

MINUTES OF THE STUDY SESSION OF THE COSTA MESA CITY COUNCIL

March 10, 2015

CALL TO ORDER

The meeting was called to order by the Mayor Pro Tem at 5:00 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

ROLL CALL (00:00:22)

Council Members Present: Mayor Pro Tem Righeimer, Council Member Foley, Council Member Genis (arrived 5:05 p.m.) and Council Member Monahan.

Council Members Absent: Mayor Mensinger

Officials Present: Assistant Chief Executive Officer Rick Francis, Assistant Chief Executive Officer/Administrative Services Director Tamara Letourneau, Economic and Development Services Director Gary Armstrong, Public Services Director Ernesto Muñoz, and City Clerk Brenda Green.

ITEM FOR DISCUSSION

1. REVIEW OF DRAFT ORDINANCE REGARDING A CITY MEASURE TO ESTABLISH REGULATION OF MEDICAL MARIJUANA BUSINESSES

Staff report provided by Assistant CEO Rick Francis and Deputy City Attorney, Chris Neumeyer. (00:01:00)

Staff highlighted the following changes in the draft City Ordinance that Council recommended at the December 16, 2014 City Council meeting and individual Council Members subsequently recommended: an Operator permit requirement; restrictions on employees with a felony; separation from Sober Living Homes; locations limited to Industrial zones; cost recovery due to public nuisances; appeals; special taxes; and fees. (00:02:25)

Discussion ensued regarding tax rates, annual permit fees, cultivation, and collectives. (00:13:00)

Discussion ensued regarding a Conditional Use Permit requirement, Operating permits; a Request for Proposal process; and zoning. (00:23:00)

Discussion ensued regarding enforcement tools, and criminal versus civil charges. (00:36:55)

Discussion ensued regarding placing a City measure on the 2016 ballot, a special election, a State ballot initiative, enforcement and costs. (00:43:00)

Discussion ensued regarding employees with a felony, a permitting process, deliveries, proximity to sober living homes, defining public nuisances, and state and federal legislation. (00:50:00)

Public Comments:

Speaker, spoke on state legislation and a Senate press conference on the issue. (01:01:40)

Charles Mooney, Costa Mesa, spoke on the need for more discussion on quality controls pertaining to edibles. (01:04:44)

Matt Pappas, Long Beach, spoke on recreational marijuana, medical cannabis, and expressed opposition to the current draft ordinance. (01:04:44)

Jason Piazza, Costa Mesa, expressed support for including commercial zones. (01:06:52)

Ann Parker, Costa Mesa, spoke on limiting the dispensaries near group homes; that medical marijuana is available in Santa Ana; and is opposed to allowing in Costa Mesa. (01:09:21)

Harold Weitzberg, Costa Mesa, offered to assist with providing information regarding medical marijuana, restricting distribution, and is opposed to limiting to industrial areas, and submitted a letter outlining his suggestions. (01:11:10)

Paul Lucas, expressed support for no limitations on locations. (01:13:28)

Lisa Cargile, Mission Viejo, expressed opposition to the Ordinance due to the high taxes and no delivery service. (01:15:47)

Suzi Iwamoto, Costa Mesa, suggested slowing down and have thoughtful deliberation; and include in the General Plan process. (01:17:45)

Public Comments closed.

Mayor Pro Tem Righeimer expressed support for not rushing and adding a City Measure to the 2016 ballot, spoke on the issue being about money, and spoke on potential state and federal legislation. (01:21:40)

Council Member Foley expressed support for placing a City Measure on the 2016 ballot. (01:22:40)

Council Member Monahan spoke on timing for placing a City measure on the 2016 ballot, potential litigation, 2016 statewide proposition, two qualifying initiatives, medical marijuana polling, opposition to the taxes, supports allowing deliveries, the benefits of medical marijuana for the ill, and in support of Mr. Weitzberg's suggestions listed in his letter. (01:23:55)

Council Member Genis expressed support for a City Measure on the 2016 ballot, stated that some degree of taxes is needed, address safety issues; and supports deliveries. (01:29:39)

Council Member Foley stated that the issue is not strictly about medical marijuana, it is about the money; spoke on impacts to the City; and stated she will not support a measure that does not have strict regulations. (01:33:00)

Mayor Pro Tem Righheimer spoke on the enormity of the issue and that it needs to be addressed at the State and Federal level; spoke on it being about money; no system in place for enforcement; waiting to see what happens in Santa Ana; and supports placing a City Measure with a reasonable tax on the November 2016 ballot, but does not support the City Council adopting an Ordinance. (01:35:28)

Council Member Genis agreed that the City Council should carefully craft a measure to place on the November 2016 ballot. (01:40:08)

The Mayor adjourned the meeting at 6:44 p.m.



Stephen M. Mensinger, Mayor



Brenda Green, City Clerk