

Thursday August 11, 2022 7:15 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://us06web.zoom.us/j/86458172193>
- 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: +1 408 638 0968 or +1 669 444 9171 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799
or +1 719 359 4580 or +1 646 931 3860 or +1 301 715 8592 or +1 309 205 3325 or +1 312 626 6799 or +1
386 347 5053 or +1 564 217 2000 or +1 646 876 9923 or 888 475 4499

For each number, please be patient and when requested, dial the following Webinar ID: 864 5817 2193

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 CRC Meeting on July 7, 2022

Chair Turner moved to approve the minutes as drafted. Vice-Chair Long seconded the motion and it passed by consensus.

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

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

2. What Can the City of Oakland and the CRC Do to Support the Oakland Cannery and How Can the City Ensure Regulations Protect Oakland Residents from Similar Situations?

Paul Grazzini, Supervising Air Quality Specialist with the Bay Area Air Quality Management District (BAAQMD), presented a powerpoint with information on the regulations governing the use of generators. Multiple public speakers expressed frustration around the lack of enforcement of unpermitted generators used by cannabis cultivators.

Chair Turner, Vice Chair Long, and Member Payne thanked public speakers for sharing their concerns with the CRC and expressed their frustration with the use of generators by cannabis cultivators.

Member Armas added that the use of generators is unnecessary considering outdoor cannabis operators across the state.

Chair Turner then made a motion for the CRC to send a formal statement to the Department of Cannabis Control (DCC) and City Council stating that the use of generators is unacceptable, that Green Sage is violating the law, and that the cannabis operators' licenses should be suspended until the generators are removed.

3. Potential Loan Forgiveness Policy for Equity Applicants

Member Minor provided an overview of the topic. Vice-Chair Long inquired about who would provide education to equity applicants regarding their tax liability if they were eligible for loan forgiveness. Vice-Chair Long also expressed an openness to a loan forgiveness policy in light of COVID provided equity applicants who had loan repayments forgiven had to wait a period of time before being eligible for additional City funds. Member Payne similarly offered support for some reasonable break between loan forgiveness and access to new funds and suggested that there be a requirement that the company is no longer in operation in order to qualify for loan forgiveness. Chair Turner also supported financial workshops to walk equity applicants through any tax implications.

Chair Turner then made a motion for the Finance Department to provide additional data on Oakland's cannabis industry. Specifically, Chair Turner requested that the Finance Department provide gross receipt data for both general and equity applicants from 2018 to the present. Vice-Chair Long seconded the motion and it passed by consensus.

4. Potential Policy for the Transfer of Permits from Equity to General Applicants

Member Minor provided an overview of the topic, including the CRC's past debates on this topic. Public speakers both encouraged the CRC to be thoughtful and move slowly while considering this topic and for the CRC to move quickly and allow for equity applicants to sell their businesses to capitalize on existing values.

Member Armas mentioned that investors currently view equity applicants' licenses as second class and not as valuable because of existing transfer restrictions. Member Armas also encouraged the City to collect data from and sales of equity businesses to monitor whether they are predatory. Member Payne supported the idea of allowing equity businesses to sell their businesses after a period of time but wondered if disclosure of sale information to the City would impact the price of business sales. Chair Turner noted that this topic is related to the loan forgiveness topic and that there should be educational workshops if transfers and business sales are allowed.

Chair Turner then made a motion for the CRC to wait until it receives additional data from the Finance Department on the cannabis industry from 2018-present. Member Armas seconded the motion and it passed by consensus.

5. Implementation Update on State Grants

Member Minor offered an update. Public speakers inquired about the status of new grant funds and the challenges of waiting for new state grant funds to be available.

Chair Turner then made a motion to skip item D and proceed to Open Forum. Vice-Chair Long 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)*

E. Open Forum / Public Comment

Members of the public again expressed frustration regarding the ongoing use of generators by cannabis cultivators.

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