

Cannabis Regulatory Commission

Regular Meeting

Thursday, July 5th, 6:30 p.m.
Council Chambers, City Hall, One Frank H. Ogawa Plaza

MINUTES

Members:

Lanese Martin	District 1	Frank Tucker	District 7
Chang Yi	District 2	A. Kathryn Parker	At Large
Zach Knox	District 3	Stephanie Floyd-Johnson	Mayor
Jin Jack Shim	District 4	Vacant	City Auditor
Matt Hummel	District 5	Greg Minor	City Administrator
Derreck Johnson	District 6		

Available on-line at: <http://www.oaklandnet.com/measurez>

MEETING AGENDA

A. Roll Call and Determination of Quorum

Present: Martin, Yi, Knox, Shim, Hummel, Johnson, Minor

Absent: Tucker, Parker, Floyd-Johnson

B. Open Forum / Public Comment

No speakers spoke during Open Forum.

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

- *Medical cannabis permitting process (since July 2017)*
- *Use of cannabis tax revenues (since July 2017)*
- *Annual report (since September 2017)*
- *Onsite consumption/lounges (since October 2017)*
- *Event permitting (since December 2017)*
- *Dispensary applicant runner-ups (since December 2017)*
- *OPD updated training bulletin (since March 2018)*

D. Approval of the Draft Minutes from the Cannabis Regulatory Commission meeting of June 2018.

Member Knox moved to approve the minutes as drafted, Member Shim seconded the motion and it passed by Consensus with Member Minor abstaining.

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) 238-3301.

E. Reports for Discussion and Possible Action

1. Oakland Police Department Report on Citations and Arrests for 2017 Cannabis Offenses

Lt. Randy Brandwood provided an overview of the report and emphasized that OPD's focus is now on targeted enforcement as opposed to a broader crime suppression approach utilized in the past, which along with more cannabis training may account for the large drop in cannabis arrests and citations in 2017.

Chair Hummel expressed an interest in the commission working with OPD on updating its cannabis training bulletin. Member Yi highlighted the significant drop in cultivation arrests and asked OPD why beats 20x and 15x were among the highest for cannabis arrests in 2017.

Chair Hummel suggested OPD include data on the ages of those arrested or cited in next year's report. Member Shim questioned at what point OPD should get involved with handing the unregulated cannabis market; Member Yi asked if this could be put on the pending list.

2. Building and Fire Department Cannabis Permit Processes

Acting Building Official Tim Low and Interim Fire Marshall Bill Weisgerber briefly presented on behalf of their departments. Fire Marshall Weisgerber noted there is a backlog with fire review due to the great deal of development taking place citywide and a limited number of plan check engineers, which the fire department is addressing by filling a vacancy and bringing on a contractor to address the backlog.

Public speakers and Members spoke regarding upcoming state deadlines and how City should prioritize cannabis permitting to assist cannabis operators get through the approval process this year and next.

Member Knox made a motion for city to fast track the addition of building and fire staff and in the interim adopt a process in the interim to expedite cannabis approvals. Member Shim seconded the motion and it passed by consensus with Member Minor abstaining.

3. Outstanding Items on Pending List

Members discussed each item and made Member Yi made one motion, seconded by Member Hummel and approved by consensus with Member Minor abstaining, to do the following:

a. Medical Cannabis Permitting Process

- i. Added to pending list in July of 2017 in response to City's initiation of permit process in May 2017 for entire cannabis supply chain. Considering this is an ongoing process, may be more appropriate to move to the Announcements section of the agenda.

Move to Announcements section of the agenda.

b. Use of Cannabis Tax Revenue

- i. Commission discussed issue in January 2018 and expressed interest in playing a role in overseeing use of cannabis tax revenue but commission's actual authority on this issue was not clear. Report from City Attorney's Office can clarify this issue.

Keep on pending list until city attorney's report clarifies issue.

c. Annual Report

- i. Enabling Ordinance 12694 specifies that an annual report will be presented in writing to the City Council, however, the Commission's last report to the City Council Public Safety Committee was in January 2016.

Keep on pending list.

d. Onsite Consumption/Lounges

- i. Topic has been of concern to the Commission for several years, including prior to City Council establishing an onsite consumption permit for permitted dispensaries in 2016 and state law authorizing cannabis consumption via permitted retailers and special events.

Keep on pending list.

e. Event Permitting

- i. Commission discussed topic in December 2017 at which point members concluded more discussion was needed on the topic and to add the topic to the pending list.

Remove from pending list.

f. Dispensary Runner Ups

- i. Topic emerged in December 2017 during a discussion regarding the 2017-2018 dispensary permit process as to how the City may approach those who applied but were not selected to operate a dispensary in 2017 but are interested in applying in the future. Staff is still in the process of implementing and evaluating the 2017-2018 dispensary permit process and has not determined precisely how the next dispensary permit process will unfold. Consequently, it is not clear how the City will approach those 2017-2018 dispensary permit applicant runner ups.

Remove from pending list.

g. OPD Updated Training Bulletin

- i. In its March 2018 presentation, OPD representatives mentioned they are in the process of updating their cannabis training materials and offered to present the materials to the commission once drafted.

Keep on pending list.

4. Two Additional Proposed Clean-Up Amendments to Cannabis Ordinances OMC 5.80 and 5.81 from the Office of the City Administrator:
 - a. Allow Ancillary Cannabis Activities, Including but Not Limited to Packaging, Distribution and Infusion, at the Site of a Permitted Dispensary; and
 - b. Add a Public Hearing Requirement for Any Cannabis Use Within 300 Feet of a Residential Zone

Member Minor gave an overview of the two additional proposed clean-up amendments. Members expressed security concerns with the public having knowledge of cannabis facilities via public noticing/hearing while acknowledging the benefit of transparency, dispelling stigma and normalizing industry. Members also expressed support for allowing ancillary uses at dispensaries but would like these uses to also be allowed anywhere in a commercial zone.

Member Knox made a motion to accept the extension of ancillary activities if the phrase “site of a permitted dispensary” were modified to “site where a dispensary may be permitted.” Member Yi seconded the motion and it passed by consensus with Member Minor abstaining.

Member Knox then made a motion to adopt the public hearing requirement as written. Member Yi Seconded the motion and it passed with Members Knox, Yi, Hummel and Johnson voting in favor, Members Martin and Shim in opposition and Member Minor abstaining.

F. Announcements

1. Update on Cannabis Permit Process
2. Update on Cannabis Technical and Financial Assistance Consultant(s)

Member Minor provided updated application statistics and an update on the consultant selection process.

G. Adjournment