

Thursday July 7, 2022 6:30 pm
Teleconference Meeting

AGENDA

Pursuant to the Governor's Executive Order N-29-20 and AB 361, members of the Cannabis Regulatory Commission as well as City staff will participate via phone/video conference and no physical teleconference locations are required.

PUBLIC PARTICIPATION INSTRUCTIONS

TO OBSERVE:

- To observe the meeting by video conference, please click the link below to join the webinar:
<https://us02web.zoom.us/j/83949200446>
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):
US: +1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656
or +1 301 715 8592

For each number, please be patient and when requested, dial the following Webinar ID: 839 4920 0446

After calling any of these phone numbers, if you are asked for a participant ID or code, press #. Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663>, which is a webpage entitled “Joining a Meeting By Phone.”

TO PROVIDE PUBLIC COMMENT: There are three ways to make public comment within the time allotted for public comment on an eligible Agenda item.

- Comment in advance. To send your comment to staff before the meeting starts, please send your comment, along with your full name and agenda item number you are commenting on, to Greg Minor at gminor@oaklandca.gov. All submitted public comment will be provided to the Cannabis Regulatory Commission prior to the meeting.
- By Video Conference. To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on an eligible agenda item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be re-muted. Instructions on how to “Raise Your Hand” are available at: <https://support.zoom.us/hc/en-us/articles/205566129>, which is a webpage entitled “Raise Hand In Webinar.”

Persons may speak on any item appearing on the agenda; however, a Speaker Card must be filled out and given to a representative of the Cannabis Regulatory Commission. Multiple agenda items cannot be listed on one speaker card. If a speaker signs up to speak on multiple items listed on the agenda, the Chairperson may rule that the speaker be given an appropriate allocation of time to address all issues at one time (cumulative) before the items are called. All speakers will be allotted 3 minutes or less – unless the Chairperson allots additional time.

♿ This meeting is wheelchair accessible. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meetings of the Cannabis Regulatory Commission, please contact the Office of the City Clerk (510) 238-3612. Notification two full business days prior to the meeting will enable the City of Oakland to make reasonable arrangements to ensure accessibility. In compliance with Oakland's policy for people with chemical sensitivities, please refrain from wearing strongly scented products to events.

Questions or concerns regarding this agenda, or to review any agenda-related materials, please contact the Cannabis Regulatory Commission at (510) 238-6370.

• By Phone. To comment by phone, please call on one of the above listed phone numbers. You will be prompted to “Raise Your Hand” by pressing STAR-NINE (“*9”) to request to speak when Public Comment is being taken on an eligible agenda item at the beginning of the meeting.

Once it is your turn, you will be unmuted and allowed to make your comment. After the allotted time, you will be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663>, which is a webpage entitled “Joining a Meeting by Phone.”

If you have any questions about these protocols, please e-mail Greg Minor, at gminor@oaklandca.gov

Members:

Javier Armas	District 1	Vacant	District 7
Tracey Corder	District 2	Chaney Turner	At Large
Taib Alaoui	District 3	Eric Medrano	Mayor
Lauren Payne	District 4	TiYanna Long	City Auditor
Vacant	District 5	Greg Minor	City Administrator
Vacant	District 6		

Available on-line at: <https://www.oaklandca.gov/boards-commissions/cannabis-regulatory-commission>

MEETING AGENDA

- A. Roll Call and Determination of Quorum
- B. Approval of the Draft Minutes from the Special CRC Meeting on June 13, 2022
- C. Reports for Discussion and Possible Action
 1. Adopt a Resolution Determining That Conducting In-Person Meetings Of The Cannabis Regulatory Commission Would Present Imminent Risks To Attendees’ Health, And Electing To Continue Conducting Meetings Using Teleconferencing In Accordance With California Government Code Section 54953(E), A Provision Of AB-361
 2. 2021 Oakland Police Department Report on Citations and Arrests for Cannabis Offenses
 3. Draft Exit Interview Questions for Cannabis Operators that Withdraw Applications
 4. Special Activity Permits Division Workplan for Remainder of 2022
 5. Implementation Update on State Grants
- D. Review of the Pending List and Additions to Next Month’s Agenda
 - *Building and Fire Baseline Permitting Timelines (since January 2022)*
 - *Details on Proposed Legislative Framework for Next Phase of Cannabis Program (since February 2022)*
- E. Open Forum / Public Comment
- F. Announcements
 1. Update on Cannabis Permitting Process
 2. Apply to serve on CRC here:
<https://oakland.granicus.com/boards/w/8552f8c4c0e15460/boards/6697>
- G. Adjournment

Cannabis Regulatory Commission

Special Meeting

Monday, June 13, 2022 6:30 pm
Teleconference Meeting

MINUTES

Pursuant to the Governor's Executive Order N-29-20 and AB 361, members of the Cannabis Regulatory Commission as well as City staff will participate via phone/video conference and no physical teleconference locations are required.

PUBLIC PARTICIPATION INSTRUCTIONS

TO OBSERVE:

- To observe the meeting by video conference, please click the link below to join the webinar:
<https://us02web.zoom.us/j/82663763492>
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):
US: +1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656
or +1 301 715 8592

For each number, please be patient and when requested, dial the following Webinar ID: 826 6376 3492

After calling any of these phone numbers, if you are asked for a participant ID or code, press #. Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663>, which is a webpage entitled “Joining a Meeting By Phone.”

TO PROVIDE PUBLIC COMMENT: There are three ways to make public comment within the time allotted for public comment on an eligible Agenda item.

- Comment in advance. To send your comment to staff before the meeting starts, please send your comment, along with your full name and agenda item number you are commenting on, to Greg Minor at gminor@oaklandca.gov. All submitted public comment will be provided to the Cannabis Regulatory Commission prior to the meeting.
- By Video Conference. To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on an eligible agenda item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be re-muted. Instructions on how to “Raise Your Hand” are available at: <https://support.zoom.us/hc/en-us/articles/205566129>, which is a webpage entitled “Raise Hand In Webinar.”

Persons may speak on any item appearing on the agenda; however, a Speaker Card must be filled out and given to a representative of the Cannabis Regulatory Commission. Multiple agenda items cannot be listed on one speaker card. If a speaker signs up to speak on multiple items listed on the agenda, the Chairperson may rule that the speaker be given an appropriate allocation of time to address all issues at one time (cumulative) before the items are called. All speakers will be allotted 3 minutes or less – unless the Chairperson allots additional time.

♿ This meeting is wheelchair accessible. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meetings of the Cannabis Regulatory Commission, please contact the Office of the City Clerk (510) 238-3612. Notification two full business days prior to the meeting will enable the City of Oakland to make reasonable arrangements to ensure accessibility. In compliance with Oakland's policy for people with chemical sensitivities, please refrain from wearing strongly scented products to events.

Questions or concerns regarding this agenda, or to review any agenda-related materials, please contact the Cannabis Regulatory Commission at (510) 238-6370.

• By Phone. To comment by phone, please call on one of the above listed phone numbers. You will be prompted to “Raise Your Hand” by pressing STAR-NINE (“*9”) to request to speak when Public Comment is being taken on a eligible agenda item at the beginning of the meeting.

Once it is your turn, you will be unmuted and allowed to make your comment. After the allotted time, you will be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663>, which is a webpage entitled “Joining a Meeting by Phone.”

If you have any questions about these protocols, please e-mail Greg Minor, at gminor@oaklandca.gov

Members:

Javier Armas	District 1	Vacant	District 7
Tracey Corder	District 2	Chaney Turner	At Large
Taib Alaoui	District 3	Eric Medrano	Mayor
Lauren Payne	District 4	TiYanna Long	City Auditor
Vacant	District 5	Greg Minor	City Administrator
Vacant	District 6		

Available on-line at: <https://www.oaklandca.gov/boards-commissions/cannabis-regulatory-commission>

MEETING AGENDA

A. Roll Call and Determination of Quorum

Present: Armas, Payne, Turner, Medrano, Long, Minor

Absent: Corder, Alaoui

B. Approval of the Draft Minutes from the Special CRC Meeting on May 12, 2022

Vice-Chair Long moved to approve the minutes as drafted. Chair Turner seconded the motion and it passed with Member Minor abstaining.

C. Reports for Discussion and Possible Action

1. Adopt a Resolution Determining That Conducting In-Person Meetings Of The Cannabis Regulatory Commission Would Present Imminent Risks To Attendees’ Health, And Electing To Continue Conducting Meetings Using Teleconferencing In Accordance With California Government Code Section 54953(E), A Provision Of AB-361

Member Minor offered background on the item and a public speaker asked when the CRC might return to meeting in person. Member Minor noted that there is no status update, but as soon as there is he would report back. Member Payne moved to approve the Resolution as drafted. Vice-Chair Long seconded the motion and it passed by consensus.

Public speakers asked how the City utilizes cannabis tax revenues.

Chair Turner inquired about what the City knows about cannabis businesses that may have ceased operating. Member Payne asked if City would actually collect outstanding taxes due.

Nicole Andrino with the Revenue Management Bureau offered additional information on the report. Specifically, Ms. Andrino explained how the drop in tax rates were the main reason for less cannabis tax revenues, followed by COVID and burglaries. Additionally, Ms. Andrino noted that the City offers payment

plans for businesses, which is why at this point in time there are outstanding revenues due. She emphasized that 43 businesses contribute more than 90 percent of cannabis tax revenues in 2022. Ms. Andrino also shared that cannabis tax revenues currently go to the City's General Fund and that in 2022 the total gross receipts from cannabis businesses were less than 2021, but more than 2020.

Chair Turner made a motion to ask for data regarding loss of cannabis businesses. There was no second to this motion.

Member Armas asked how the City can further develop businesses and encouraged the City to explore cannatourism to attract more revenue.

Vice-Chair Long made a motion for staff to draft exit interview questions for cannabis businesses that withdraw their applications to better understand why they are withdrawing and for staff to present these questions to the CRC for review. Chair Turner seconded the motion and it passed by consensus.

2. Annual Report From Finance Department Regarding Cannabis Tax Revenues

Rogers Agaba from the Finance Department presented the 2022 report regarding cannabis tax revenues, noting lower revenues in the past year due to the lowering of tax rates that took effect this tax year. He noted the cannabis tax rates are constant now and not set to lower further.

3. Emerald New Deal Proposed Changes to Cannabis Regulatory Commission

Councilmember Loren Taylor presented updates to the Emerald New Deal (END) proposed ballot measure to provide the CRC with authority to develop a plan for the cannabis tax revenues. Councilmember Taylor began by thanking the CRC for their work and the overall growth of the cannabis industry over the last three years. Councilmember Taylor emphasized that the END would provide transparency over how the City utilizes cannabis tax revenues compared to the present where the revenues are deposited in the General Fund. Additionally, Councilmember Taylor noted that the END would provide funds for the cannabis equity program, the source of funding for END programs could include more than cannabis tax revenues, and that the END modifies the criteria for serving on the CRC to better align with addressing the War on Drugs.

Public commenters asked about whether END would address environmental impacts and OCEP shared its perspective that the END is bad policy.

Chair Turner emphasized that the City needs to invest in equity business and communities and questioned how far the annual cannabis tax revenues can go towards these needs. Vice-Chair Long asked what the next steps were and Councilmember Taylor replied that END was scheduled for the City Council's Rules and Legislation Committee and afterwards it would need City Council's approval to go before Oakland voters in November.

4. Draft 2021 CRC Annual Report to City Council

Member Minor shared background on the draft report and the lack of updates since the meeting in May. Chair Turner moved to approve the annual report as drafted. Member Payne seconded the motion and it passed by consensus.

5. Implementation Update on State Grants

Member Minor noted the City was in a transitional period having spent the prior year's state grants and waiting to receive and process the latest state grant from Go-Biz to support equity applicants.

D. Review of the Pending List and Additions to Next Month's Agenda

- *Building and Fire Baseline Permitting Timelines (since January 2022)*
- *Details on Proposed Legislative Framework for Next Phase of Cannabis Program (since February 2022)*

E. Open Forum / Public Comment

Public speakers expressed concern regarding air quality impacts of cannabis businesses from the use of diesel generators and a desire to expand eligible locations for cannabis businesses. Vice-Chair Long expressed an interest in making a motion regarding environmental impacts but Chair Turner was no longer in the meeting at this point so there was no quorum to facilitate a motion.

F. Announcements

1. Update on Cannabis Permitting Process
2. Apply to serve on CRC here:
<https://oakland.granicus.com/boards/w/8552f8c4c0e15460/boards/6697>

G. Adjournment

OAKLAND CANNABIS REGULATORY COMMISSION

RESOLUTION NO. 2022-6

ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE CANNABIS REGULATORY COMMISSION AND ITS COMMITTEES WOULD PRESENT IMMINENT RISKS TO ATTENDEES' HEALTH, AND ELECTING TO CONTINUE CONDUCTING MEETINGS USING TELECONFERENCING IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 54953(e), A PROVISION OF AB-361.

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a state of emergency related to COVID-19, pursuant to Government Code Section 8625, and such declaration has not been lifted or rescinded. See <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf>; and

WHEREAS, on March 9, 2020, the City Administrator in their capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, 2020, the City Council passed Resolution No. 88075 C.M.S. ratifying the proclamation of local emergency pursuant to Oakland Municipal Code (O.M.C.) section 8.50.050(C); and

WHEREAS, City Council Resolution No. 88075 remains in full force and effect to date; and

WHEREAS, the Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

WHEREAS, the CDC recommends that people who live with unvaccinated people avoid activities that make physical distancing hard. See <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19/caring-for-children/families.html>; and

WHEREAS, the CDC recommends that older adults limit in-person interactions as much as possible, particularly when indoors. See <https://www.cdc.gov/aging/covid19/covid19-older-adults.html>; and

WHEREAS, the CDC, the California Department of Public Health, and the Alameda County Public Health Department all recommend that people experiencing COVID-19

symptoms stay home. See <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>; and

WHEREAS, persons without symptoms may be able to spread the COVID-19 virus. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

WHEREAS, fully vaccinated persons who become infected with the COVID-19 Delta variant can spread the virus to others. See <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>; and

WHEREAS, the City's public-meeting facilities are indoor facilities that do not ensure circulation of fresh / outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart; and

WHEREAS, holding in-person meetings would encourage community members to come to City facilities to participate in local government, and some of them would be at high risk of getting very sick from COVID-19 and/or would live with someone who is at high risk; and

WHEREAS, in-person meetings would tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to City facilities and participate in local government; and

WHEREAS, attendees would use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households; and

WHEREAS, on October 7, 2021 the Cannabis Regulatory Commission adopted a resolution determining that conducting in-person meetings would present imminent risks to attendees' health, and electing to continue conducting meetings using teleconferencing in accordance with California Government Code Section 54953(e), a provision of AB-361; now therefore be it:

RESOLVED: that the Cannabis Regulatory Commission finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this resolution; and be it

FURTHER RESOLVED: that, based on these determinations and consistent with federal, state and local health guidance, the Cannabis Regulatory Commission renews its determination that conducting in-person meetings would pose imminent risks to the health of attendees; and be it

FURTHER RESOLVED: that the Cannabis Regulatory Commission firmly believes that the community's health and safety and the community's right to participate in local government, are both critically important, and is committed to balancing the two by continuing to use teleconferencing to conduct public meetings, in accordance with California Government Code Section 54953(e), a provision of AB-361; and be it

FURTHER RESOLVED: that the Cannabis Regulatory Commission will renew these (or similar) findings at least every thirty (30) days in accordance with California Government Code section 54953(e) until the state of emergency related to COVID-19 has been lifted, or the Cannabis Regulatory Commission that in-person meetings no longer pose imminent risks to the health of attendees, whichever occurs first.



Cannabis Regulatory Commission

TO: Cannabis Regulatory Commission

FROM: Greg Minor
Assistant to the City
Administrator

SUBJECT: July 2022 Agenda Items

DATE: June 30, 2022

ITEM C (1) Adopt a Resolution Determining That Conducting In-Person Meetings Of The Cannabis Regulatory Commission Would Present Imminent Risks To Attendees' Health, And Electing To Continue Conducting Meetings Using Teleconferencing In Accordance With California Government Code Section 54953(E), A Provision Of AB-361

2021 Assembly Bill (AB) 361 requires boards and commission to renew findings that conducting in-person meetings would present imminent health risks and to elect to continue conducting meetings via teleconference. The CRC adopted an initial resolution to this effect at a Special Meeting on October 7, 2021 and attached to this agenda is a Resolution 2022 renewing these findings.

ITEM C (2) 2021 Oakland Police Department Report on Citations and Arrests for Cannabis Offenses

Attached please find the Oakland Police Department's annual report on citations and arrests for cannabis offenses in the City of Oakland.

ITEM C (3) Draft Exit Interview Questions for Cannabis Operators that Withdraw Applications

At the June 13th Special CRC Meeting Vice-Chair Long made a motion for staff to draft exit interview questions for cannabis businesses that withdraw their applications to better understand why they are withdrawing and for staff to present these questions to the CRC for review. Chair Turner seconded the motion and it passed by consensus.

Accordingly, below are draft questions for the CRC and public's review and feedback. The goal of these questions is to better understand trends taking place within Oakland's cannabis industry and what cannabis policies the City of Oakland should adopt.

- Applicant Background questions:
 - Permit type(s)
 - When did you start operating a cannabis business?
 - How many individuals did you employ on average?
 - Demographics
- Do you plan on relocating your cannabis business outside of Oakland?
- Do you plan on transitioning from an operator to an employee in the cannabis industry?
- What was the top reason you are withdrawing your application?
 - End of lease/Loss of access to business location
 - Lack of funds to finish buildout of business location
 - Legal disputes
 - Lack of funds to cover tax liability
 - Lack of funds to cover operating expenses
 - Generating insufficient revenue
 - Burglaries/robberies
- What impact, if any, has the COVID-19 pandemic have on your business?
 - No impact, very negative impact, slightly negative impact, slightly positive impact, very positive impact
- What recommendations do you have for the City of Oakland?

ITEM C (4) Special Activity Permits Division Workplan for Remainder of 2022

Chair Turner has recommended agendizing a discussion regarding the Special Activity Permits Division for the remainder of 2022 to better understand when staff can present updates to onsite consumption policies and other items to City Council for their consideration.

Staff focused the first half of 2022 on obtaining City Council approvals on four legislative items (Flex Streets Permanent Program, Local Jurisdiction Assistance Grant, Governor's Office of Business and Economic Development Grant, and Special Event Ordinance Amendments) as well as providing information regarding the proposed Emerald New Deal ballot measure. Staff is now working on distributing the funds received during the first half of 2022 along with other projects.

Below is a rough outline of staff's current workplan for the remainder of 2022, which is based on City Council direction and state grant timelines. Staff anticipates having time beginning in mid-August to draft amendments and the staff report for cannabis ordinances, including policy updates for onsite consumption, loan forgiveness, and the transfer of permits from equity applicants.

- July
 - In collaboration with the Department of Transportation, finalize & distribute Flex Street parklet design guidelines.
 - Fund consultant to organize Lake Merritt vending market through November.
 - Finalize contracts for technical assistance, legal assistance and loan and grant administrator contracts.
 - Launch updates to loan and grant programs for cannabis equity applicants.
 - Launch Request for Proposals (RFP) for state-funded programs (events for equity applicants, technical assistance at shared-use manufacturing facilities, security assistance, and property purchasing).
 - Start utilizing Local Jurisdiction Assistance Grant funds for building and fire overtime and recruitment of new positions.
 - City Council consideration of special event ordinance amendments.
- August
 - Start Flex Streets outreach regarding façade improvement grants.
 - Convene cannabis workforce development roundtable.
 - Draft and release RFP for cannabis workforce development programs.
 - Finalize updates to special event permit application and webpage.
- September
 - CRC 2021 annual report presentation to City Council Community Economic Development (CED) Committee.
 - Review RFP submissions for events, shared-use manufacturing, and security assistance.
 - Pending addition of staff, begin processing special event permit applications.
- October
 - Begin working on master fee amendments to reflect new staff positions.
 - Release dispensary permit applications.
 - Review RFP submissions for property purchase program and workforce development.
 - Begin distributing funds for events, shared-use manufacturing, and security assistance.
- November
 - Present draft updates to cannabis operator guidelines to public for feedback.

- Begin distributing funds for workforce development and property purchase.
- December
 - Finalize updated cannabis operator guidelines for 2023.
 - Begin reviewing dispensary permit applications.

ITEM C (5) Implementation Update on State Grants

The City of Oakland received three state grants in 2020-2021 to support its cannabis equity program: in the spring of 2020 the City received a grant of approximately \$1,650,000 from the Bureau of Cannabis Control (BCC); in the summer of 2020 the City received a \$6,576,705 grant from the Governor's Office of Business and Economic Development (Go-Biz) (Go-Biz 1 Grant); then in the summer of 2021 the City received a \$2,434,712.51 from Go-Biz (Go-Biz 2 Grant). The City has disbursed all of the BCC grants funds and all but approximately \$200,000 of the Go-Biz 1 and Go-Biz 2 grants, which consist of second installments of workforce development and shared-use manufacturing grants.

In April the City of Oakland received a three-year \$9,905,020 Local Jurisdiction Assistance Grant from the Department of Cannabis Control (DCC) to support the transition of cannabis operators from a provisional to an annual state license. In June the City received the latest one-year grant from Go-Biz to support the City's Equity Program in an amount of \$5,435,140.82 (Go-Biz 3). Finally, this spring the City Council approved adjustments to a three-year grant from the Board of State and Community Corrections (BSCC) to address the impacts of cannabis legalization. Staff anticipates beginning to disburse these funds as outlined in **Figures 1-3** later this month and will provide status updates moving forward.

Figure 1- Local Jurisdiction Assistance Grant Funds

LOCAL JURISDICTION ASSISTANCE GRANT BUDGET		
PROPOSED USE	COST IN YEAR ONE	COST OVER THREE YEARS
Grants to Provisionally Licensed Equity Applicants	\$574,218.50	\$1,722,655.50
Special Activity Permit Technician	\$166,810	\$500,430
Planning CEQA Review	\$9,237	\$27,710
Program Analyst for Processing Grants	\$198,640	\$595,920
Process Coordinator II in Building Bureau	\$175,696	\$527,088
Overtime for Civil Engineers to Review Plans	\$591,075	\$1,773,224
Overtime for Code Enforcement	\$78,115.80	\$234,347
Hazardous Materials Inspector II	\$193,546	\$580,638
Overtime for Fire Plan Engineers to Review Plans	\$73,760	\$221,280
Overtime for Fire Code Enforcement	\$61,824.00	\$185,472
Overtime for Municipal Code Enforcement Officers for Security Inspections	\$50,000	\$150,000
Annual CPTED Training for Municipal Code Enforcement Officers	\$1,200	\$3,600
Establishing/Maintaining Accela Module for Cannabis Permit Tracking	\$310,000	\$430,000
Grants to Meet Security Requirements	\$574,218.50	\$1,722,655.50
Consultant TBD to Administer Loan/Grant Programs	\$160,000	\$480,000
Consultant TBD to Provide Legal Assistance to Equity Applicants	\$125,000	\$375,000
Consultant TBD to Provide Technical Assistance to Equity Applicants	\$125,000	\$375,000
TOTAL	\$3,468,341	\$9,905,020

Figure 2- 2022-2023 Go-Biz (G0-Biz 3) Grant Funds

Proposed Use	Amount of Funds
A. Grants/Loans to Operators For Start-Up and Ongoing Costs	\$2,428,953.10
B. No-Interest Loan to Purchase Property	\$2,250,000.00
C. Managing Shared-Use Facilities	\$212,915.36
D. Workforce Development	\$330,357.00
E. Half of a City Administrator Analyst	\$122,959.00
F. Administering of Grant/Loan Programs	\$89,956.36
TOTAL	\$5,435,140.82

Figure 3- Original and Current Uses of Proposition 64 Grant

Original and Proposed/New Uses of Proposition 64 (BSCC) Grant Funds				
Purpose	Original Organization	Original Amount	New or Same Organization	New or Same Amount
Preventative and Intervention Activities for Youth	East Oakland Youth Development Center (EOYDC)	\$360,000	Youth Uprising	\$310,000
Develop and Support Youth Awareness Campaign	Public Health Institute	\$133,306	Same	\$163,306
Data Management/Local Evaluation Reports	Cityspan	\$30,000	LMB Creative Group, LLC	\$50,000
Security Workshops and Support for Cannabis Businesses	City of Oakland: 8 Hours Weekly Police Officer Overtime	\$112,329	Same	Same
Public Outreach Campaign to Adults	To Be Determined After Request for Proposals	\$70,000	Make Green Go Selected After RFP	Same
Meeting Supplies and Notification	EOYDC, OUSD, PHI	\$32,000	Youth Uprising, OUSD, PHI	Same
Indirect Costs/Overhead	City of Oakland	\$29,059	Same	Same
Oversee Overall Program	City of Oakland: 0.5 F.T.E. City Administrator Analyst	\$231,000	Same	Same
TOTAL				\$997,694

ITEM F (1) Update on Cannabis Permitting Process

Below please find cannabis permitting statistics for the CRC's review, including additional categories as well as application and permit trend graphs.

Figure 1: Application Totals

<i>APPLICATIONS</i>	TOTALS	PENDING
Total Complete & Incomplete Applications	1698	133
Total Complete Applications	1698	
Complete General Applications	731	
Equity Applications based on residency	834	
Equity Applications based on conviction	133	
Incubators	385	
Interested in Incubating	27	
Complete Application with property	1183	
Complete Application without property (Equity)	414	
Complete Applicants without property (General)	101	

Figure 2: Permit Applications by Category

COMPLETED APPLICATIONS BY BUSINESS TYPE	GENERAL	INCUBATOR*	INTERESTED IN INCUBATING*	EQUITY
Delivery	185	68	4	252
Cultivator (Indoor)	218	125	17	164
Cultivator (Outdoor)	5	5	0	38
Distributor	160	91	4	233
Mfg. Volatile	55	40	0	47
Mfg. Non-Volatile	102	56	2	184
Transporter	5	4	0	39
Lab Testing	1	1	0	10
GRAND TOTALS	731	390	27	967
		*These numbers are part of the General Total		

Figure 3: Operators Locally Authorized for Provisional or Annual State License by Category

LOCALLY AUTHORIZED FOR STATE *ANNUAL/PROVISIONAL LICENSES*	GENERAL	INCUBATOR	EQUITY	
Delivery	58	52	139	
Cultivator	24	93	54	
Distributor	25	79	117	
Mfg. Volatile	5	29	7	
Mfg. Non-Volatile	27	74	113	
Transporter	1	2	6	
Lab Testing	0	2	2	
Retailers	3	1	3	
TOTALS:	143	332	441	916

*These figures represent those who have actually applied with the state for their provisional/annual license
There are additional applicants who are locally authorized, but who have not yet applied with the state.

Figure 4: New Permits Issued to Cannabis Operators Since Spring of 2017 by Category

	GENERAL	INCUBATOR	EQUITY	TOTAL
<i>NEW ANNUAL PERMITS BY BUSINESS TYPE</i>				
Dispensary	8	1	7	16
Delivery	59	20	84	163
Cultivator (Indoor)	2	7	5	14
Cultivator (Outdoor)	0	1	0	1
Distributor	18	24	51	93
Mfg. Volatile	0	6	0	6
Mfg. Non-Volatile	7	10	38	55
Transporter	2	0	4	6
Lab Testing	0	0	0	
GRAND TOTALS	96	69	189	354

Figure 5: Withdrawn Applications

WITHDRAWN APPLICATIONS	GENERAL	INCUBATOR	EQUITY	TOTALS
Delivery	13	28	57	98
Cultivator (Indoor)	7	16	36	59
Cultivator (Outdoor)	14	13	11	38
Distributor	7	41	49	97
Mfg. Volatile	2	15	22	39
Mfg. Non-Volatile	6	24	33	63
Transporter	6	1	15	22
Lab Testing		3	3	6
TOTALS	55	141	226	422

Figure 6: Revoked Local Authorization

REVOKED LOCAL AUTHORIZATION	GENERAL	INCUBATOR	EQUITY	TOTALS
Delivery	1	6	6	13
Cultivator (Indoor)	1	9	2	12
Cultivator (Outdoor)				0
Distributor	1	5	4	10
Mfg. Volatile		3		3
Mfg. Non-Volatile		3	1	4
Transporter		1		1
Lab Testing				0
TOTALS	3	27	13	43

Figure 7: Graph of Cannabis Permit Applications Received Since 2017

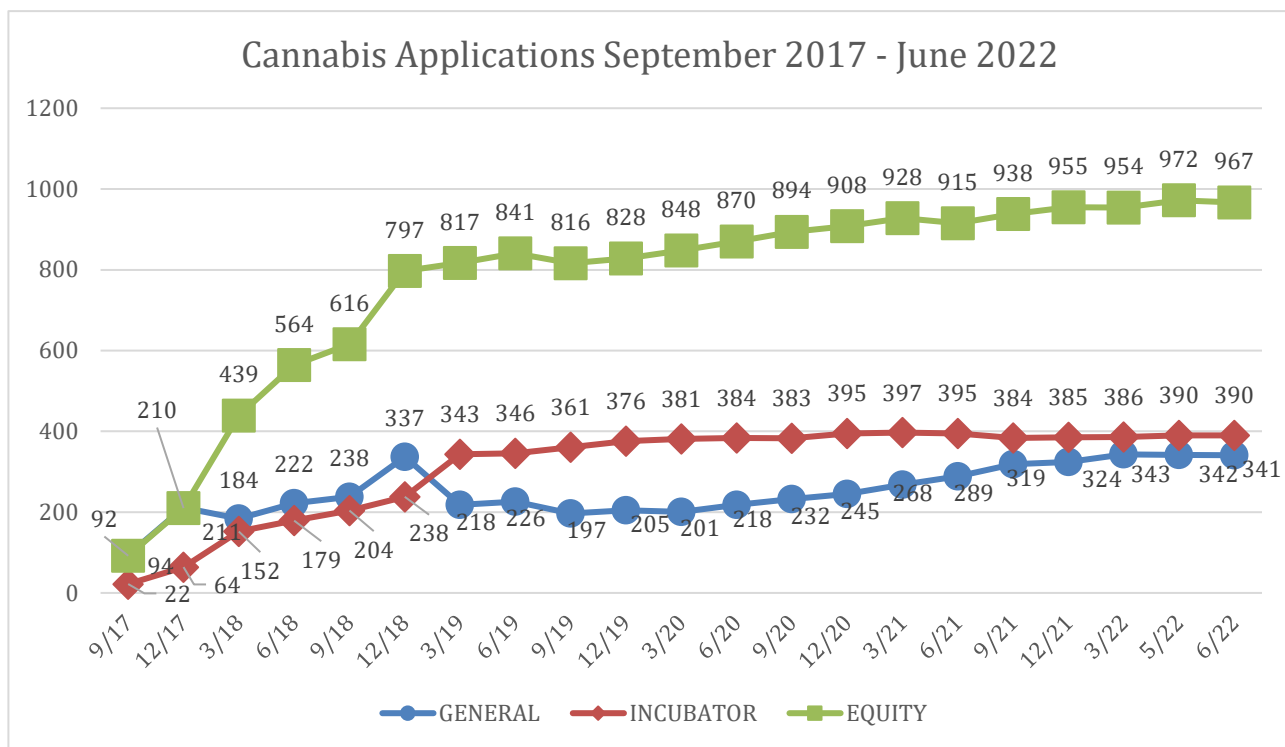
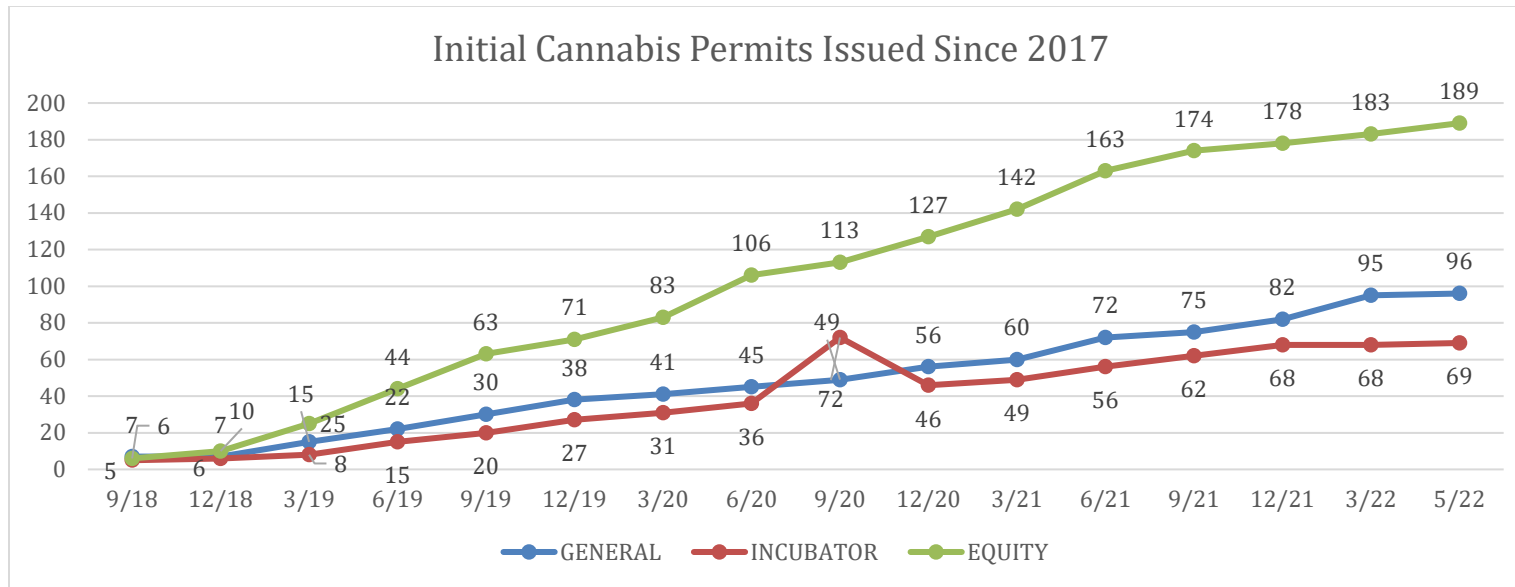


Figure 8: Graph of Cannabis Permits Issued since 2018





MEMORANDUM

TO: Cannabis Regulatory Committee
FROM: Oakland Police Department
SUBJECT: Citations and Arrests for Cannabis Offenses 2021
DATE: June 16, 2022

This report reflects the types of arrests and citations conducted by the Oakland Police Department for the 2021 cases related to cannabis (marijuana) offenses. The history and background related to this document stem from the following:

The Oakland Cannabis Regulation and Revenue Ordinance (aka Measure Z), passed with the support of 65 percent of Oakland voters on November 2, 2004. The ordinance became effective on December 7, 2004. Measure Z provides that the City of Oakland make the enforcement of laws related to the private adult cannabis use, distribution, sale, cultivation and possession, the City's lowest law enforcement priority.

Measure Z does not change state law, which regulates medical and recreational Cannabis use, or federal law, which prohibits cannabis use. The Oakland Police Department (OPD) maintains the discretion to continue law enforcement activities related to private adult cannabis offenses. Measure Z does not apply to minors, and thus does not mandate OPD to treat cannabis offenses committed by minors (possession, distribution, or consumption) as a low priority.

In 2005, the Office of the City Attorney (OCA) defined private adult cannabis offenses that are covered by the lowest law enforcement policy as those that occur on private property and in a setting that is not in public. "Private" does not include commercial settings such as cafes, markets, retail outlets, cabarets or on City owned or leased property. The City Council amended the ordinance to include this definition of "private."

Oakland Police Resource Dedicated to Cannabis Activates:

One Full Time Sworn Police Officer; approximately 50% of the officer's time is devoted to security inspections, 25% is devoted to trainings and serving as the liaison within the department for outside agencies regarding cannabis related issues, and 25% is spent on enforcement.

2021 Cannabis Arrests:

In 2021, there were two arrests where possession of less than one ounce of cannabis under Section 11357(B) H&S (Health and Safety Code) was listed as one of the offenses. In both cases, the subjects were also arrested for more serious crimes. In 2020, there were three of these types of cannabis possession arrests.

Cannabis Regulatory Committee**Citations and Arrests for Cannabis Offenses - 2021**

Date: June 16, 2022

Page 2

Table 1: 2021 11357(B) H&S Adult Citations by Sex and Race

Race	Male	Female	Total
African American	1	0	1
Asian	0	0	0
Hispanic	0	1	1
White	0	0	0
Other	0	0	0
Total	1	1	2

The following tables below indicate the decrease in arrests/citations related to cannabis. The data also indicates and identifies the other offenses that resulted in arrests/citation that included cannabis charges as a lesser offense and not the primary arresting factor. Arrests for possession for sale and sales/transportation of cannabis have continuously decreased from the previous six years **from 355 arrests in 2016 to 21 arrests in 2021** – a decrease of 94% between 2016 and 2021 (see Table 2). There has been a significant decrease in these types of arrests.

Table 2: Cannabis Arrests/Citations for Calendar Years 2016 to 2021

Statute	2016	2017	2018	2019	2020	2021
Cultivation - 11358 H&S	17	2	1	1	1	0
Possession for Sales - 11359/(B) H&S	286	112	93	52	25	13
Sales/Transportation - 11360(A) H&S	52	8	6	14	1	8
Total	355	122	100	67	27	21

The table below shows other offense types associated with the 11359(B), 11360(A), 11358 arrests in 2020 and 2021. Most of the arrests listed above had multiple offenses connected to the incident. In these cases, cannabis was not the primary arresting factor. OPD does not prioritize arresting people solely for cannabis-related offenses. The most common violations associated with a cannabis arrest was a firearm related offense.

Table 3: Other offenses that included cannabis arrests

Violation Type	2020	2021
Firearm Offenses	79	50
Drug Offenses	19	11
Traffic Offenses	0	5
Probation/Parole/Warrant Offenses	11	3
Other Offenses	3	3
Violent Offense	1	0
Property Offenses	8	0
Total	121	72

Cannabis Regulatory Committee

Citations and Arrests for Cannabis Offenses - 2021

Date: June 16, 2022

Page 3


Table 4: 2021 Cannabis Arrests/Citations by Sex & Race

Statute	African American		Asian		Hispanic		White		Other		Total
	M	F	M	F	M	F	M	F	M	F	
11358 H&S	0	0	0	0	0	0	0	0	0	0	0
11359/(B) H&S	10	1	0	0	2	0	0	0	0	0	14
11360(A) H&S	6	1	0	0	1	0	0	0	0	0	8
Total	16	2	0	0	3	0	0	0	0	0	21

Table 5: Cannabis Arrests/Citations by Oakland Police Beats

Beat	2021
2x	1
2y	1
21y	1
26y	2
31y	2
32x	1
32y	1
33x	2
34x	8
35x	2
Total	21

Charges: HS11359, HS11359(B), HS11360(A)

 8238

Jeff Thomason
A/Lieutenant of Police
Support Operations Division
Oakland Police Department

Date: June 16, 2022