

Thursday, October 2, 2020, 6:30 pm
Teleconference Meeting

MINUTES

Pursuant to the Governor's Executive Order N-29-20, 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/84371845825>
- 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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or +1 301 715 8592

For each number, please be patient and when requested, dial the following Webinar ID: 843 7184 5825

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:

Lanese Martin	District 1	Frank Tucker	District 7
Tracey Corder	District 2	Chaney Turner	At Large
Vacant	District 3	Stephanie Floyd-Johnson	Mayor
Debby Goldsberry	District 4	Tiyanna Long	City Auditor
Claudia Mercado	District 5	Greg Minor	City Administrator
Joshua Chase	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: Martin, Corder, Mercado, Chase, Tucker, Turner, Floyd-Johnson, Long, Minor
Absent: Goldsberry

B. Open Forum / Public Comment

Public speakers spoke regarding incentivizing dispensaries to hire locally, concerns around requiring cannabis operators to participate in community meetings, restrictions on delivery impacting people getting cannabis delivered to their place of work.

Members then inquired about the equity tax rebate program. Member Floyd-Johnson made a motion requesting the following information: (1) What is involved in getting a tax rebate? (2) How is the program marketed? (3) What is the plan for outreach? (4) Ask businesses why they have not yet applied? Chair Martin seconded the motion and it passed by consensus.

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

- *Updated Parliamentary Procedures (since July 2020)*
- *Public Ethics Training (since August 2020)*
- *CRC 2019 Annual Report (since August 2020)*
- *CRC Retreat (since September 2020)*
- *OPD Fiscal Data on 2019 Cannabis Enforcement and Protocol for Unpermitted Dispensaries (since September 2020)*

Member Floyd-Johnson made a motion for the equity subcommittee to place a proposed agenda for the retreat on the CRCs November meeting agenda. Member Tucker seconded the motion and it passed by consensus.

Chair Martin made a motion to add revisiting the cannabis business tax rate to the pending list. Member Floyd-Johnson seconded the motion and it passed by consensus.

- D. Approval of the Draft Minutes from the Special CRC meeting on August 13, 2020 and CRC Meeting on September 8, 2020.

Passed with no objections.

- E. Reports for Discussion and Possible Action
1. Annual Report from Revenue Management Bureau

Public speaker stated that report shows cannabis industry is struggling and taxes should be lowered further.

Chair Martin asked Revenue staff if they would oppose reducing the City's cannabis tax rate; Interim Finance Director Margaret O'Brien replied that they are not the policymakers and that it is best to ask questions and make proposal in advance of the City's budget cycle. In light of the change in tax rates between 2019 and 2020, Interim Finance Director encouraged the CRC to compare apples to apples and examine the total gross receipts as opposed to taxes collected in 2019 and 2020.

Chair Martin then requested that staff calculate what the tax revenue would have been in 2020 if the tax rate had not changed.

Vice-Chair Long asked what the projected tax revenue is from the cannabis tax revenue next year. Revenue staff replied that there is just an overall business tax projection consisting of 22 separate categories.

2. Revisiting Cannabis Business Tax Rate

Public speaker encouraged immediate tax reductions and to make them retroactive. Chair Martin emphasized that this item needs to be thought through seriously, policies should not come up on the fly, and to move on from the item.

3. Potential Clean-Up Amendments to Cannabis Ordinances and Resolutions:

- a. Proposed Amendments to Overall Cannabis Program
 1. Ratify Fee and Permit Extension for Businesses Burglarized in late May/early June 2020
 2. Limit the Delivery of Cannabis in Oakland to Residential Properties.
 3. Prohibit New Cannabis Permit Applications in HBX (Housing-Business Mix) Zones and New Cultivation and Volatile Manufacturing Within 300 Feet of a Residential Zone
 4. Remove Discretionary Language in OMC 5.80.020(D)(1) re Location of Dispensaries
- b. Proposed Amendments to Equity Program
 1. Authorize Equity Businesses to Transfer Permits After Three Years to Non-Equity Businesses
 2. Extend Equity Applicants' Eligibility to Equity Assistance Program Services Up to Four Years from Initial Equity Verification
 3. Convert \$1.5 Million in Loans to Equity Applicants to Purchase Properties that Support Multiple Equity Applicants to Forgivable Loans
 4. Authorize Utilizing Up to \$500k from \$1.5 Million Available in Loans for All Eligible Purposes Towards the Purchasing Property Forgivable Loan Program

Member Minor provided background on the different proposals. Public speakers emphasized the need to continue cannabis operators access to properties and to explore expanding cannabis uses in commercial zones. Public speakers also encouraged keeping equity permits with equity businesses.

Members encouraged more outreach on these proposals. Member Minor identified items 3(a)(1) and 3(b)(2-4) as time sensitive. Member Floyd-Johnson then moved to accept staff's recommendations on items 3(a)(1) and 3(b)(2-4) and to continue the other items to next month's agenda including any updates from staff consistent with the feedback received. Vice-Chair Long seconded the motion and it passed by consensus.

4. How City Can Support Businesses Impacted by Covid-19 and Burglaries in late May/Early June 2020

F. Announcements

1. Update on Cannabis Permitting Process

G. Adjournment