the back cover of this guide. If your polling place does not meet accessibility guidelines, call 1-408-299-POLL (7655) to receive information on alternative methods of voting.

Santa Clara County's electronic voting system gives visually-impaired voters the ability to cast a secret ballot without assistance. The voting system is equipped with an audio voting component that allows voters to listen to the ballot and make their choices using the keypad provided. The keypad includes a "sip and puff" feature as well.

Audio tapes of the County Voter Information Guide are available upon request. Call 1-408-299-VOTE (8683) or toll free 1-866-430-VOTE (8683).

Registration and voting information are available to the hearing impaired by TTY communication. Call 1-408-288-9820.
COUNTY VOTER INFORMATION GUIDE

The following pages contain candidate statements and/or ballot measures, analyses, and arguments (whichever apply to your ballot). Each candidate statement is volunteered by the candidate and is printed at the expense of the candidate, unless otherwise determined by the jurisdiction. Arguments in support of or in opposition to proposed measures are the opinions of the authors and have not been checked for accuracy by any official agency. The text, grammar, and spelling are as submitted by the authors.

Although the materials provided in this guide have been carefully proofread, typographical errors occasionally remain undetected. If a substantive error is discovered after the guide has been printed, a correction notice will be issued.

COUNTY VOTER INFORMATION GUIDE DELIVERY PREFERENCE REQUEST FORM

SANTA CLARA COUNTY IS GOING GREEN!
Sign up to receive your County Voter Information Guide electronically.

Voters now have the option to receive their County Voter Information Guide electronically (EC13300.7). In order to opt-out of receiving your County Voter Information Guide by mail for upcoming elections, please complete this form and return to the Santa Clara County Registrar of Voters at the address below.

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<tr>
<th>Name</th>
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This form may be faxed to 1-408-998-7314, scanned/emailed to: registrar@rov.sccgov.org; or mail to: REGISTRAR OF VOTERS, VOTER REGISTRATION DIVISION, PO BOX 611300, SAN JOSE, CA 95161-1300.
The Sample Ballot located in this guide is a facsimile of the Optical Scan paper ballot not the Electronic ballot.

**Electronic Ballot Voting Instructions**

**Activate** the voting machine by inserting the Voter Card into the yellow slot on the lower left-hand side of the voting machine.

**Choose** the language in which you wish to vote.

**Make your selection** by touching the circle \( \bigcirc \) to the right of the candidate or measure response of your choice. A green checkmark will appear in the circle.

To change your selection, touch the checkmark again. The checkmark will disappear and you may make a new selection.

To vote for a qualified write-in candidate, touch the circle \( \bigcirc \) to the right of the word "WRITE-IN". When the keyboard screen appears, touch the letters of the candidate’s name, then touch the "OK" button in the lower right-hand corner of your screen to continue.

To enlarge the type size, touch the "ABC" button.

When you are done with your selections, touch the "Next" arrow in the lower right corner of the screen.

To review your selections at any time prior to casting your ballot, touch "Review" at the bottom center of the screen. The Review screen will provide you with a summary of your selections. If you have not made a selection, or all "vote for possibilities" in a contest, this contest could appear in red. Touch the red contest to return to it.

Press "Touch here to review the required paper record of your ballot." Your record will be displayed behind the glass to the left of the screen. Please review the paper record to verify your vote.

If you want to make a change press "Make Changes" on the left. Some ballots may print more than one review page. Touch "Continue Printing" until there are no more ballot pages for you to review. Complete your vote by touching "Cast Ballot" on the right of the screen. Once you cast your ballot, the word "Accepted" will be printed on the paper record.

**NOTE:** You cannot change your mind after the ballot is cast.

The printer will store your ballot and display a blank paper for privacy. The Voter Card will eject, please return it to the Election Officer. If you have questions, please ask your Election Officer for assistance, or refer to the instructions on the side panel.
Paper Ballot Voting Instructions

How to Mark Your Paper Ballot:
• Use one thin line to complete the arrow next to your choice.
• **USE BLACK or BLUE** color ink only and do not use permanent markers.
• Do not use circles or Xs.
• Do not sign or initial your official ballot.

Voting at the Polls:
• If you need a new ballot, ask the Election Officer.
• After completing your ballot, detach the top numbered stub. **Do not fold the ballot.** Place your voted ballot into the secrecy sleeve and return to the Election Officer for deposit into the ballot box.

Voting by Mail:
• If you need a new ballot, call 1-408-299-VOTE (8683) or toll free 1-866-430-VOTE (8683).
• After completing your ballot, **detach the top numbered stub.** Place your voted ballot into your return envelope, complete the envelope, and **SIGN** your name.

Your voted ballot **MUST** be returned by 8 p.m. on election day OR postmarked on or before election day and received no later than three days after election day. **Deliver or mail your ballot early, so it can be in the first Election Night Results!**

How to Return your Vote by Mail Ballot:
• Mail your ballot. **No Postage Required.**
• Deliver your ballot to:
  ★ **Registrar of Voters’ Office:** 1555 Berger Drive, Building 2, San Jose, CA 95112. There is a white, 24-hour drop box in the parking lot.
  ★ Any Santa Clara County polling place from 7 a.m. to 8 p.m. on Election Day.
  ★ **A Vote by Mail Ballot Drop-Off Site:** A complete list of locations and hours can be found in the instructions included with your Vote by Mail ballot and online at www.sccvote.org.

**BALLOT DROP-OFF SITES** – **Open during normal business hours beginning March 27, 2017 through Election Day**

| Santa Clara County Government Center – 1st Floor | Campbell Library – Outside drop-box (available 24 hours) |
| 70 W. Hedding Street, San Jose, CA 95110 | 77 Harrison Avenue, Campbell, CA 95008 |
| Campbell City Hall – City Clerk Office | Please visit [www.sccvote.org](http://www.sccvote.org) for the most current information regarding Ballot Drop-Off Sites. |
| 70 N. First Street, Campbell, CA 95008 | |

★ Early Voting is available Monday – Friday, 8 a.m. to 5 p.m., at the Registrar of Voters’ Office beginning March 27, 2017 through Election Day – Open Saturdays, April 15 & 22, 9 a.m. to 3 p.m.
Conditional Voter Registration

Effective January 1, 2017, Conditional Voter Registration is available to eligible voters in California pursuant to Election Codes 2170 through 2173.

Conditional Voter Registration (CVR) extends the existing 15-day registration deadline to eligible voters, allowing them to register and vote 14 days prior to an election through Election Day. An eligible voter would need to register directly in the office of the Santa Clara County Registrar of Voters, located at 1555 Berger Drive in San Jose, CA, 95112 to conditionally register to vote and vote a provisional ballot. Voters may register online at www.sccvote.org, however, **CVR ballots will only be issued at the Office of the Registrar of Voters or at a designated satellite location and not at the poll sites.**

In order to conditionally register, the voter must first complete an affidavit of registration (also known as a Voter Registration Card). Once the registration is submitted, the Registrar of Voters will issue a CVR provisional ballot to vote.

The affidavit will be processed and once the eligibility is determined and validated, the registration will become permanent and once the CVR provisional ballot is validated, it will be counted.

Conditional Voter Registrations are treated and processed in the same manner as other registrations; CVR provisional ballots are treated and processed the same as other provisional ballots.

If you have any questions regarding Conditional Voter Registration, please call 1-408-299-VOTE (8683) or toll free 1-866-430-VOTE (8683).

CVR was enacted in 2012, to be operative on the January 1st after the certification of a statewide voter registration database. VoteCal, California’s statewide voter registration database, was certified on September 26, 2016; CVR became operative as of January 1, 2017.

You may check the status of your voter registration at voterstatus.sos.ca.gov.
OFFICIAL BALLOT
BOLETA OFICIAL
SPECIAL ELECTION / ELECCIÓN ESPECIAL
SANTA CLARA COUNTY / CONDADO DE SANTA CLARA

INSTRUCTIONS TO VOTERS: Complete the arrow next to your choice, using one thin line. Use only BLUE or BLACK ink to mark your ballot. If you make a mistake and need a new ballot, call the Registrar of Voters’ Office for a replacement ballot.

INSTRUCCIONES PARA LOS VOTANTES: Complete la flecha junto a su selección, utilizando una línea delgada. Use únicamente tinta AZUL o NEGRA para marcar su boleta. Si comete un error y necesita una boleta nueva, llame a la Oficina del Registro de Votantes para una boleta de repuesto.

MEASURES SUBMITTED TO THE VOTERS
MEDIDAS SOMETIDAS A LOS VOTANTES

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A Shall the ordinance levying a business license tax on marijuana businesses at the initial rate of 7% and a maximum rate of 15% of the gross receipts of the marijuana business be adopted to continue until repealed by the City Council or City voters, which is estimated to raise $130,000-$260,000 annually for general City services, such as police, fire and code enforcement services?

¿Deberá adoptarse la ordenanza que impone un impuesto a las licencias comerciales de los negocios de marihuana a una tasa inicial del 7% y una tasa máxima del 15% de los ingresos brutos del negocio de la marihuana, para seguir en vigencia hasta que sea derogada por el Concejo Municipal o los votantes de la Ciudad, el cual se estima que recaudará de $130,000-$260,000 anualmente para los servicios generales de la Ciudad como la policía, los bomberos y los servicios de cumplimiento de los reglamentos?

[ ] YES / SÍ
[ ] NO / NO

B Shall the ordinance allowing the City to license up to three medical marijuana dispensaries in Campbell, which would also be allowed to deliver medical marijuana to qualified patients throughout the City, and that would allow every qualified patient and primary caregiver to cultivate up to 100 square feet or 500 square feet of marijuana, respectively, without a license be adopted?

¿Deberá adoptarse la ordenanza para permitir a la Ciudad otorgar hasta tres licencias a dispensarios de marihuana medicinal en Campbell, los cuales también tendrían permiso para distribuir marihuana medicinal a los pacientes elegibles de toda la Ciudad, y que también permitiría a todo cuidador principal y paciente elegible cultivar hasta 100 pies cuadrados o 500 pies cuadrados de marihuana, sin licencia, respectivamente?

[ ] YES / SÍ
[ ] NO / NO
C

Shall the ordinance imposing a moratorium on marijuana dispensaries in Campbell until at least April 1, 2019 be adopted, allowing time for study of traffic, neighborhood and safety issues, and providing the City Council discretion to allow for dispensaries after that date, provided that the dispensaries be at least 100 feet from residential properties and 600 feet from child care facilities, schools, parks and community centers, and other dispensaries?

Deberá adoptarse la ordenanza que impone una prórroga sobre los dispensarios de marihuana de Campbell, hasta por lo menos al 1 de abril de 2019, y permitiendo tiempo para el estudio de los problemas del tráfico, del vencidario y la seguridad, y que le proporcione discreción al Concejo Municipal para autorizar dispensarios después de esa fecha, siempre que los dispensarios se encuentren al menos a 100 pies de las propiedades residenciales y 600 pies de los centros de cuidado infantil, las escuelas, los parques, los centros comunitarios y otros dispensarios?

YES / SÍ

NO / NO
MEASURE A

CITY ATTORNEY’S IMPARTIAL ANALYSIS OF MEASURE A

Measure A was placed on the ballot by the Campbell City Council. Approval of the measure would place a tax on the gross receipts from a marijuana business that is conducted within the City of Campbell. A "marijuana business" means business activity including but not limited to, planting, cultivation, harvesting, transporting, delivering, transferring, dispensing, manufacturing, compounding, converting, processing, preparing, storing, packaging, and/or the wholesale and/or retail sales of marijuana and any ancillary products in the City. Under Measure A, the tax rate would be 7% of the gross receipts. However, the Council could adopt an ordinance to increase or reduce the tax, so long as the tax rate did not exceed 15% of the gross receipts. The tax could not be increased above 15% of gross receipts without approval of the voters. The City has estimated that the gross receipts tax proposed by Measure A would raise between $130,000 to $260,000 for general City services.

Under existing law, medical marijuana dispensaries located outside of the City of Campbell will be able to deliver medical marijuana to qualified patients located within Campbell beginning on February 16, 2017. Currently, no dispensaries are allowed to be located in Campbell. If Measure B is approved by the voters at this election, up to three medical marijuana dispensaries could operate in Campbell; and if Measure C is approved by the voters at this election, the City Council could provide for medical marijuana dispensaries to operate in Campbell on or after April 1, 2019. Campbell does not presently have a tax specifically for marijuana businesses. Under existing Municipal Code provisions, out-of-town businesses pay an annual business license tax of $95; and commercial businesses pay an annual business license tax of $118 to $540, depending on the number of employees.

/s/ William R. Seligmann
City Attorney of Campbell

COMPLETE TEXT OF MEASURE A

AN ORDINANCE OF THE PEOPLE OF THE CITY OF CAMPBELL AMENDING TITLE 5 OF THE CAMPBELL MUNICIPAL CODE TO IMPOSE A GROSS RECEIPTS TAX ON MARIJUANA BUSINESSES

The City Council and the People of the City of Campbell do ordain as follows:

Section 1: Findings and Declarations.

A. An initiative petition has qualified for a special election in the City of Campbell that would allow up to 3 dispensaries in the City, and increased cultivation of marijuana. Under the initiative petition:

1. Dispensaries could be located in Planned Development zoning districts, which includes areas developed for residential use;

2. Dispensaries could abut residential properties, except on the side of the dispensaries on which the dispensary has entrances or exits, or where the entrance or exit is on a side that shares a corner with a residential zoned property. Dispensaries could also abut legally existing residences that currently exist in non-residential zoning districts;

3. Dispensaries could be located near daycare operation, parks, and homes;

4. Patients could cultivate up to 100 square feet of marijuana plants without a license from the City;

5. Caregivers could cultivate up to 500 square feet of marijuana plants without a license from the City; and

6. No restriction is placed on where cultivation can take place.

B. The special election on the dispensary initiative is to be held on April 25, 2017.

C. Many California cities, as well as the City of Campbell, have reported negative impacts of marijuana processing and dispensing activities, including but not limited to:

1. Dispensaries are home to marijuana crops and large amounts of cash, thereby making them targets for criminal activity. Jurisdictions with medical marijuana dispensaries report crime such as armed robberies, felony assaults, organized crime (particularly in the supply chain), and money laundering;

2. Many California cities, as well as the City of Campbell, have experienced trespassing, theft, violent robberies and robbery attempts, fire hazards, and problems associated with mold, fungus, and pests related to marijuana cultivation and dispensing;

3. Quality of life concerns also associated with dispensaries include, loitering, diversion of marijuana to non-patients (e.g. "shoulder tapping"), increased prevalence of marijuana smoking in public and increased use of marijuana by minors;
4. Marijuana grown or stored onsite can create strong odors which are offensive to many people and detectable far beyond property boundaries;

5. The strong smell of marijuana creates an attractive nuisance, alerting persons to the location of the valuable plants, and creating a risk of burglary, robbery or armed robbery;

6. The indoor cultivation of marijuana has potential adverse effects to the structural integrity of the building; and the use of high wattage grow lights and excessive use of electricity increases the risk of fire which presents a clear and present danger to the building and its occupants;

7. According to information from the City of San Jose, it is not uncommon for medical marijuana dispensaries to have between 500 and 700 customers on a daily basis. This is approximately 50 people per hour who arrive on foot and in vehicles, which can have a substantial impact on traffic congestion and parking in both residential and business districts; and

D. It would cost the City of Campbell an estimated $968,537 in staff costs annually to regulate up to 3 dispensaries; and additional resources to deal with the adverse impacts associated with the dispensaries;

E. The passage of the initiative petition will thus cause an immediate and severe impact on the fiscal resources of the City, and the City’s overall fiscal health. As a consequence of these impacts the City will have an immediate need for additional revenue if the City is to remain solvent and able to meet the needs of its citizens; and this need constitutes an emergency.

F. The emergency identified in these findings are declarations can be partially mitigated by imposing a gross receipts tax on marijuana businesses operating in the City of Campbell.

G. The next regularly scheduled general election for members of the City Council is not until November of 2018, more than eighteen (18) months after the special election on the dispensary initiative. Waiting eighteen (18) months without the proposed gross receipts tax on marijuana businesses would significantly imperil the City’s fiscal stability, and leave the City without adequate resources to deal with the impacts arising out of the operation of the marijuana businesses.

Section 2: Amendment to Municipal Code Section 5.01.005.

Section 5.01.005 of the Campbell Municipal Code is hereby amended to read as follow, with strikeouts (strikeouts) indicating deleted text and underlining indicating new text:

5.01.005-Definitions.

Except as otherwise defined in this Title, the various businesses, trades, professions, industries, occupations, callings and activities provided in this title to be licensed and regulated shall be defined in accordance with the meanings and connotations generally given them by those engaged in such activities and as recognized generally by the public.
A. Such person or person's employee maintains a fixed place of business within the city for the benefit or partial benefit of such person;
B. Such person or person's employee owns or leases real property within the city for business purposes;
C. Such person or person's employee regularly maintains a stock of tangible personal property in the city for sale in the ordinary course of business;
D. Such person or person's employee regularly conducts solicitation of business within the city;
E. Such person or person's employee performs work or renders services in the city on a regular and continuous basis involving more than five working days per year; or
F. Such person or person's employee utilizes the streets within the city in connection with the operation of motor vehicles for business purposes.

The foregoing specified activities shall not be a limitation on the meaning of "engaged in business;"

"Gross receipts," except as otherwise specifically provided, means the total amount actually received or receivable from all sales; the total amount or compensation actually received or receivable for the performance of any act or service, of whatever nature it may be, for which a charge is made or credit allowed, whether or not such act or service is done as a part of or in connection with the sale of materials, goods, wares or merchandise; discounts, rents, royalties, fees, commissions, dividends, and gains realized from trading in stocks or bonds, however designated. Included in "gross receipts" shall be all receipts, cash, credits, dividends, and gains from the sale or exchange of stock or securities solely for a person's own account, not derived in the ordinary course of a business;

A. Cash discounts allowed and taken on sales;
B. Credit allowed on property accepted as part of the purchase price and which property may later be sold, at which time the sales price shall be included as gross receipts;
C. Any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser;
D. Such part of the sale price of any property returned by purchasers to the seller as refunded by the seller by way of cash or credit allowances or return of refundable deposits previously included in gross receipts;
E. Receipts from investments where the holder of the investment receives only interest and/or dividends, royalties, annuities and gains from the sale or exchange of stock or securities for a person's own account, not derived in the ordinary course of a business;
"Marijuana business" means business activity including but not limited to, planting, cultivation, harvesting, transporting, delivering, transferring, dispensing, manufacturing, compounding, converting, processing, preparing, storing, packaging, and/or the wholesale and/or retail sales of marijuana and any ancillary products in the City, whether or not carried on for gain or profit, except that "marijuana business" shall not include cultivation solely for personal use pursuant to section 8.40.040;

"Person" means, without limitation, any natural individual, organization, firm, trust, common law trust, estate, partnership of any kind, association, syndicate, club, joint stock company, joint venture, limited liability company, corporation (including foreign, domestic, and nonprofit), municipal corporation (other than the City), cooperative, receiver, trustee, guardian, or other representative appointed by order of any court;

"Sale" means and includes any sale, exchange, or barter.

5.12.030-Other licenses, permits, taxes, fees or charges.

Nothing contained in this Chapter shall be deemed to repeal, amend, be in lieu of, replace or in any way affect any requirements for any license or permit required by, under or by virtue of any provision of any other Title or Chapter of this Code or any other ordinance or resolution of the City or of its Council, nor be deemed to repeal, amend, be in lieu of, replace or in any way affect any tax, fee or other charge imposed, assessed or required by, under or by virtue of any other Title or Chapter of this Code, or any other ordinance or resolution of the City or of its Council. Any references made or contained in any other Title or Chapter of this Code to any licenses, license taxes, fees or charges, or to any schedule of license fees, shall be deemed to refer to the licenses, license taxes, fees or charges, or schedule of license fees, provided for in other Titles or Chapters of this Code.

5.12.040-Business License Required.

A. There are imposed upon all persons engaged in marijuana business in the City the amounts prescribed in this Chapter and section 5.04.010. It shall be unlawful for any person, either for himself or for any other person, to commence, transact or carry on marijuana business in the City without first having procure a business license from the City under this Title and having paid all required taxes and fees, and without complying with any and all provisions contained in this Chapter. The carrying on of any marijuana business without complying with any and all provisions of this Title, shall constitute a separate violation of this Title for each and every day that such marijuana business is so carried on.

B. The business license required to be obtained under this Title and the taxes required to be paid under this Chapter and section 5.04.010 are declared to be required pursuant to the taxing power of the City of Campbell solely for the purpose of obtaining revenue and are not regulatory permit fees.

5.12.050-Payment of tax does not authorize unlawful business.

A. The payment of a business tax required by this Chapter, and its acceptance by the City, shall neither entitle any person to carry on any marijuana business unless the person has complied with all of the requirements of this Code and all other applicable laws, nor to carry on any marijuana business in any building or on any premises in the event that such building or premises are situated in a zone or locality in which the conduct of such marijuana business is in violation of any law.

B. No tax paid under the provisions of this Chapter shall be construed as authorizing the conduct or continuance of any illegal or unlawful business, or any business in violation of any ordinance of the city.

5.12.060–Amount of Tax.

Every person engaged in marijuana business in the City shall pay a business tax at a rate of seven percent of gross receipts. The City Council may at any time amend this Title to change the amount of the tax, provided that the amount of the tax shall not be increased above fifteen percent of gross receipts without approval of the voters.

5.12.070-Apportionment.

A. None of the tax provided for by this chapter shall be applied so as to occasion an undue burden upon interstate commerce or be violative of the equal protection and due process clauses of the Constitutions of the United States or the State of California.

B. If any case where a business tax is believed by a taxpayer to place an undue burden upon interstate commerce or be violative of such constitutional clauses, the taxpayer may apply to the Finance Director for an adjustment of the tax. It shall be the taxpayer's obligation to request in writing for an adjustment within one year after the date of payment of the tax. If the taxpayer does not request in writing within one year from the date of payment, then taxpayer shall be conclusively deemed to have waived any adjustment for that year.

C. The taxpayer shall, by sworn statement and supporting testimony, show the method of business and the gross volume of business and such other information as the Finance Director may deem necessary in order to determine the extent, if any, of such undue burden or violation. The Finance Director shall then conduct an investigation, and shall fix as the tax for the taxpayer an amount that is reasonable and nondiscriminatory, or if the tax has already been paid, shall order a refund of the amount over and above the tax so fixed. In fixing the tax to be charged, the Finance Director shall have the power to base the tax upon a percentage of gross receipts or any other measure which will assure that the tax assessed shall be uniform with that assessed on businesses of like nature, so long as the amount assessed does not exceed the tax as prescribed by this Chapter.

D. Should the Finance Director determine that the gross receipt measure of tax to be the proper bases, the Finance Director may require the taxpayer to submit a sworn statement of the gross receipts and pay the amount of tax as determined by the Finance Director.

5.12.080-Audit and examination of records and equipment.

The Finance Director shall have the power to audit and examine all books and records of persons engaged in marijuana business including both State and Federal income tax returns, California sales tax returns, or other evidence documenting the gross receipts of persons engaged in marijuana business, and, where necessary, all equipment, of any person engaged in marijuana business in the City, for the purpose of...
ascertaining the amount of business tax, if any, required to be paid by
the provisions hereof, and for the purpose of verifying any statements
or any item thereof when filed by any person pursuant to the provisions
of this Chapter. If such person, after written demand by the Finance
Director, refuses to make available for audit, examination or verification
such books, records or equipment as the director requests, the Finance
Director may, after full consideration of all information within his or her
knowledge concerning the marijuana business and activities of the person
so refusing, make an assessment in the manner provided in
Sections 5.12.100 through 5.12.120 of any taxes estimated to be due.

5.12.090-Deficiency determinations.
If the Finance Director is not satisfied that any statement filed as required
under the provisions of this Chapter is correct, or that the amount of tax is
correctly computed, he or she may compute and determine the amount to
be paid and make a deficiency determination upon the basis of the facts
contained in the statement or upon the basis of any information in his or
her possession or that may come into his or her possession. One or more
deficiency determinations of the amount of tax due for a period or periods
may be made. When a person discontinues engaging in a business, a
deficiency determination may be made at any time within three years
thereafter as to any liability arising from engaging in such business
whether or not a deficiency determination is issued prior to the date
the tax would otherwise be due. Whenever a deficiency determination
is made, a notice shall be given to the person concerned in the same
manner as notices of assessment are given under Sections 5.12.100
through 5.12.120.

5.12.100-Tax assessment-Notice requirements.
The notice of assessment shall be served upon the person either by
handing it to him or her personally, or by a deposit of the notice in the

5.12.110-Tax assessment-Notice requirements.
The notice of assessment shall be served upon the person either by
handing it to him or her personally, or by a deposit of the notice in the

5.12.120-Tax assessment-Hearing-Application and determination.
Within ten days after the date of service the person may apply in writing to
the Finance Director for a hearing on the assessment. If application for a
hearing before the City is not made within the time herein prescribed, the
tax assessed by the Finance Director shall become final and conclusive.
Within thirty days of the receipt of any such application for hearing, the
Finance director shall cause the matter to be set for hearing before him
or her not later than thirty days after the date of application, unless a later
date is agreed to by the Finance Director and the person requesting the
hearing. Notice of such hearing shall be given by the Finance Director to
the person requesting such hearing not later than five days prior to such
hearing. At such hearing said applicant may appear and offer evidence
why the assessment as made by the Finance Director should not be
confirmed and fixed as the tax due. After such hearing the Finance
Director shall determine and reassess the proper tax to be charged
and shall give written notice to the person in the manner prescribed in
Section 5.12.110 for giving notice of assessment.

5.12.130-Effect of state and federal reference/authorization.
Unless specifically provided otherwise, any reference to a State or
Federal statute in this Chapter shall mean such statute as it may be
amended from time to time, provided that such reference to a statute
herein shall not include any amendment thereto, or to any change of
interpretation thereto by a State or Federal agency or court of law with the
duty to interpret such law, to the extent that such amendment or change
of interpretation would, under California law, require voter approval of
such amendment or interpretation, or to the extent that such change
would result in a tax decrease. To the extent voter approval would
otherwise be required or a tax decrease would result, the prior version of
the statute (or interpretation) shall remain applicable; for any application
or situation that would not require voter approval or result in a decrease
of a tax, provisions of the amended statute (or new interpretation) shall
be applicable to the maximum possible extent.

5.12.140–Application to Non-Profit Operations.
The exemption provided in subsection (a) of section 5.01.010 this Code
shall be inapplicable to the tax imposed under this Chapter.
**COMPLETE TEXT OF MEASURE A-Continued**

**Section 6: Use of Tax Proceeds.** The proceeds of the taxes imposed by this ordinance shall be deposited in the City's general fund to be used by the City for any of the City's general expenses, including but not limited to the provision of Police, Fire, Code Enforcement services.

**Section 7: Authority of Council to Amend and Adjust:** Nothing contained in this ordinance shall be construed as a limitation on the City Council's authority to establish and adjust regulatory fees to cover or offset the cost of any regulatory program. The City Council may also amend, delete, revise or clarify any of the provisions of this ordinance, and the Titles and Chapters of the Campbell Municipal Code referenced in this ordinance, so long as those amendments, deletions, revisions or clarifications do not increase or extend any tax.

**Section 8: Severability.** If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared, invalid or unconstitutional.

**Section 9: CEQA.** The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the City Council finds the approval of this ordinance is not a project under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

**Section 10: Effective Date.** This ordinance shall become effective upon approval of a majority of voters voting on the measure for approval of this ordinance at the election to be held on April 25, 2017.

PASSED AND ADOPTED this 7th day of February, 2017 by the following roll call vote:

AYES: Councilmembers: Waterman, Landry, Resnikoff, Gibbons

NOES: Councilmembers: None

ABSENT: Councilmembers: Cristina

APPROVED:

/s/ Elizabeth Gibbons
Mayor

ATTEST:

/s/ Andrea Sanders
Deputy City Clerk

for Wendy Wood
City Clerk

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**ARGUMENT IN FAVOR OF MEASURE A**

MEASURE A will impose a gross receipts tax on marijuana businesses operating within the City of Campbell.

MEASURE A does not authorize marijuana dispensaries or businesses. It simply preserves the right of our community to apply a local tax when and if the community chooses to allow storefront sales of medical marijuana.

MEASURE A protects taxpayer dollars from paying all costs associated with medical marijuana businesses. (All Proposition 64 taxes go to the State.)

MEASURE A preserves City dollars for investment in streets, parks, and recreation programs that serve all Campbell residents.

MEASURE A ensures all revenue generated by this tax will stay in the City of Campbell.

MEASURE A guarantees that the City has the financial resources to provide code enforcement, police, and financial oversight of marijuana businesses without taking resources away from the residents of Campbell.

MEASURE A provides financial protection from the impact of marijuana businesses. The cities of Berkeley, Oakland, Richmond, San Jose, and Santa Cruz all have a similar tax on marijuana to deal with the impacts to their cities' budgets for public safety and code compliance.

MEASURE A is supported by Residents, Community Leaders and local Public Safety Officials.

Protect your City Services.
Vote “Yes” on MEASURE A.

/s/ Michael Krisman
Fire Battalion Chief

/s/ Cheryl Houts
Campbell Resident

/s/ Michael F. Kotowski
Former Mayor, City of Campbell

NO ARGUMENT AGAINST MEASURE A WAS SUBMITTED
CITY ATTORNEY’S IMPARTIAL ANALYSIS OF MEASURE B

Measure B was placed on the ballot by a petition signed by the requisite number of voters. The measure would establish a framework to allow medical marijuana dispensaries in Campbell, and establish new regulations for delivery and limited cultivation of medical marijuana.

The use and sale of marijuana remains illegal under Federal law. Under State law, persons who possess or cultivate marijuana for personal medical purposes with the recommendation of a physician are exempt from criminal prosecution; and persons 21 years old and older can use marijuana for non-medical purposes. Under the ordinances of the City of Campbell a resident may cultivate up to six marijuana plants indoors, subject to certain restrictions; and commencing on February 16, 2017, medical marijuana can be delivered to qualified patients in Campbell from dispensaries outside of the City. Dispensaries are not allowed in the City.

Measure B would provide that the City shall issue licenses for dispensaries of medical marijuana, and require the City to prescribe reasonable rules that are consistent with the measure and applicable State laws. Once the regulations are adopted, no one could engage in the cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution or sale of medical marijuana ("commercial cannabis activity") without obtaining an annual permit from the City, except for certain activities that are exempted under the measure. Among these exemptions, no City permit would be required for individual qualified patients to cultivate up to 100 square feet of marijuana for the patient’s personal use, or for a primary caregiver to cultivate up to 500 square feet for the personal use of no more than five qualified patients. Commercial cannabis activity would be limited to the City’s Industrial and Planned Development zoning districts, except for delivery of medical cannabis to a qualified patient or a primary caregiver at their residence. Licensed dispensaries would be limited to three, which could not operate within a 600-foot radius of a school for kindergarten through twelfth grade. Commercial cannabis activity would also be prohibited on a property that has entrances or exits on a side that abuts any residentially zoned land, or shares a corner with residentially zoned land, or is directly across the street from residentially zoned land, unless the commercial cannabis activity is separated from the residentially zoned property by a street that is at least 80 feet in width. It is not clear whether the reference to entrances or exits applies to streets or to buildings. Dispensaries would be required to impose security measures such as establishing areas limited to dispensary personnel, and storing their products in a locked room or safe. Hours of operation would be limited to 10:00 a.m. to 8:00 p.m. No alcohol could be sold, and no marijuana products or alcohol could be used on the site. No lighting is allowed when the business is closed, except as may be necessary for security. The measure also establishes requirements for record keeping, and privacy of patients and primary caregivers.

/s/ William R. Seligmann
City Attorney of Campbell

COMPLETE TEXT OF MEASURE B

CAMPBELL MEDICAL MARIJUANA REGULATION AND SAFETY ACT OF 2016

The People of the City of Campbell do ordain as follows:

SECTION 1. TITLE

This initiative shall be known and may be cited as the Campbell Medical Marijuana Regulation and Safety Act of 2016.

SECTION 2. FINDINGS AND DECLARATIONS

The People of the City of Campbell find all of the following to be true:

A. We strongly support the right of seriously ill patients to use medical marijuana in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraines, or any other serious illness or condition for which marijuana provides relief.


C. The cultivation and provision of medical marijuana should occur in a safe and orderly manner in order to protect patients and the community. In the absence of clear guidelines, there has been a lack of consistency in the permitting and regulation of medical marijuana cultivation and dispensing.

D. The people of the City of Campbell find and declare that we enact this initiative pursuant to the powers reserved to the State of California, the City of Campbell, and its people under the Tenth Amendment to the United States Constitution.

SECTION 3. ADDITION OF CHAPTER 5.56, "MEDICAL MARIJUANA REGULATION AND SAFETY," TO TITLE 5 OF THE CAMPBELL MUNICIPAL CODE, REVISED

Chapter 5.56, entitled "Medical Marijuana Regulation and Safety" is added to Title 5, entitled "Business Licenses and Regulations," of the Campbell Municipal Code, Revised and shall read as follows:

Chapter 5.56—Medical Marijuana Regulation and Safety

Part A. Definitions.

Section 5.56.010. This act shall be known and may be cited as the Campbell Medical Marijuana Regulation and Safety Act of 2016.

Section 5.56.011. For purposes of this chapter, the following definitions shall apply:
(a) "Applicant," for purposes of Part D (commencing with Section 5.56.040), means the following:

(1) Owner or owners of a proposed facility, including all persons or entities having ownership interest other than a security interest, lien, or encumbrance on property that will be used by the facility.

(2) If the owner is an entity, "owner" includes within the entity each person participating in the direction, control, or management of, or having a financial interest in, the proposed facility.

(3) If the applicant is a publicly traded company, "owner" means the chief executive officer or any person or entity with an aggregate ownership interest of 5 percent or more.

(b) "Bureau" means the Bureau of Medical Marijuana Regulation within the California Department of Consumer Affairs.

(c) "Cannabis" means all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from marijuana. "Cannabis" also means marijuana as defined by Section 11018 of the California Health and Safety Code as enacted by Chapter 1407 of the Statutes of 1972. "Cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this chapter, "cannabis" does not mean "industrial hemp" as defined by Section 81000 of the California Food and Agricultural Code or Section 11018.5 of the California Health and Safety Code.

(d) "Cannabis concentrate" means manufactured cannabis that has undergone a process to concentrate the cannabinoid active ingredient, thereby increasing the product's potency.

(e) "Caregiver" or "primary caregiver" has the same meaning as that term is defined in Section 11362.7 of the California Health and Safety Code.

(f) "City" means the City of Campbell.

(g) "Commercial cannabis activity" includes cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution, or sale of medical cannabis or a medical cannabis product, except as set forth in Section 5.56.040, related to qualifying patients and primary caregivers.

(h) "Delivery" means the commercial transfer of medical cannabis or medical cannabis products from a dispensary, up to an amount determined by the bureau to a primary caregiver or qualified patient as defined in Section 11362.7 of the California Health and Safety Code, or a testing laboratory. "Delivery" also includes the use by a dispensary of any technology platform owned and controlled by the dispensary, or independently licensed under this chapter, that enables qualified patients or primary caregivers to arrange for or facilitate the commercial transfer by a licensed dispensary of medical cannabis or medical cannabis products.

(i) "Dispensary" means a facility where medical cannabis, medical cannabis products, or devices for the use of medical cannabis or medical cannabis products are offered, either individually or in any combination, for retail sale, including an establishment that delivers medical cannabis and medical cannabis products as part of a retail sale.

(j) "Dispensing" means any activity involving the retail sale of medical cannabis or medical cannabis products from a dispensary.

(k) "Edible cannabis product" means manufactured cannabis that is intended to be used, in whole or in part, for human consumption, including, but not limited to, chewing gum. An edible medical cannabis product is not considered food as defined by Section 109935 of the California Health and Safety Code or a drug as defined by Section 109925 of the Health and Safety Code.

(l) "Licensee" means a person issued a license under this chapter.

(m) "Live plants" means living medical cannabis flowers and plants, including seeds, immature plants, and vegetative stage plants.

(n) "Medical cannabis," "medical cannabis product," or "cannabis product" means a product containing cannabis, including, but not limited to, edible cannabis products, cannabis concentrates, or topical cannabis intended to be sold for use by medical cannabis patients in California pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Section 11362.5 of California the Health and Safety Code. For the purposes of this chapter, "medical cannabis" does not include "industrial hemp" as defined by Section 81000 of the California Food and Agricultural Code or Section 11018.5 of the California Health and Safety Code.

(o) "Person" means an individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit and includes the plural as well as the singular number.

(p) "State license," "license," or "registration" means a state license issued by the Bureau.

(q) "Topical cannabis" means a product intended for external use.
A topical cannabis product is not considered a drug as defined by Section 109925 of the California Health and Safety Code.

Part B. Administration

Section 5.56.020. The City shall issue licenses only for dispensaries, as defined in this chapter.

Section 5.56.021. Protection of the public shall be the highest priority for the City in exercising its licensing, regulatory, and disciplinary functions under this chapter. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

Section 5.56.022. The City shall make and prescribe reasonable rules as may be necessary or proper to carry out the purposes and intent of this chapter and to enable it to exercise the powers and duties conferred upon it by this chapter, not inconsistent with any statute of this state, including particularly this chapter and Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of the Government Code.

Section 5.56.023. Notice of any action of the City required by this chapter to be given may be signed and given by the planning director or an authorized employee of the department and may be made personally or in the manner prescribed by Section 1013 of the California Code of Civil Procedure.

Section 5.56.024.

(a) The City may convene an advisory committee to advise the City on the development of standards and regulations pursuant to this chapter, including best practices and guidelines to ensure qualified patients have adequate access to medical cannabis and medical cannabis products. The advisory committee members shall be determined by the city manager.

(b) The advisory committee members may include, but not be limited to, representatives of the medical marijuana industry, representatives of medical marijuana cultivators, appropriate local agencies, appropriate local law enforcement, physicians, environmental and public health experts, and medical marijuana patient advocates.

Section 5.56.025. The City may make or cause to be made such investigation as it deems necessary to carry out its duties under this chapter.

Section 5.56.026. For any hearing held pursuant to this chapter, the City may delegate the power to hear and decide to an administrative law judge. Any hearing before an administrative law judge shall be pursuant to the procedures, rules, and limitations prescribed in Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the California Government Code.

Section 5.56.027. In any hearing before the City pursuant to this chapter, the City may pay any person appearing as a witness at the hearing at the request of the City pursuant to a subpoena, his or her actual, necessary, and reasonable travel, food, and lodging expenses, not to exceed the amount authorized for state employees.

Section 5.56.028. The City may on its own motion at any time before a penalty assessment is placed into effect and without any further proceedings, review the penalty, but such review shall be limited to its reduction.

Part C. Enforcement

Section 5.56.030. Grounds for disciplinary action include:

(a) Failure to comply with the provisions of this chapter or any rule or regulation adopted pursuant to this chapter.

(b) Conduct that constitutes grounds for denial of licensure pursuant to Title 5 of the Campbell Municipal Code, Revised.

(c) Any other grounds contained in regulations adopted by the City pursuant to this chapter.

(d) Failure to comply with any state law, except as provided for in this chapter or other California law.

Section 5.56.031. The City may suspend or revoke licenses, after proper notice and hearing to the licensee, if the licensee is found to have committed any of the acts or omissions constituting grounds for disciplinary action. The disciplinary proceedings under this chapter shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the California Government Code, and the City shall have all the powers granted therein.

Section 5.56.032. The City may take disciplinary action against a licensee for any violation of this chapter when the violation was committed by the licensee’s agent or employee while acting on behalf of the licensee or engaged in activity for which the licensee has obtained a license under this chapter.

Section 5.56.033. Upon suspension or revocation of a license, the City shall inform the Bureau, who is previously tasked under the California Medical Marijuana Regulation and Safety Act (AB 266) with informing all other licensing authorities and the Department of Food and Agriculture.

Section 5.56.034. All accusations against licensees shall be filed by the City within five (5) years after the performance of the act or omission alleged as the ground for disciplinary action; provided, however, that the foregoing provision shall not constitute a defense to an accusation alleging fraud or misrepresentation as a ground for disciplinary action.

Section 5.56.035. Nothing in this chapter shall be interpreted to supersede or limit state agencies from exercising their existing enforcement authority under the California Fish and Game Code, the California Water Code, the California Food and Agricultural Code, or the California Health and Safety Code.
Section 5.56.036.
   (a) The actions of a licensee, its employees, and its agents that are
       (1) permitted pursuant to a license or permit issued by the City,
       and (2) conducted in accordance with the requirements of this
       chapter and regulations adopted pursuant to this chapter, are
       not unlawful under state law and shall not be an offense subject
       to arrest, prosecution, or other sanction under state law, or be
       subject to a civil fine or be a basis for seizure or forfeiture
       of assets under state law.

   (b) The actions of a person who, in good faith, allows his or her
       property to be used by a licensee, its employees, and its agents,
       as permitted pursuant to a City license or permit following the
       requirements of this chapter, are not unlawful under state law
       and shall not be an offense subject to arrest, prosecution, or
       other sanction under state law, or be subject to a civil fine or be
       a basis for seizure or forfeiture of assets under state law.

Section 5.56.037.
   (a) A person engaging in commercial cannabis activity without
       a license required by this chapter shall be subject to civil
       penalties of up to twice the amount of the license fee for each
       violation, and the court may order the destruction of medical
       cannabis associated with that violation in accordance with
       Section 11479 of the California Health and Safety Code. Each
       day of operation shall constitute a separate violation of this
       section. All civil penalties imposed and collected pursuant to
       this section shall be deposited into the City's general treasury.

   (b) If an action for civil penalties is brought against a licensee
       pursuant to this chapter by the City Attorney or City Prosecutor
       or the California Attorney General on behalf of the people, the
       penalty collected shall be deposited into the City's general
       treasury.

   (c) Notwithstanding subdivision (a), criminal penalties shall
       continue to apply to an unlicensed person engaging in
       commercial cannabis activity in violation of this chapter,
       including, but not limited to, those individuals covered under
       Section 11362.7 of the California Health and Safety Code.

Part D. Licensing

Section 5.56.040.
   (a) The City may issue licenses only to qualified applicants who
       intend to and do engage in dispensing medical cannabis
       pursuant to this chapter. Upon the date of implementation
       of regulations by the City, no person shall engage in any
       commercial cannabis activity without possessing a permit or
       license from the City.

   (b) Revocation of the City's license or permit shall terminate the
       ability of the licensee to operate within the City until the City
       reinstates or reissues the license or permit. The City shall
       notify the Bureau upon revocation of the City license or permit.

   (c) Upon the Bureau's issuance of licenses under the California

Section 5.56.041. A license issued pursuant to this Chapter section
shall be valid for 12 months from the date of issuance. The license shall
be renewed annually.

Section 5.56.042.
   (a) No license shall be issued by the City for commercial cannabis
       activity in any zone in the City other than the manufacturing
       (C-M and M-1) and Planned Development (P-D) zones, except
       that a dispensary may engage in delivery of medical cannabis
       to a qualified patient or primary caregiver at the residence
       of such qualified patient or primary caregiver. Any activity
       conducted by a licensee pursuant to this Chapter is expressly
       deemed not to be inconsistent with federal law as those terms
       are used in Section 21.12.030(F)(2) of the Campbell Municipal
       Code, Revised.

   (b) No license shall operate its business within a 600-foot radius
       of a school. The distance specified in this section shall be
       the horizontal distance measured in a straight line from the
       furthest property line of the lot on which the medical marijuana
       cooperative, collective, dispensary, operator, establishment, or
       provider is to be located without regard to intervening structures.
       For the purposes of this section, "school" means any public or
       private school providing instruction in kindergarten or grades
       1 to 12, inclusive, but does not include any private school in
       which education is primarily conducted in private homes.

Section 5.56.043. The City shall act on all license applications within
ninety (90) days that the application is received by the City and shall
review applications in the chronological order received by the City.

COMPLETE TEXT OF MEASURE B-Continued

Medical Marijuana Regulation and Safety Act, a licensee shall
be required to maintain a license issued by the Bureau subject
to all of the requirements thereof. Revocation of a state license
shall terminate the ability of a medical cannabis licensee to
operate within the City until the Bureau reinstates or reissues
the state license.

(d) Each licensee shall obtain a separate license for each location
where it operates its dispensary.

(e) Nothing in this chapter shall be construed to supersede or limit
state agencies, including the State Water Resources Control
Board and Department of Fish and Wildlife, from establishing
fees to support their medical cannabis regulatory programs.

(f) The City may not issue licenses pursuant to this chapter to
more than three (3) licensees operating at the same time.
In the event that a licensee's license issued pursuant to this
chapter is revoked, then the City may issue a license to another
applicant, provided that there are not more than three (3) active
licensees at any given time.

(g) An applicant must own the property on which it intends to
operate its commercial cannabis activity as evidenced by a
deed in the name of the applicant or in the name of a trust of
which the applicant is a trustee.

COMPLETE TEXT OF MEASURE B-Continued
**Section 5.56.044.** The City shall create and promulgate a form of an application for a license to be issued under this chapter within sixty (60) days of the enactment of this chapter. Such application form will be made available at City Hall and shall also be available on the City’s website. The application will contain sufficient questions and requests for documentation to be provided by the applicant to the City to ensure the applicant complies with all aspects of this chapter.

**Section 5.56.045.** Application shall be made available at City Hall and shall also be available on the City’s website.

**Section 5.56.046.** No license shall be issued for commercial cannabis activity to be conducted on premises that provides ingress or egress to its premises on any side of the location that (i) abuts, (ii) is across a street, alley or walk from, as measured at 90 degrees from the lot lines of the location, or (iii) has a common corner with any land zoned residential, except that an exit door required by the Campbell Municipal Code, Revised may be maintained for emergency egress only and must be locked from the exterior at all times. The above notwithstanding, this subsection shall not prohibit a licensee from locating across a street, from, or having a common corner with, any land zoned residential if the licensee’s premises are separated from that residential zone by a public thoroughfare with a minimum roadway width of 80 feet.

**Section 5.56.047.**

(a) No City license shall be required for individual qualified patients cultivating medical cannabis pursuant to California Health & Safety Code Section 11362.5 if the area he or she uses to cultivate marijuana does not exceed 100 square feet and he or she uses to cultivate marijuana does not exceed 500 square feet and he or she she cultivates marijuana exclusively for the personal medical use and does not sell, distribute, donate, or provide marijuana to any other person or entity.

(b) No City license shall be required for primary caregivers cultivating medical cannabis pursuant to California Health & Safety Code Section 11362.5 if the area he or she uses to cultivate marijuana does not exceed 500 square feet and he or she cultivates marijuana exclusively for the personal medical use of no more than five specified qualified patients for whom he or she is the primary caregiver within the meaning of California Health & Safety Code Section 11362.7 and does not receive remuneration for these activities, except for compensation provided in full compliance with subdivision (c) of California Health & Safety Code Section 11362.765.

(c) For purposes of this section, the area used to cultivate marijuana shall be measured by the aggregate area of vegetative growth of live plants on the premises.

**Part E. Medical Marijuana Regulation**

**Section 5.56.050.**

(a) A licensed dispensary shall implement sufficient security measures to both deter and prevent unauthorized entrance into areas containing medical cannabis or medical cannabis products and theft of medical cannabis or medical cannabis products at the dispensary. These security measures shall include, but not be limited to, all of the following:

- Preventing individuals from remaining on the premises of the dispensary if they are not engaging in activity expressly related to the operations of the dispensary.
- Establishing limited access areas accessible only to authorized dispensary personnel.
- Storing all finished medical cannabis and medical cannabis products in a secured and locked room, safe, or vault, and in a manner as to prevent diversion, theft, and loss, except for limited amounts of cannabis used for display purposes, samples, or immediate sale.

(b) A dispensary shall notify the City and the appropriate law enforcement authorities within 24 hours after discovering any of the following:

- Significant discrepancies of more than five percent (5%) identified during inventory.
- Diversion, theft, loss, or any criminal activity involving the dispensary or any agent or employee of the dispensary.
- The loss or unauthorized alteration of records related to cannabis, registered qualifying patients, primary caregivers, or dispensary employees or agents.
- Any other breach of security.

(c) Every dispensary must abide by the following operational controls, and failure to do so is grounds for revocation of its license:

- No dispensary may remain open and/or operating between the hours of 8 PM and 10 AM.
- No dispensary shall permit cannabis and/or alcohol consumption at the premises or in any area of the location used for parking any vehicle.
- No dispensary may permit entry of a minor unaccompanied by a parent or legal guardian on its premises.
- No dispensary shall permit any cannabis or cannabis products to be visible from the exterior of the premises.
- No dispensary may illuminate any portion of its premises during closure hours by lighting that is visible from the exterior of the premises, except such lighting as is reasonably utilized for the security of the premises.

**Section 5.56.051.**

(a) Deliveries, as defined in this chapter, can only be made by a dispensary.

(b) Upon issuance of a license under this chapter, a dispensary that delivers medical cannabis or medical cannabis products shall require all employees of a dispensary delivering medical cannabis or medical cannabis products shall carry a copy of...
the dispensary's current license authorizing those services with them during deliveries and the employee's government-issued identification, and shall present that license and identification upon request to state and local law enforcement, employees of regulatory authorities, and other state and local agencies enforcing this chapter.

(c) During delivery, the licensee shall maintain a physical copy of the delivery request and shall make it available upon request of the City and/or City law enforcement officers. The delivery request documentation shall comply with state and federal law regarding the protection of confidential medical information.

(d) The qualified patient or primary caregiver requesting the delivery shall maintain a copy of the delivery request and shall make it available, upon request, to the City and/or City law enforcement officers.

Section 5.56.052.
(a) A licensee shall keep accurate records of commercial cannabis activity.

(b) All records related to commercial cannabis activity as defined by this Chapter shall be maintained for a minimum of seven years.

(c) The City may examine the books and records of a licensee and inspect the premises of a licensee as the City deems necessary to perform its duties under this chapter. All inspections shall be conducted during standard business hours of the licensed facility or at any other reasonable time.

(d) Licensees shall keep records identified by the licensing authorities on the premises of the location licensed. The City may make any examination of the records of any licensee. Licensees shall also provide and deliver copies of documents to the City upon request.

(e) A licensee or its agent, or employee, that refuses, impedes, obstructs, or interferes with an inspection of the premises or records of the licensee pursuant to this section has engaged in a violation of this chapter.

(f) If a licensee or an employee of a licensee fails to maintain or provide the records required pursuant to this section, the licensee shall be subject to a citation and fine of thirty thousand dollars ($30,000) per individual violation.

Section 5.56.053. This chapter shall not interfere with an employer's rights and obligations to maintain a drug and alcohol free workplace or require an employer to permit or accommodate the use, consumption, possession, transfer, display, transportation, sale, or growth of cannabis in the workplace or affect the ability of employers to have policies prohibiting the use of cannabis by employees and prospective employees, or prevent employers from complying with state or federal law.

Part F. Privacy

Section 5.56.060.
(a) Information identifying the names of patients, their medical conditions, or the names of their primary caregivers received and contained in records kept by the City for the purposes of administering this chapter are confidential and shall not be disclosed pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code), except as necessary for authorized employees of the State of California or any city, county, or city and county to perform official duties pursuant to this chapter.

(b) Information identifying the names of patients, their medical conditions, or the names of their primary caregivers received and contained in records kept by the bureau for the purposes of administering this chapter shall be maintained in accordance with Chapter 1 (commencing with Section 123100) of Part 1 of Division 106 of the California Health and Safety Code, Part 2.6 (commencing with Section 56) of Division 1 of the California Civil Code, and other state and federal laws relating to confidential patient information.

(c) Nothing in this section precludes the following:

(1) Employees of the City notifying state or local agencies about information submitted to the agency that the employee suspects is falsified or fraudulent.

(2) Notifications from the City to state or local agencies about apparent violations of this chapter or applicable local ordinance.

(3) Verification of requests by state or local agencies to confirm licenses and certificates issued by the regulatory authorities or other state agency.

(4) Provision of information requested pursuant to a court order or subpoena issued by a court or an administrative agency or local governing body authorized by law to issue subpoenas.

(d) Information shall not be disclosed by the City beyond what is necessary to achieve the goals of a specific investigation, notification, or the parameters of a specific court order or subpoena.

SECTION 4. FINDINGS REGARDING RIGHTS TO PRIVACY

The People of the City of Campbell find and declare that Section 3 of this act, which adds Section 5.56.060 to the Campbell Municipal Code, Revised, thereby imposes a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the People of the City of Campbell make the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest: the limitation imposed under this act is necessary for purposes of compliance with the federal Health Insurance Portability and
COMPLETE TEXT OF MEASURE B-Continued

Accountability Act of 1996 (42 U.S.C. Sec. 1320d et seq.), the Confidentiality of Medical Information Act (Part 2.6 (commencing with Section 56) of Division 1 of the California Civil Code), and the Insurance Information and Privacy Protection Act (Article 6.6 (commencing with Section 791) of Part 2 of Division 1 of the California Insurance Code).

SECTION 5. SEVERABILITY

The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

ARGUMENT IN FAVOR OF MEASURE B

Vote YES on B to allow 3 dispensaries, delivery and cultivation of medical cannabis in Campbell.

Dispensaries must be 600 feet away from schools, and property must not have entrances or exits that abut any residential zones. Hours of operation are limited from 10:00 a.m. to 8:00 p.m. Patients with medical cannabis cards may cultivate up to 100 square feet of marijuana for personal use WITHOUT registration with the police department.

KEEP CAMPBELL GREEN upholds the will of the voters and demands FAIR & SAFE access for local patients who need medical cannabis. Keep Campbell Green upholds CA state law and maintains the PRIVACY of patients' and caregivers' identities.

KEEP CAMPBELL GREEN opposes the City of Campbell's restrictive policies on medical cannabis, particularly when CA voters have already passed prop 64 legalizing adult recreational use. The city's proposed 2-year ban on dispensaries and police oversight of legal personal cultivation is discriminatory. The city's measure is not "Responsible", rather misleading and borders a full-on ban.

Please join patients, caregivers, local community leaders and business owners and vote Yes on B.

/s/ Kale Schulte
On behalf of Keep Campbell Green
### ARGUMENT AGAINST MEASURE B

**MEASURE B** is not about compassionate use of marijuana for patients who need medicinal relief; it is about opening marijuana businesses in Campbell. State law already allows the use of medical marijuana in Campbell, and the City allows delivery of medical marijuana to patients residing in Campbell.

**MEASURE B** is sponsored by out-of-town special interest groups that put their financial interests ahead of sound policies for Campbell. Costs could have been avoided if proponents for MEASURE B worked with the City to develop responsible regulations. Instead, MEASURE B circumvents local laws and does not comply with the City's General Plan and land use policies.

**MEASURE B** allows marijuana storefronts to open next to our homes, as well as restaurants, daycares, pre-schools, places of worship, city parks and the library. These high volume businesses will overwhelm our local streets, requiring access and parking for more than 1,500 additional cars every day.

**MEASURE B** is misleading. The language is not clearly written and exposes the City to unnecessary litigation. The measure was written by and for the commercial marijuana industry—not for the people of Campbell.

**MEASURE B** permits dangerous cash-only businesses. Since marijuana is banned federally, these businesses with large amounts of money on-site increase the potential for violent crime in our neighborhoods.

**MEASURE B** will result in unfunded taxpayer costs of more than $950,000 annually for oversight and enforcement.

Voting NO on MEASURE B will protect Campbell from threats to public safety. Patients will continue to have the ability to get the relief they need in Campbell without MEASURE B.

/s/ Cynthia L. Dodd
Principal, Rolling Hills Middle School

/s/ Jason Baker
Former Mayor, City of Campbell

/s/ David Livingston
President, Campbell Police Officers Assoc.

/s/ Elizabeth Gibbons
Mayor, City of Campbell

/s/ Jimmy L. Zien
Home Church Assoc. Pastor

### REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE B

**VOTE NO on Measure B**

**Medical marijuana use is already legal in Campbell.** Measure B is not necessary for Campbell residents to have legal access to medical marijuana.

A NO vote on Measure B does not change the legal use of medical marijuana by individuals.

**Delivery and personal cultivation of medical marijuana is already legal in Campbell.** Licensed dispensaries in San Jose have already begun to deliver medical marijuana to Campbell residents.

Measure B seeks to allow 500 square feet of medical marijuana cultivation for caregivers. It is concerning because **nothing in Measure B prohibits the sale and distribution of excess marijuana from these large cultivation locations.** Cultivation could be near your house, school, daycare facility or parks.

Measure B is sponsored by out-of-town profit-driven businesses that have no concern for the health and safety of Campbell residents.

**Measure B does not guarantee the quality and safety of the marijuana product sold.**

Each dispensary may create at least 500 car trips through your neighborhood each day.

**Measure B will cost the taxpayers of Campbell at least $900,000 per year.**

Measure B cost taxpayers $463,400 to place the measure on the Special Election ballot. **This cost could have been avoided if the Initiative proponents worked with the City, as requested,** to provide the typical protection measures for marijuana dispensaries that exist in cities throughout California.

Protect the children and neighborhoods in Campbell.

**VOTE NO on Measure B**

/s/ Eric Dion Andrew
School Superintendent

/s/ Robert S. Carlson
President, Campbell Police Foundation

/s/ Carol Hoffman
Member, Civic Improvement Commission

/s/ Paul Resnikoff
Vice Mayor, City of Campbell

/s/ Cynthia L. Dodd
Principal, Rolling Hills Middle School

/s/ Jason Baker
Former Mayor, City of Campbell

/s/ David Livingston
President, Campbell Police Officers Assoc.

/s/ Elizabeth Gibbons
Mayor, City of Campbell

/s/ Jimmy L. Zien
Home Church Assoc. Pastor
REBUTTAL TO ARGUMENT AGAINST MEASURE B

Vote YES on measure B

MEASURE B has been and will only be about one thing. **Equal and unfettered access to medical marijuana by ALL patients.** Compassionate...responsible...fair.

MEASURE B was created by patients, caregivers and concerned family members in Campbell. Over 100 individuals that reside in Campbell have made this initiative a reality.

MEASURE B adheres to state guidelines that provide more than adequate distances from sensitive areas.

MEASURE B does not increase the risk of violent crime in Campbell. There are no statistics to support this claim and it is an attempt to drum up fear and restrict rights that have already been established.

MEASURE B will generate a revenue stream in Campbell. This revenue can be directed towards schools, roads and planned development to help develop our city further.

VOTE YES ON MEASURE B

/s/ Kale Schulte
On behalf of Keep Campbell Green
Measure C was placed on the ballot by the Campbell City Council. The measure would continue the City’s current prohibition on marijuana dispensaries until at least April 1, 2019, at which time the Council would have discretion to adopt ordinances allowing medical marijuana dispensaries, subject to certain restrictions set forth in the measure.

The sale and sale of marijuana remains illegal under Federal law. Under State law, persons who possess or cultivate marijuana for personal medical purposes with the recommendation of a physician are exempt from criminal prosecution; and persons 21 years old and older can use marijuana for non-medical purposes. State law also provides that cities must allow persons to grow up to six marijuana plants for personal use at their residence. Campbell’s ordinances require the six plants to be grown indoors, subject to additional restrictions set forth in the Municipal Code, such as compliance with building codes, and a prohibition on the use of certain chemicals. Commencing on February 16, 2017, medical marijuana can be delivered to qualified patients in Campbell from dispensaries outside of the City. Dispensaries are not currently allowed in the City.

Measure C would amend the Municipal Code to continue the City’s prohibition on dispensaries until at least April 1, 2019. The stated purpose of this moratorium is to provide time to fully study the impacts of marijuana dispensaries, and assess whether the existence of deliveries and personal cultivation provides adequate access to marijuana for qualified patients. Beginning on April 1, 2019, the Council could adopt ordinances allowing dispensaries in Campbell. However, the Council would not be required to do so. Measure C provides that dispensaries could not be located in any residential, Planned Development, or Condominium Planned Development zoning district. Additionally, any building containing a dispensary would need to be at least 600-feet from any day care, preschool, park, school serving kindergarten through twelfth grade, the Campbell Community Center, or any other dispensary. Measure C also provides that buildings containing dispensaries would need to be at least 100-feet from any of the zoning districts in which dispensaries are prohibited, and any property containing a legally existing residence. The Council could adopt more restrictive provisions as necessary to protect the public health, safety, or welfare. The existing Municipal Code provisions governing the cultivation of marijuana for personal use and the delivery of medical marijuana would remain unchanged.

By its terms, Measure C conflicts with the provisions of Measure B of this election. Measure B would require the City to establish procedures to allow up to three dispensaries in Campbell, including in Planned Development districts. Measure C provides that if both measures receive a majority of votes cast in their favor, but Measure C receives a higher number of affirmative votes than Measure B, the provisions of Measure C shall supersede Measure B in its entirety, and the provisions sought to be enacted by Measure B shall be null and void.

/s/ William R. Seligmann
City Attorney of Campbell
Section 3: Purpose. This measure is intended to balance the needs of qualified patients to obtain medical marijuana with the need to preserve the quality of life for all of the citizens of the City of Campbell. Under the laws currently adopted in Campbell, qualified patients enjoy the ability to have medical marijuana delivered directly to them, as well as the right to grow up to 6 plants for their personal use. Allowing patients to obtain medical marijuana in this fashion has a far less intensive impact on the City than allowing dispensaries. The City needs time to assess whether or not the ability to obtain medical marijuana through deliveries and limited, personal cultivation provides adequate access for qualified patients, as well as to fully study the impacts marijuana dispensaries in other communities, and learn from their experiences. In order to further this intent, this measure would continue the City's current ban on dispensaries up through at least April 1, 2019. After April 1, 2019, the Campbell City Council would have discretion to allow a reasonable and appropriate number of dispensaries in the City, provided that the dispensaries could not be located near any sensitive use or other dispensary.

Section 4: Dispensaries. Campbell Municipal Code section 8.38.030 is hereby amended to read as follows:

8.38.030 Prohibited Activities; Exceptions.

A. Except as provided in subsections B, C, D and E of this section, Marijuana Processing, Marijuana Delivery, Marijuana Cultivation, and Marijuana Dispensaries shall be prohibited activities in the City. No use permit, variance, building permit, or any other entitlement, license, or permit, whether administrative or discretionary, shall be approved or issued for the activities of Marijuana Processing, Marijuana Delivery, Marijuana Cultivation, or the establishment or operation of a Marijuana Dispensary in the City, and no person shall otherwise establish or conduct such activities in the City.

B. The prohibitions set forth in subsection A shall not apply to the extent that such prohibitions are preempted by applicable State or Federal law.

C. Notwithstanding subsection A, Marijuana Cultivation is allowed for personal medical use to the same extent, and under the same restrictions as allowed for personal use pursuant to Campbell Municipal Code section 8.40.040.

D. Notwithstanding subsection A, Marijuana Delivery shall be allowed from Marijuana Dispensaries located outside of the City of Campbell to Qualified Patients in the City of Campbell, subject to the following restrictions:

1. Only Marijuana Dispensaries that are licensed under the applicable laws of the State of California, including but not limited to the Medical Cannabis Regulation and Safety Act (California Business and Professions Code sections 19300 et. seq.), and are operating in compliance with the applicable laws of the local jurisdiction in which the Marijuana Dispensary is located shall be allowed to provide Marijuana Delivery to a Qualified Patient in the City of Campbell;

2. Prior to commencing Marijuana Deliveries to Qualified Patients in the City of Campbell, the Marijuana Dispensary shall register with the Police Department of the City of Campbell, and...
provide proof that the Marijuana Dispensary is licensed under the applicable laws of the State of California and operating in compliance with the applicable laws of the local jurisdiction in which the Marijuana Dispensary is located;

3. Prior to commencing Marijuana Deliveries to Qualified Patients in the City of Campbell, the Marijuana Dispensary shall provide the Campbell Police Department with the names and driver's license numbers of all persons who will be conducting the deliveries; and the Marijuana Dispensary shall notify the Campbell Police Department of any changes in the identities of the persons conducting the deliveries within twenty-four hours of any change in that information; and

4. Annually, prior to July 1st of each year, the Marijuana Dispensary shall provide the Campbell Police Department with proof that the Marijuana Dispensary’s license under the applicable laws of the State of California and authorization to operate in the local jurisdiction in which the Marijuana Dispensary is located is current and in effect

E. Notwithstanding anything contained in this section or section 8.40.040 to the contrary, on or after April 1, 2019, but not before then, the City Council may adopt an ordinance prescribing rules and regulations allowing for the operation of a reasonable and appropriate number of Marijuana Dispensaries, provided that:

1. No Marijuana Dispensary shall be located within any zoning district zoned for residential use;

2. No Marijuana Dispensary shall be located within any Planned Development or Condominium Planned Development zoning district;

3. All Marijuana Dispensary operations must be conducted within a secured, fully enclosed building;

4. No part of any building containing a Marijuana Dispensary shall be located within 100 feet of the closest property boundary of any property zoned for residential use or on which a legally existing residential use is being conducted;

5. No part of any building containing a Marijuana Dispensary shall be located within 100 feet of the closest property boundary of any Planned Development or Condominium Planned Development zoning district;

6. No part of any building containing a Marijuana Dispensary shall be located within 600 feet of the closest property boundary of any property on which child day care facility or preschool is located;

7. No part of any building containing a Marijuana Dispensary shall be located within 600 feet of the closest property boundary of any property on which any schools—K—12, whether public or private are located;

8. No part of any building containing a Marijuana Dispensary shall be located within 600 feet of the closest property boundary of any park or the Campbell Community Center; and

9. No property on which a Marijuana Dispensary is located shall be located shall be within 600 feet of any other property on which a Marijuana Dispensary is located, as measured from the closest property boundaries.

Nothing contained in this section shall preclude the City Council from adopting more restrictive provisions should the Council determine that such provisions are necessary to protect the public health, safety, or welfare.

Section 5: Prevalence Over Competing Measure. This measure is, and is intended to be wholly in conflict with the provisions of the initiative measure submitted by Proponent Kale Schulte entitled in section 1 of the petition as the "Campbell Medical Marijuana Regulation and Safety Act of 2016" that proposes adding Chapter 5.56 to the Campbell Municipal to allow up to three marijuana dispensaries in the City. In the event that both measures receive a majority of the votes cast in favor of the measures, but this City Council initiative entitled herein in section 1 as the "Campbell Responsible Regulation of Medical Marijuana Act" receives a higher number of affirmative votes than the measure entitled the "Campbell Medical Marijuana Regulation and Safety Act of 2016," the provisions of this Campbell Responsible Regulation of Medical Marijuana Act shall supersed the measure entitled the "Campbell Medical Marijuana Regulation and Safety Act of 2016" in its entirety, and the addition of Chapter 5.56 to the Campbell Municipal Code shall be null and void.

Section 6: If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared, invalid or unconstitutional.

Section 7: The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations; Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the City Council finds the approval of this ordinance is not a project under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

Section 8: Effective Date. This ordinance shall become effective upon approval of a majority of voters voting on the measure for approval of this ordinance at the election to be held on April 25, 2017.
ARGUMENT IN FAVOR OF MEASURE C

MEASURE C, allows cultivation and use of personal medical and recreational marijuana in Campbell. In addition, Campbell permits delivery of medical marijuana to qualified patients in Campbell.

MEASURE C is not a ban. Measure C temporarily postpones commercial sales for two years. This period gives the State of California time to establish regulations and licensing for safe use of medical and recreational marijuana.

MEASURE C provides time to create rules to regulate storefronts in a responsible manner that makes sense for Campbell.

MEASURE C will ensure the safety of patients and the community by requiring marijuana businesses to include security measures such as alarm systems, cameras, lighting standards, and restricted hours of operation.

MEASURE C will allow the City to engage the public in open meetings, where Campbell residents can shape the regulations to permit medical dispensaries in a responsible, thoughtful and democratic process.

MEASURE C will allow the City of Campbell to determine appropriate locations for medical marijuana businesses to minimize traffic and parking impacts.

The Keep Campbell Green Initiative is about opening medical marijuana businesses in Campbell and allows marijuana storefronts to operate adjacent to our homes, daycares, pre-schools, places of worship, and city parks.

It's sponsored by out-of-town special interest groups that put their financial interests ahead of sound policies for Campbell.

It will bring more than 1,500 additional cars every day to our neighborhoods.

It permits large sums of money to be stored on site without mandatory security measures.

It will result in unfunded taxpayer costs exceeding $950,000 annually.

Protect Campbell patients and our community.
Vote "Yes" on MEASURE C.

/s/ J. Hector Moreno, Jr.
Senior Pastor Home Church

/s/ Dan Furtado
Campbell Resident

/s/ Doris C. Quai Hoi
Campbell Resident

/s/ Michael F. Kotowski
Former Mayor, City of Campbell

/s/ Elizabeth Gibbons
Mayor, City of Campbell

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE C

MEASURE C is based on LIES and is misleading.

MEASURE C is modern-day prohibition.

MEASURE C ignores the will of the voters.

MEASURE C does not "protect public health".

MEASURE C violates state law.

MEASURE C is an invasion of medical privacy.

MEASURE C does not generate any revenue from dispensaries.

Campbell Citizens,

Please do not be fooled by MEASURE C's unproven claims and scare tactics. Responsibly regulated marijuana industries already exist across the country, providing jobs and tax revenue for the local economy.

NO ON MEASURE C

/s/ Kale Schulte
On behalf of Keep Campbell Green
ARGUMENT AGAINST MEASURE C

MEASURE C is based on LIES and is misleading. According to the city, only dispensaries can be allowed to deliver marijuana—The problem is Measure C does NOT allow for any dispensaries in Campbell!

MEASURE C is modern-day prohibition. Marijuana is already legal in California for recreational use. Its discriminatory to allow over 140 alcohol and liquor licenses in a small city, yet refuse a maximum of 3 dispensaries?

MEASURE C ignores the will of the voters. Despite 82% of Campbell resident's approval of medical marijuana, the city has proven to do anything to keep it banned.

MEASURE C does not "protect public health". It simply attracts an already thriving underground market. State law already requires dispensaries to be 600 feet away from schools and sensitive uses. Measure C does not.

MEASURE C violates state law. Measure C re-defines a "qualified patient" by stating it must be someone with a "serious medical condition". That determination should be made between a patient and their doctor, not by the city of Campbell.

MEASURE C is an invasion of medical privacy. The privacy of a patient is sacred. Their right to cultivate is granted and protected under CA Health & Safety codes. Forced registration with any police department is a violation of that privacy.

MEASURE C wastes taxpayer's money. The city has chosen to spend close to $1,000,000 so that it can prevent a couple of dispensaries from opening. That's about $30 for every man, woman and child in Campbell.

Campbell Citizens,

Please do not be fooled by MEASURE C's unproven claims and scare tactics. Responsibly regulated marijuana industries already exist across the country, providing jobs and tax revenues for the local economy.

NO ON MEASURE C

/s/ Kale Schulte
On behalf of Keep Campbell Green

REBUTTAL TO ARGUMENT AGAINST MEASURE C

VOTE YES on Measure C

The City of Campbell will not be bullied by out-of town special interests into permitting irresponsible marijuana businesses. That is why the City Council placed Measure C on the ballot and urges your support.

The proponents for Measure B are purposely misleading you. Here are the facts:

- Measure C is not a ban. It provides the time to learn from the experiences of the Proposition 64 recreational marijuana program and other cities that have licensed medical marijuana dispensaries.
- Measure C does not require patients to register with the City or any police department.
- The City is not "choosing" to spend tax payer money on a Special Election. The qualified petition submitted by Keep Campbell Green specifically requested and legally required the City to hold this election at a cost of $463,400.
- The cost for placing Measure C on the ballot is only $35,500. This is a small price to pay to provide safe regulations that protect children and our neighborhoods.
- Keep Campbell Green's 600 ft. distance requirements are only from schools that teach K-12 grades. It does not have any distance requirements from preschools, daycare facilities, or parks. Measure C provides these protections.
- Measure C does not redefine "qualified patient." It maintains the definition under the State Medical Cannabis Regulation and Safety Act.

Measure C fixes the irresponsible Measure B Initiative.

Let Campbell residents create rules to govern our own City.

Protect Campbell neighborhoods.

Vote YES on Measure C

/s/ Danielle M.S. Cohen
Member, Campbell Union School District Governing Board

/s/ Donald C. Young
Resident, City of Campbell

/s/ Susan M. Landry
Councilmember, City of Campbell

/s/ Kimi de Leonibus
Officer, Campbell Parks & Recreation Foundation
Instructions to the Voter:
1. You must be a registered voter in Santa Clara County to use this form.
2. Please print clearly.
3. If requesting a name or party change, you must re-register.
4. If requesting an action for another voter, provide their information in the VOTER INFORMATION box.

VOTER INFORMATION – All information must be provided to complete your request.

<table>
<thead>
<tr>
<th>Name:</th>
<th>Birth Date: __ / __ / __ __ __ __</th>
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<tbody>
<tr>
<td>Registered Address:</td>
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<td>Signature:</td>
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County Voter Information Guide Delivery Preference Request Form:
- [ ] I want to use the on-line County Voter Information Guide. I no longer want to receive it by mail.
- [ ] Email: ________________________________________________
- [ ] I want my County Voter Information Guide by mail. I previously opted out of receiving it by mail.

Correct or update voter registration:
- [ ] My name is misspelled. The correct spelling is in the VOTER INFORMATION box. The incorrect spelling is: ___________________
- [ ] I moved to a new residence address within Santa Clara County (street address & city):

______________________________

- [ ] My residence is the same, but my mail goes to a different address. My MAILING address is:

______________________________

- [ ] Remove the following mailing address: ____________________________
- [ ] PREFERRED LANGUAGE. I want my voting materials in this additional language (Voters selecting a preferred language will receive voting materials in English and their preferred language):
  - [ ] Chinese
  - [ ] Spanish
  - [ ] Tagalog
  - [ ] Vietnamese
  - [ ] Hindi
  - [ ] Japanese
  - [ ] Khmer
  - [ ] Korean

Permanent Vote by Mail:
- [ ] I want to be a Permanent Vote by Mail Voter.
- [ ] I do not want to be a Permanent Vote by Mail Voter.

Cancel voter registration:
- [ ] Please cancel my registration. Reason: ____________________________
- [ ] Voter named above is deceased. Information may be provided by family or caretaker.
  Name of person reporting death: ____________________________ Phone: ____________________________
  Signature of person reporting death: ____________________________

To return to the Registrar of Voters
Fax: 1-408-998-7314  Scan/Email: registrar@rov.sccgov.org
Mail: Registrar of Voters, PO Box 611300, San Jose, CA 95161-1300
For Questions, please call: 1-408-299-VOTE (8683)
Support Democracy and Become an

ELECTION OFFICER

Volunteer Stipend $115 to $200

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<thead>
<tr>
<th>Election Officers must be:</th>
<th>High school students must:</th>
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<tbody>
<tr>
<td>✓ At least 18 years old</td>
<td>✓ Be at least 16 years old</td>
</tr>
<tr>
<td>✓ A U.S. Citizen and Registered Voter or Legal Permanent Resident</td>
<td>✓ Be a U.S. Citizen or Legal Permanent Resident</td>
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<td>✓ Have a GPA of 2.5 or higher</td>
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You may sign up by phone:

1-408-299-POLL (7655)

1-408-282-3086 (Chinese)
1-408-282-3095 (Spanish)
1-408-282-3089 (Tagalog)
1-408-282-3097 (Vietnamese)
1-408-299-7655 (Hindi, Japanese, Khmer, & Korean)

or online at www.sccvote.org, or by mail or fax using the form below.

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ELECTION OFFICER AND/OR POLLING PLACE APPLICATION

Name: ________________________________________________________________

Residence Address: ______________________________________________________

City: __________________________ Zip Code: ________________________________

Telephone #: Daytime 1– ____– ____– ____– ____– ____

Evening 1– ____– ____– ____– ____– ____

E-mail: ________________________________________________________________

I am a U.S. Citizen and Registered Voter in California:  Yes [ ]  No [ ]

I am a Legal Permanent Resident:  Yes [ ]  No [ ]

I have transportation:  Yes [ ]  No [ ]

I am willing to travel to serve another precinct:  Yes [ ]  No [ ]

In addition to English, I also speak __________________ fluently

(Language)

I have a facility for use as a polling place:  Yes [ ]  No [ ]

Signature: ____________________________________________________________ Date: __________________

Mail to: SANTA CLARA COUNTY REGISTRAR OF VOTERS

PO BOX 612350, SAN JOSE CA 95161-2350

Fax: 1-408-282-3115
3 WAYS TO VOTE

1. **Vote at the Polls on Election Day!** Your assigned polling place is located on the back cover. Be aware that your polling place may have changed since the previous election(s). The polls are open from 7:00 a.m. to 8:00 p.m. Please bring your County Voter Information Guide on voting day.

2. **Vote Early:** Beginning March 27th, the Santa Clara County Registrar of Voters’ Office is open as a polling place for the April 25, 2017 Special Election for early voting.

   - **Location:** Registrar of Voters, 1555 Berger Drive, Building 2, San Jose, CA 95112
   - **Voting hours:**
     - Monday-Friday: March 27-April 24, 8 a.m. to 5 p.m.
     - Saturday: April 15, 9 a.m. to 3 p.m.
     - Saturday: April 22, 9 a.m. to 3 p.m.
     - Tuesday, April 25, 2017 (Election Day), 7 a.m. to 8 p.m.

3. **Vote by Mail:** On March 27th the Registrar of Voters will begin mailing ballots to Vote by Mail Voters for this election. You may request to become a Vote by Mail Voter by:
   - completing the application on the back cover, then returning it by mail or by fax to 1-408-293-6002
   - calling 1-408-299-VOTE (8683) or toll free 1-866-430-VOTE (8683)
   - applying on our website at [www.sccvote.org](http://www.sccvote.org)
   - sending a letter providing name, residence address, mailing address if different, birth date, and signature

Requests must be received by the Registrar of Voters no later than April 18th.
# VOTE BY MAIL APPLICATION

Do not complete if you are already a permanent vote by mail or mail ballot precinct voter.

I hereby apply for a Vote by Mail ballot for the APRIL 25, 2017 SPECIAL ELECTION.

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<td>1</td>
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<td>Residence Address</td>
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<td>3</td>
<td>Mailing Address (if different)</td>
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<td>Street</td>
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**X**

SIGNATURE REQUIRED  DATE

☐ Check here to vote by mail PERMANENTLY.

Application due in Registrar’s Office by 5 p.m. on 4/18/2017.

You can also request a Vote by Mail ballot by calling 1-408-299-VOTE (8683) or toll free 1-866-430-VOTE (8683).

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## YOUR POLLING PLACE FOR THIS ELECTION

Access?

### Important Dates:

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<tr>
<th>Date</th>
<th>Description</th>
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<tr>
<td>March 27-April 24</td>
<td>Early voting available in Registrar of Voters' Office.</td>
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<tr>
<td>April 10</td>
<td>Last day to register to vote or to update your registration for this election.</td>
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