

Thursday January 5, 2023 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/83729473156>
- 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):

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For each number, please be patient and when requested, dial the following Webinar ID: 837 2947 3156

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	Vacant	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, Corder, Alaoui, Payne, Turner, Long, Minor

B. Approval of the Draft Minutes from the CRC Special Meeting on November 10, 2022

Chair Turner moved to approve the minutes as drafted. Member Payne seconded the motion and it passed with Members Alaoui and 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 provided background on the item and the upcoming end of the state of California’s COVID-19 state of emergency. Members discussed the benefits of being able to participate in CRC meetings remotely. Member Minor noted that he will share information regarding upcoming meetings and whether they will take place in a different format as soon as that information is available.

Chair Turner moved to adopt the Resolution as drafted. Member Payne seconded the motion and it passed by consensus.

2. Draft 2023 Cannabis Operator Regulations

Member Minor offered an overview of the proposed updated regulations, including explicit prohibitions on the use of generators and eliminating public hearings for dispensary permit renewals. Public speakers recommended modifying the City's definition of local authorization for an annual state license and inquired about the status of onsite consumption licenses. Chair Turner commended the CRC for elevating the topic of cultivators utilizing generators in 2022 and supported the change to gender neutral language in the draft updated regulations.

Vice-Chair Long inquired about the possibility of the City allowing cannabis operators to apply for Conditional Use Permits in areas where cannabis operators are not currently allowed. Member Payne then made a motion for the CRC to agendaize a discussion regarding the zoning of cannabis business in the next two months. Chair Turner seconded the motion and it passed by consensus.

Vice-Chair Long also recommended taking more time to consider public feedback on the definition of local authorization. Vice-Chair Long then made a motion for the public to submit their comments in writing to the City to forward to the CRC for review and to continue discussion of this item in February. Chair Turner seconded the motion and it passed by consensus.

3. Draft 2022 Cannabis Regulatory Commission Annual Report

Member Minor highlighted different sections of the draft report and provided options for the CRC to consider. Member Minor also mentioned upcoming proposal from Governor's Office of Business and Economic Development (Go-Biz) to require local governments to match state grant funding.

Members of the public inquired about how they could find more information on the proposed local funding match requirement and how things unfolded in 2022 with the Emerald New Deal proposed ballot measure.

Member Minor noted that the current draft does not reference the CRC's 2021 recommendations regarding creating an onsite consumption lounge. Chair Turner recommended taking more time to review the draft report and Member Payne suggested forming a subcommittee to review and update the draft report.

Chair Turner then made a motion to continue this item to the February CRC meeting and to form a subcommittee, consisting of Chair Turner and Member Payne, to work on the report in the interim. Vice-Chair Long seconded the motion and it passed by consensus.

4. Resolution in Support of SB 51 Provisional License Extension for Social Equity Operators

Chair Turner offered background on SB 51 and how current provisional license deadline will make it difficult for existing and new equity operators to participate in the regulated marketplace. Public speakers noted the state needs to do more to support equity operators and to lower barriers of entry into the regulated marketplace.

Chair Turner made a motion for the CRC to accept the resolution in support of SB 51 included in the CRC's agenda packet, request that the City Council also adopt this resolution, and for the City's state lobbyist to advocate in support of SB 51. Vice-Chair seconded the motion and then Member Payne made a friendly amendment to advocate for the state to extend the sunset of provisional licenses for equity applicants across all license types. Chair Turner accepted the friendly amendment and it passed by consensus.

5. Implementation Update on State Grants

Member Minor provided an update on the City's various state grants. Members of the public spoke regarding Go-Biz's proposed upcoming local funding match requirements and getting more equity products in dispensaries.

Chair Turner then made a motion to agendaize Go-Biz's proposed matching funds requirement for local jurisdictions in Fiscal Year 2023-2024. Member Payne seconded the motion and it passed by consensus.

- 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)*
 - *Finalize Exit Interview Survey for Withdrawn Applications (since July 2022)*
 - *Establishing Department of Cannabis (since September 2022)*
 - *Planning Department Discussion re Zones Eligible for Cannabis Businesses (since October 2022)*

Member Minor offered a summary of the pending list items.

- E. Open Forum / Public Comment

A member of the public advocated for the City to eliminate matching funds requirements and to hold dispensaries accountable if they are not meeting equity product commitments.

- F. Announcements

1. Update on Cannabis Permitting Process
2. Apply to serve on CRC here:

<https://oakland.granicus.com/boards/w/8552f8c4c0e15460/boards/6697>

Member Minor and Member Payne encouraged members of the public to apply to serve on the CRC. Chair Turner asked if it would be possible to review data on the impact of the 2022 equity week as well as the City's tax rebate program for cannabis businesses.

- G. Adjournment