



**MINUTES OF THE
EL SEGUNDO PLANNING COMMISSION
REGULAR MEETING**

October 12, 2017

A. Call to Order

The meeting was called to order at 5:37 p.m.

B. Pledge of Allegiance

Commissioner Nicol

C. Roll Call

Present: Chair Baldino
Commissioner Nicol
Commissioner Hoeschler
Absent: Vice Chair Newman
Commissioner Wingate

D. Public Communications

None

E. Consent Calendar

E-1. MINUTES FOR THE MEETING OF JULY 27, 2017

E-2. MINUTES FOR THE MEETING OF JULY 13, 2017

E-3. MINUTES FOR THE MEETING OF MAY 11, 2017

Chair Baldino pulled E-2: minutes for the meeting of July 13, 2017.

MOTION: Approve items E-1 and E-3 of the Consent Calendar.

Moved by Commissioner Nicol, seconded by Commissioner Hoeschler.

Motion carried by the following vote (3-0):

Ayes Baldino, Newman, Nicol, Wingate, Hoeschler

Absent: Newman and Wingate

F. Call Items from Consent Calendar

Chair Baldino requested that that July 13th meeting minutes include answers from Recreations and Park Director Meredith Pettit when questioned about the Top Golf project. Specifically, her comments included 1) that the Top Golf project was an enterprise fund that was designed not only to pay for itself, but for all future improvements – and that it has not been able to do that; 2) the project had begun with a

\$5 million dollar loan from the general fund, which it has not been able to pay back; and 3) even if you took out the loan-debt servicing, the golf course did not make enough this year or last year to be in the positive.

MOTION: Approve item E-2 of the Consent Calendar, with additions requested by Chair Baldino.

Moved by Chair Baldino, seconded by Commissioner Hoeschler.

Motion carried by the following vote (3-0):

Ayes **Baldino, Nicol, Hoeschler**

Absent: **Newman and Wingate**

G. Written Communications

The Commissioners received copies of two e-mails pertaining to marijuana regulations.

H. New Business – Public Hearing

None.

I. Continued Business

None.

J. Report from Planning and Building Safety Director or designee

None.

K. Upcoming Agenda Items and Schedule

None.

L. Other Business

L-4. Study Session Policy Discussion on Marijuana Related Land Use.

Assistant Planner Raneika Brooks presented a report for the record. It was recommended that the Planning Commission review and discuss the various alternatives to regulate marijuana-related land uses in El Segundo.

Chair Baldino asked if staff had received many inquiries from businesses regarding the City's restrictions, and what types of operations these businesses were interested in conducting within the City.

Mr. McClain responded that there had been many inquiries – of which the majority were from established out-of-state businesses looking to expand into California and conduct retail operations.

Chair Baldino asked about the public survey.

Ms. Brooks stated that a survey was provided to the public and asked the question: Do you support the City generating additional revenue by allowing marijuana-related retail businesses. The result: 47% yes, 53% no.

Chair Baldino stated that he did not trust surveys, because (he said) as a lawyer he understood that the survey can get any result desired based on how that question is worded. He stated that although he is in favor of seeking more public input, he would like to see the surveys so that he can judge the bias of the question.

Commissioner Hoeschler added that the location of collecting community input also can skew results, and that care should be taken to capture a broad range of demographics.

CHAIR BALDINO OPENED PUBLIC COMMUNICATION

Phillip Dawdy, lobbyist for Have a Heart, introduced himself and offered his knowledge to the Commission.

Chair Baldino asked whether such businesses are allowed to use federal banking systems resulting in having to handle large amounts of cash.

Mr. Dawdy explained that this issue, through a variety of ways, is resolved.

Liz Garnholz, local resident, expressed her stance against marijuana-related uses in the City, and asked Mr. Dawdy to explain the Rorabacher-Farr law.

Mr. Dawdy clarified that what Ms. Garnholz was referring to is an amendment, not a law. He stated that it prohibits the Department of Justice to use federal funds to prosecute people who are in alignment with state cannabis licensing programs, whether medical or recreational.

Assistant City Attorney David King clarified that state law would not immunize anyone from federal prosecution: though the amendment prevents federal agencies from prosecuting, it can be withdrawn at any time, in which case the federal government would be able to prosecute any cannabis facility in California regardless of state law.

Benjamin Gunter, resident, spoke in favor of allowing the industry to come into El Segundo.

Tom Merck, resident, spoke against marijuana-related uses, and against dispensaries specifically.

Jim Reich, who works at 222 North Sepulveda Blvd. spoke against the allowance of dispensaries, but in favor of rights to conduct marijuana-related e-commerce.

Tom Mills, Palos Verdes resident who works in El Segundo, spoke in favor of allowing indoor grow spaces and the warehousing of marijuana-related products, since such buildings normally do not even reveal their indoor uses. He stated that we shouldn't be worried about something that hasn't happened yet, and emphasized that the marijuana industry is big business.

CHAIR BALDINO CLOSED PUBLIC COMMUNICATION

Commissioner Nicol spoke in favor of allowing warehouse uses.

Chair Baldino voiced his opposition to any sort of marijuana-related retail use, and stated that he didn't know enough about the back-end of the industry to make an informed decision. He asked staff to investigate what revenue-generating non-retail uses might be appropriate in industrial zones.

M. Planning Commissioners' Comments

Commissioner Nicol announced the Kiwanis golf event for October 13, 2017, and reported that the Richmond Street Fair was a smashing success.

Commissioner Hoeschler expressed his disappointment with Council's denial of the Top Golf project.

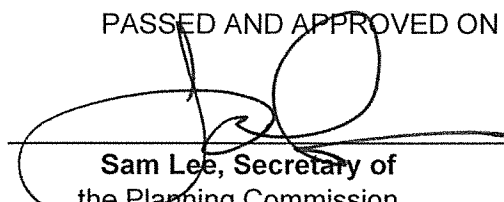
Chair Baldino agreed.

N. Adjournment

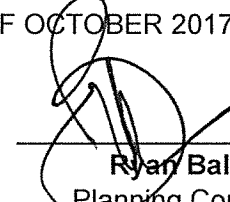
Chair Baldino scheduled the next meeting to November 9th.

He adjourned the meeting at 6:50 p.m.

PASSED AND APPROVED ON THIS 12TH DAY OF OCTOBER 2017



Sam Lee, Secretary of
the Planning Commission
and Director of the
Planning and Building Safety Department



Ryan Baldino, Chairman
Planning Commission
City of El Segundo, California