

ACTION:

1. City Council authorized an increase to the City's Table of Organization by one full-time Park Ranger position in the Police Department and increased the Fiscal Year 2023-24 Adopted Budget accordingly.
2. Received and filed an update on upcoming amendments to the existing Lyons Security Services agreement to increase access to open space at up to four elementary school sites on the Westside (Rea, Wilson, Whittier, and potentially Pomona) for open space during off-school hours, as previously approved by the City Council.
3. Provided staff the authority to increase security at all school sites within the 6-month pilot period if needed.

2. COMPENSATION PLAN AND SALARY SCHEDULE REVISIONS FOR THE PARKS AND COMMUNITY SERVICES DIRECTOR CLASSIFICATION

Presentation by Ms. Lee, Human Resources Manager.

Public Comments: None.

MOVED/SECOND: Council Member Gameros/Council Member Chavez

MOTION: Approve staff recommendation.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harper, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Harlan, and Mayor Stephens.

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

ACTION:

City Council adopted Resolution Number 2023-44 revising the pay ranges for the Parks and Community Services Director.

3. REQUEST FOR CITY COUNCIL DIRECTION REGARDING THE RESEARCH FOR AND POTENTIAL DEVELOPMENT OF AMENDMENTS TO THE CITY'S CANNABIS ORDINANCES

Presentation by Ms. Le, Economic and Development Services Director.

Discussion ensued on the length of the application process, location of the stores, stores that are currently operating, how many applications are in process and a saturation point on the number of stores, researching statistics at other cities that allow retail cannabis stores, the application process and the timing of the issuance of notice to proceed, the number of delivery applications, the over concentration of alcohol permits, separation requirements, the process and payment of fees, denial of applications, refunding application fees, signage requirements, and clear direction to the Planning Commission.

Public Comments:

Alex Frank spoke on the cannabis businesses at Broadway and Newport Blvd. and spoke against the overconcentration of stores near homes on the eastside of Costa Mesa.

Speaker, spoke in support of amending the cannabis ordinance, spoke on zoning, spoke in support of separation requirements to residential areas, and spoke on restricting the number of licenses and permits.

Erik Weigand, Newport Beach City Council Member, expressed concerns on overconcentration, spoke on examining distance requirements, and spoke on the Newport Mesa Unified School District adopted resolution submitted to the City Council.

Elizabeth Mosher, Costa Mesa, spoke on guidance to the Planning Commission, expressed concern on overconcentration, and spoke on clustering affecting residential areas and potential long-term effects.

Speaker, spoke on her home facing a cannabis store on Cabrillo Street, indicated residential areas should be considered as a sensitive area and have separation requirements, and expressed concern on clustering.

Speaker, spoke on economics and allowing the sale of cannabis, and adopting controls.

Speaker, spoke on separation requirements and a 1000 ft. buffer for established residential areas, spoke on including all parks along with playgrounds, spoke on examining statistics from other cities, supports council direction on reviewing the ordinance, and spoke on oversaturation on Newport Blvd and Harbor Blvd corridors and the Broadway area.

Written communications received from Cynthia McDonald and Ashley Anderson.

MOVED/SECOND: Mayor Stephens/Mayor Pro Tem Harlan

MOTION: To consider amendments to the cannabis ordinance.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harper, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Harlan, and Mayor Stephens.

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

ACTION:

City Council considered amendments to the cannabis ordinance.

MOVED/SECOND: Mayor Stephens/Council Member Marr

MOTION: Direct the Planning Commission to consider a buffer zone between stores.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harper, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Harlan, and Mayor Stephens.

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

ACTION:

City Council directed the Planning Commission to consider a buffer zone between stores.

MOVED/SECOND: Mayor Stephens

MOTION: To consider the cost and procedure for issuing employee badges.

Ms. Farrell Harrison, City Manager, clarified that the request does not need to go before the Commission as it is separate from the ordinance.

Mayor Stephens withdrew the motion.

MOVED/SECOND: Council Member Marr/Council Member Reynolds

MOTION: Direct the Planning Commission to consider a buffer zone adjacent to youth centers to be consistent with K-12 schools.

Discussion ensued on the definition of a youth center.

MOVED/SECOND: Council Member Marr/Council Member Reynolds

MOTION: Direct the Planning Commission to consider a buffer zone adjacent to youth centers to be consistent with K-12 schools.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harper, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Harlan, and Mayor Stephens.

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

ACTION:

City Council directed the Planning Commission to consider a buffer zone adjacent to youth centers to be consistent with K-12 schools.

MOVED/SECOND: Council Member Chavez/Council Member Marr

MOTION: Direct the Planning Commission to review signage requirements and allowing the word cannabis on signage.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harper, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Harlan, and Mayor Stephens.

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

ACTION:

City Council directed the Planning Commission to review signage requirements and allowing the word cannabis on signage.

MOVED/SECOND: Council Member Chavez

MOTION: Direct the Planning Commission to consider reducing security guard hours to only hours of operation.

The motion failed for lack of a second.

MOVED/SECOND: Council Member Marr/Council Member Harper

MOTION: Direct the Planning Commission to consider a buffer zone adjacent to residential areas.

The motion carried by the following roll call vote:

Ayes: Council Member Gameros, Council Member Harper, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Harlan, and Mayor Stephens.

Nays: Council Member Chavez.

Absent: None.

Abstain: None.

Motion carried: 6-1

ACTION:

City Council directed the Planning Commission to consider a buffer zone adjacent to residential areas.

MOVED/SECOND: Council Member Reynolds/Council Member Chavez

MOTION: Direct the Planning Commission to consider health warnings posted in the store and to limit packaging and marketing attractive to youth.

Discussion ensued on clarifying the motion.

Ms. Farrell Harrison, City Manager, clarified to explore language that prohibits the direct marketing to youth.

Council Member Chavez withdrew his second.

Council Member Marr requested to broadly consider policy recommendations and best practices as described in the 2023 California Local Cannabis scorecard.

Council Member Reynolds restated her motion: Direct the Planning Commission to consider the recommended best practices to protect youth, reduce problem cannabis, and promote social equity as described in the Public Health Institute Cannabis scorecard.

Discussion ensued on tabling the item until the next meeting.

Council Member Reynolds restated her motion.

MOVED/SECOND: Council Member Reynolds/Council Member Marr

MOTION: Direct the Planning Commission to consider a policy and best practices to prohibit the direct marketing to minors.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harper, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Harlan, and Mayor Stephens.

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

ACTION:

City Council directed the Planning Commission to consider a policy and best practices to prohibit the direct marketing to minors.

Mayor Pro Tem Harlan requested the following information be available to the Planning Commission when making recommendations: revenue numbers, number of calls for service, and the number of code enforcement complaints for each storefront location, and number of employees per store.

Mayor Stephens agreed and clarified there is no need for a vote, and also to add the statistics on concentration of liquor stores, vape stores, and any legal ramifications of any of the amendments.

MOVED/SECOND: Council Member Harper

MOTION: Direct the Planning Commission to consider a buffer zone near businesses with a high concentration of youth, including karate studios, arts shops, and pediatric dental.

The motion failed for lack of a second.

MOVED/SECOND: Council Member Harper/Council Member Reynolds

MOTION: Direct the Planning Commission to consider a cap on the number of stores based on data from other cities that have a longer history of allowing cannabis sales.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harper, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Harlan, and Mayor Stephens.

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

ACTION:

City Council directed the Planning Commission to consider a cap on the number of stores based on data from other cities that have a longer history of allowing cannabis stores.

MOVED/SECOND: Council Member Reynolds

MOTION: Direct the Planning Commission to consider a cap based on concentration similar to ABC licenses.

The motion failed for lack of a second.

MOVED/SECOND: Council Member Gameros/Mayor Stephens

MOTION: Direct the Planning Commission to consider an enforceable labor peace agreement.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harper, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Harlan, and Mayor Stephens.

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

ACTION:

City Council directed the Planning Commission to consider an enforceable labor peace agreement.

Council Member Gameros spoke on clarifying when and where the potential changes would apply to the applicants in the process.

MOVED/SECOND: Council Member Marr/Council Member Gameros

MOTION: Direct the Planning Commission to consider a prohibition of displacement of existing businesses, how they are notified, and whether relocation fees are required.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Gameros, Council Member Harper, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Harlan, and Mayor Stephens.

Nays: None.

Absent: None.

Abstain: None.

Motion carried: 7-0

ACTION:

City Council directed the Planning Commission to consider a prohibition of displacement of existing businesses, how they are notified, and whether relocation fees are required.

ADDITIONAL COUNCIL/BOARD MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS – NONE.

ADJOURNMENT –The Mayor adjourned the meeting at 11:14 p.m. in memory of Norma Hertzog.

Minutes adopted on this 19th day of September, 2023.



John Stephens, Mayor

ATTEST:



Brenda Green, City Clerk