

Thursday November 3, 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/86898969838>
- 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
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For each number, please be patient and when requested, dial the following Webinar ID: 868 9896 9838

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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.”

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♿ 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.

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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 CRC Meeting on October 6, 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. Board of State and Community Corrections (BSCC) Proposition 64 Cohort 3 Grant Opportunity
 - 3. Draft 2022 Survey of Equity Applicants
 - 4. 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)*
 - *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)*
- 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>
3. Equity Week November 14th-18th will feature special deals on equity products at participating dispensaries. For more information visit: equityweek2022.com

G. Adjournment

Thursday October 6, 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.

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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: Corder, Alaoui, Payne, Turner, Medrano, Long, Minor
Absent: Armas

B. Approval of the Draft Minutes from the CRC Meeting on September 1, 2022

Vice-Chair Long made a motion to approve the minutes as drafted. Chair Turner 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

Chair Turner made a motion to approve the Resolution as drafted. Member Payne seconded the motion and it passed by consensus.

2. 2022 Cannabis Business Tax Supplemental Report

Nicole Andrino of the City’s Revenue Management Bureau presented the supplemental report from the Finance Department with additional data on gross receipts from cannabis businesses. A public speaker encouraged the City to encourage outdoor cultivation. Chair Turner noted that general applicants had significantly greater gross receipts than equity applicants and that gross receipts from manufacturers have increased in recent years, suggesting the City needs to further invest in equity and manufacturing businesses

Chair Turner then made a motion for the finance department to include the same information that they included in this supplemental report in their annual reports on cannabis tax revenues to the CRC. Vice Chair Long seconded the motion and it passed by consensus..

3. Potential Loan Forgiveness Policy for Equity Applicants

Member Minor provided background on the topic before opening the discussion for recommendations from the public and the CRC. A public speaker then recommended the City consider extending the time period for repayments further rather than forgiving loans. Member Alaoui noted that cannabis entrepreneurs need significant capital to compete and they need funds now. Member Payne lamented that few members of the public were present to contribute to this conversation. Member Minor offered to solicit feedback from equity applicants on this topic at the October monthly meeting with equity applicants re the cannabis equity loan and grant programs.

Chair Turner then made a motion to continue this topic to next month's meeting and recommend staff return with feedback received from equity applicants at the October loan and grant monthly meeting. 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. One member of the public recommended allowing the transfer of permits from equity to general applicants before twenty years but not as soon as three years. Two other public speakers urged the CRC to recommend allowing said transfers to allow equity businesses to attract investment and provide equity applicants with the ability to control their destiny.

Vice-Chair Long and Turner then mentioned the issue of areas where cannabis businesses are allowed to locate and Chair Turner made a motion to have a representative from the Planning Department present at a CRC meeting regarding what new areas would be appropriate for cannabis businesses to utilize and if not why not. Member Payne seconded the motion and it passed by consensus.

5. Implementation Update on State Grants

Member Minor provided an update regarding current state grants as well as upcoming RFP for next cohort of BSCC Proposition 64 grant. One public speaker recommended the City utilize state grants to address trash generated by cannabis businesses and another speaker questioned why the City makes state funding available as loans.

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)*

E. Open Forum / Public Comment

Public speakers encouraged the City to encourage outdoor cultivation and utilize hill areas as well as eliminate any match funding requirements in the loan and grant programs.

F. Announcements

1. Update on Cannabis Permitting Process
2. Apply to serve on CRC here:
<https://oakland.granicus.com/boards/w/8552f8c4c0e15460/boards/6697>
3. The deadline for submitting response to cannabis equity property purchase program [Request for Proposals](#) (RFP) has been extended to November 1st.
4. [Applications are open now](#) until November 2nd for equity manufacturers to utilize shared-use manufacturing facility at City sponsored Oakland Equity Collective.

G. Adjournment



Cannabis Regulatory Commission

TO: Cannabis Regulatory Commission **FROM:** Greg Minor
Assistant to the City
Administrator

SUBJECT: November 2022 Agenda Items **DATE:** October 31, 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.

On October 17, 2022 Governor Newsom announced that California's COVID-19 State of Emergency will end on February 28, 2023. As a result, staff has learned that adjustments will be made to commission meetings in the coming months, including potential in-person or hybrid meetings, however, staff has not learned of any specific changes as of now. As soon as information becomes available, staff will share with the CRC and public.

ITEM C (2) 2022 Board of State and Community Corrections (BSCC) Proposition 64 Grant Opportunity

The BSCC has released a Proposition 64 Public Health and Safety Grant Program Request for Proposals (RFP) for Cohort 3 with applications due December 2nd. Cities like the City of Oakland are eligible for a maximum of \$3 million over three years to address one or more of the following Project Purpose Areas (PPAs) that relate to the local impact of legalizing cannabis. More information is available here: <https://www.bscc.ca.gov/proposition-64-public-health-safety-grant-program/>

Staff welcomes the CRC's recommendations on what to include in the City's grant proposal. Currently, staff is considering requesting funds for the following:

- One or more full time investigators in the Criminal Investigation Division to address burglaries and armed robberies of cannabis businesses;
- Funding for ongoing public awareness campaigns to make consumers aware of how they can support equity businesses, such as annual Equity Week;
- Funding the removal of litter generated by the cannabis industry and gathering data on cannabis related litter to help develop upstream solutions on how to reduce cannabis industry related waste.

PPA 1: Youth Development/Youth Prevention and Intervention

For the purposes of this RFP, youth are defined as under the age of 21 (i.e., individuals not of legal age to use and purchase cannabis products).

Youth development programs should be designed to improve the lives of children and adolescents by meeting their basic physical, developmental, and social needs and by helping them to build the competencies needed to become successful adults.

Youth Prevention and Intervention programs should address preventing youth substance use and addiction and/or intervening to promote healthy behaviors and environments while minimizing illness, injury, and other harms associated with substance use. Approaches may include preventing exposure, preventing youth from progressing from substance use to misuse, and preventing the onset of addiction, overdose, and other harms associated with misuse.

Youth development/youth prevention and intervention programs should be trauma informed, culturally relevant, developmentally appropriate, community-driven, and promising / evidence-based. These programs are intentional, prosocial approaches that engage youth within their communities, schools, organizations, peer groups, and families in a manner that is productive and constructive; recognizes, utilizes, and enhances young people's strengths; and promotes positive outcomes for young people by providing opportunities, fostering positive relationships, and furnishing the support needed to build on their strengths. Programs

for youth should increase the individual's protective factors (e.g., positive family support; caring adults; positive peer groups; strong sense of self/self-esteem, and engagement in school and community activities).

Activities that may be funded include but are not limited to: peer mentoring or community based mentoring; job training/apprenticeships; cannabis substance use education; cannabis substance use treatment; prosocial activities; juvenile record expungement; and youth outreach programs.

It is highly encouraged that applicants consider including a youth component as part of their overall project strategy; however, it is not mandatory.

PPA 2: Public Health

Public health refers to activities for protecting the safety and improving the health of communities through education, policy/infrastructure making, and research for the safety of the community. Activities that may be funded include but are not limited to: public health training and education; public information and outreach; inspection and enforcement of cannabis businesses; behavioral and mental health treatment; cannabis product safety; testing/safety equipment; pesticide impact efforts; drinking and waste water system updates; air quality efforts; and other environmental-system updates.

PPA 3: Public Safety

Public Safety refers to the welfare and protection of the general public, including but not limited to the prevention and protection of the public from dangers affecting safety such as crimes, disasters, or impacts due to the legalization of cannabis. Activities that may be funded include but are not limited to: code enforcement; retail theft; public information and outreach; training efforts; law enforcement; community planning or development efforts; cannabis delivery compliance; protective safety equipment; update to technology systems (track & trace); transportation impacts, water storage issues; fire protection; fuel mitigation and/or fuel reduction; and wildland/urban interface planning and implementation.

PPA 4: Environmental Impacts

Environmental impact refers to the prevention of human injury and promoting well-being by identifying and evaluating environmental resources and hazardous agents by limiting exposures to hazardous physical, chemical, and biological agents in air, water, soil, food, and other environmental media or settings that may adversely affect human health. Activities that may be funded include but are not limited to: technology/software; odor abatement; nuisance abatement; forest management; hazardous

clean-up; sediment testing; water systems and storage; cultivation code enforcement; aquatic protections; fire protections; and pesticide impacts.

ITEM C (3) Draft 2022 Survey of Equity Applicants

Staff has drafted the attached draft survey to understand how the City of Oakland can support equity applicants as well as gather feedback on specific topics, such as whether the City of Oakland should establish a loan forgiveness program for equity applicants that have fallen behind on loan repayments and whether the City should allow equity applicants to transfer permits to general applicants. In turn, responses to this survey can help inform the CRC's recommendations to the City Council on these and other topics. Staff welcomes the CRC's feedback on the draft survey.

ITEM C (4) 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 2022 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 2022 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 is now beginning to disburse these funds as outlined in **Figures 1-3** month and will provide status updates moving forward.

In July staff released a [Request for Proposals](#) (RFP) for funds for events for cannabis equity applicants, shared-use manufacturing technical assistance, security measures for provisional licensees, and the cannabis equity property purchase program. The deadline for RFP responses has now passed. Also, in August staff increased the grant funding available to equity applicants to match the amounts available through the loan program and introduced additional specialty grant programs. More information on the City's loan and grant programs for equity applicants is available here: <https://www.elevateimpactoakland.com/>

Figure 1- Local Jurisdiction Assistance Grant Funds

LOCAL JURISDICTION ASSISTANCE GRANT BUDGET		
USES	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 (GO-Biz 3) Grant Funds

GO BIZ 3 Funds - 1 Year Grant			
	TOTAL FUNDED	DISBURSED	BALANCE
Grants/Loans to Operators for Start Up and Ongoing Costs	\$ 2,178,953.10	\$ 485,000.00	\$ 1,693,953.10
Events	\$ 250,000.00		\$ 250,000.00
No Interest Loan to Purchase Property	\$ 2,250,000.00		\$ 2,250,000.00
Managing Shared-Use Facilities	\$ 212,915.36		\$ 212,915.36
Workforce Development	\$ 330,357.00		\$ 330,357.00
Administering of Grant/Loan Programs	\$ 89,956.36	\$ 71,050.00	\$ 18,906.36
STAFFING			
Half of City Administrator Analyst	\$ 122,959.00		\$ 122,959.00
TOTALS	\$ 5,435,140.82	\$ 556,050.00	\$ 4,879,090.82

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	1670	136
Total Complete Applications	1670	
Complete General Applications	726	
Equity Applications based on residency	815	
Equity Applications based on conviction	129	
Incubators	376	
Interested in Incubating	26	
Complete Application with property	1149	
Complete Application without property (Equity)	420	
Complete Applicants without property (General)	101	

Figure 2: Permit Applications by Category

COMPLETED APPLICATIONS BY BUSINESS TYPE	GENERAL	INCUBATOR*	INTERESTED IN INCUBATING*	EQUITY
Delivery	182	65	4	240
Cultivator (Indoor)	217	130	17	166
Cultivator (Outdoor)	5	3	0	38
Distributor	160	90	4	229
Mfg. Volatile	56	39	0	48
Mfg. Non-Volatile	101	50	2	176
Transporter	4	4	0	37
Lab Testing	1	1	0	10
GRAND TOTALS	726	382	27	944

*These numbers are part of the General Total

Figure 3: Operators Issued Provisional and Annual Licenses

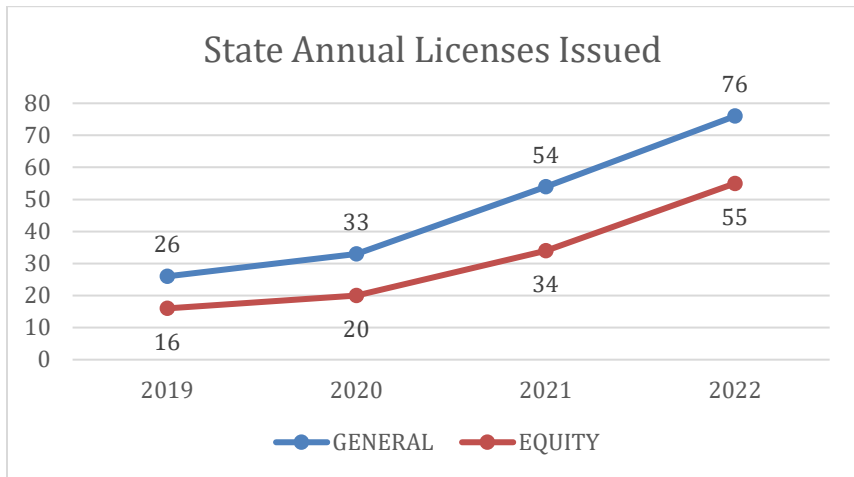
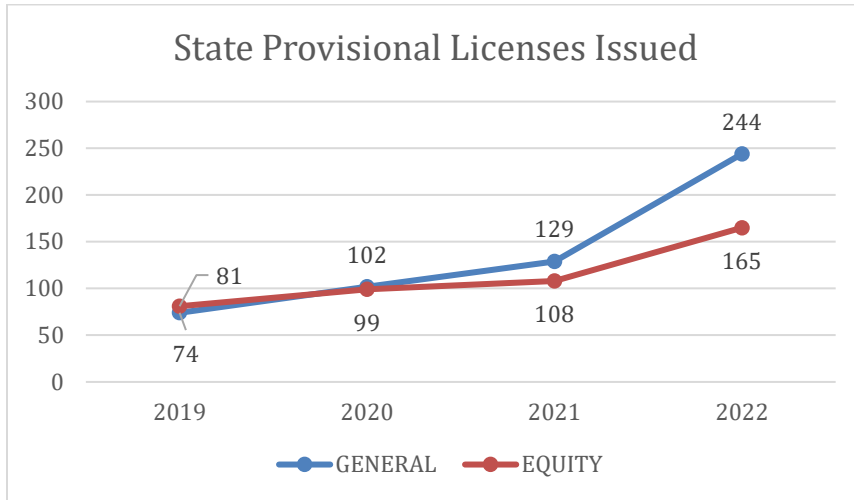


Figure 4: New Permits Issued to Cannabis Operators Since Spring of 2017 by Category

	GENERAL	INCUBATOR	EQUITY	TOTAL
<i>NEW ANNUAL PERMITS BY BUSINESS TYPE</i>				
On-site Consumption			2	2
Dispensary	1	1	8	10
Delivery	65	27	81	173
Cultivator (Indoor)	4	6	5	15
Cultivator (Outdoor)	0	0	0	0
Distributor	20	16	78	114
Mfg. Volatile	0	5	0	5
Mfg. Non-Volatile	9	14	39	62
Transporter	1	0	1	2
Lab Testing	0	0	0	0
GRAND TOTALS	100	69	214	383

Figure 5: Withdrawn Applications

WITHDRAWN APPLICATIONS	GENERAL	INCUBATOR	EQUITY	TOTALS
Delivery	13	31	68	112
Cultivator (Indoor)	10	18	40	68
Cultivator (Outdoor)	14	13	11	38
Distributor	7	45	55	107
Mfg. Volatile	2	16	22	40
Mfg. Non-Volatile	6	27	39	72
Transporter	6	1	16	23
Lab Testing		3	3	6
TOTALS	58	154	254	466

Figure 6: Revoked Local Authorization

REVOKED LOCAL AUTHORIZATION	GENERAL	INCUBATOR	EQUITY	TOTALS
Delivery	1	6	6	13
Cultivator (Indoor)	5	20	6	31
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	7	38	17	62

Figure 7: Graph of Cannabis Permit Applications Received Since 2017

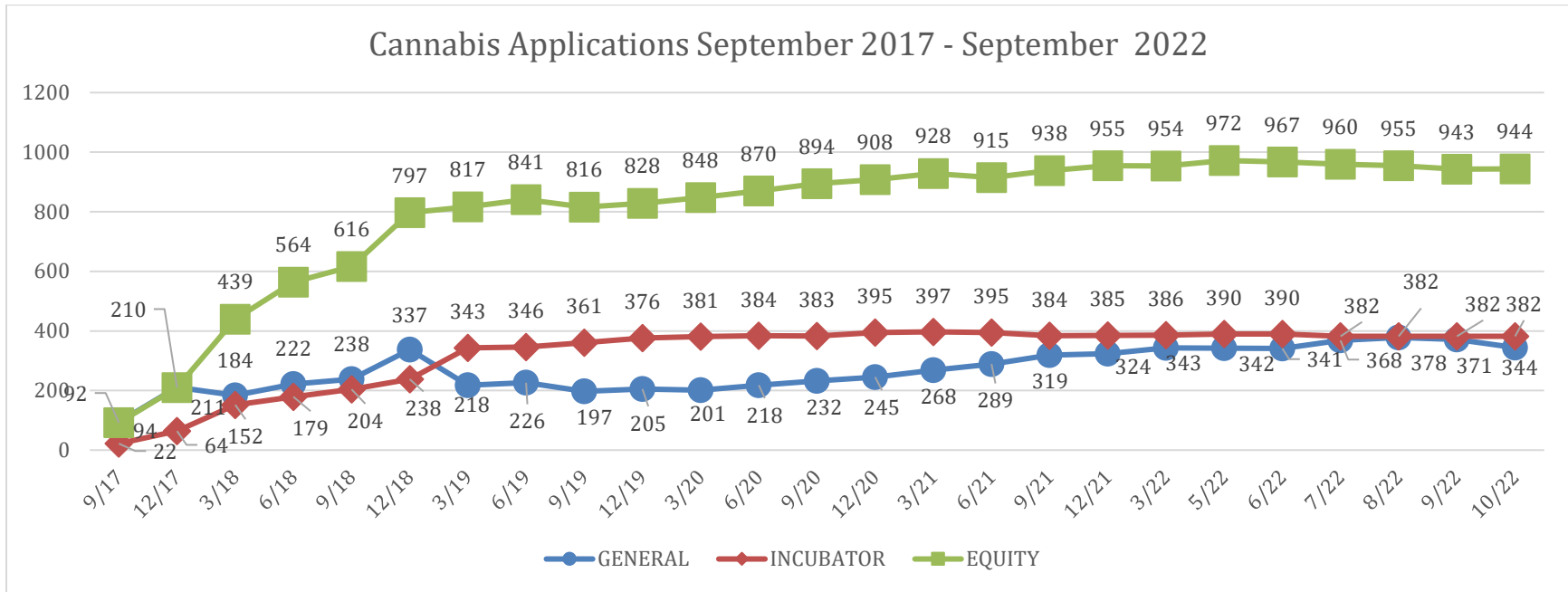
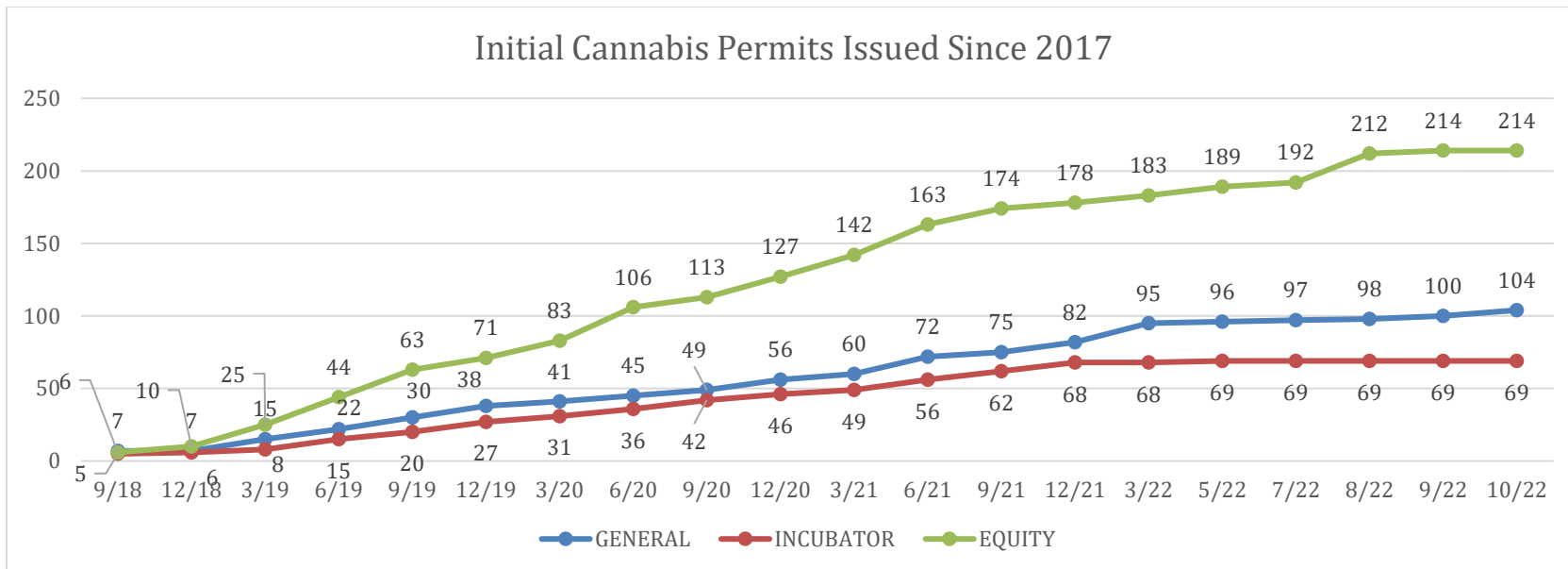


Figure 8: Graph of Cannabis Permits Issued since 2018



OAKLAND CANNABIS REGULATORY COMMISSION

RESOLUTION NO. 2022-10

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.

OAKLAND 2022 EQUITY APPLICANT SURVEY

This survey is an opportunity to better understand how equity applicants are doing and determine what changes to make to the Equity Grant and Loan Programs as well as to the City of Oakland's restrictions on transferring of permit from equity to general applicants. Thank you for your participation.

I. BACKGROUND QUESTIONS

1. What type of cannabis business did you receive and equity loan/grant for?
2. Are You Currently Operating?
 - a. Yes
 - b. No
3. How Long Have You Been Operating?
 - a. 0-6 months
 - b. 7-12 months
 - c. 1-2 years
 - d. More than 2 years
4. If you are not operating, please select the top reason why.
 - a. Incubation period ended and had to start paying rent
 - b. Build-out was too expensive
 - c. It took too long to generate revenue
 - d. Too many burglaries
 - e. Other _____
5. How many individuals do you currently employ? For this question, an employee is someone who works at least 35 hours a week.
6. Have you added or reduced staff in the last 12 months?
7. What barriers are you experiencing as you establish a compliant cannabis business? (select all that apply)
 - a. None
 - b. Finding a location
 - c. Slow buildout
 - d. Obtaining Insurance
 - e. Hiring and training staff
 - f. PG&E electrical upgrade
 - g. EBMUD compliance
 - h. State licensing compliance
 - i. Legal disputes
 - j. Tax problems
 - k. Lack of capital
 - l. Other
8. Have you experienced any barriers with the following City/County agencies? If so, please describe below.
 - a. Special Activity Permits Division
 - b. Bureau of Planning
 - c. Bureau of Building

- d. Fire Prevention Bureau
 - e. Oakland Police Department
 - f. Alameda County Health
 - g. EBMUD
 - h. PG&E
9. What impact, if any, has the COVID-19 pandemic had on your business?
- a. No impact
 - b. Very negative impact
 - c. Slightly negative impact
 - d. Slightly positive impact
 - e. Very positive impact
10. Has your business or staff experienced any robberies or burglaries?
- a. Yes
 - b. no
11. Please rate your business' future outlook.
- a. Very promising
 - b. Promising
 - c. Neutral
 - d. Negative
 - e. Very Negative

II. GRANT AND LOAN PROGRAM QUESTIONS

12. Have you received a grant or loan from the City of Oakland? (if no, skip to Demographic Questions)
13. Where did you spend most of your grant/loan funding?
- a. Inventory
 - b. Buildout
 - c. Rent
 - d. Marketing/sales
 - e. Loan reserve/payments
 - f. Security
 - g. Taxes
 - h. Insurance
 - i. Utilities
 - j. State licensing fees
14. What was the second highest area where you spent your grant/loan funding?
- a. INSERT FINAL LIST FROM ABOVE
15. How should the City provide capital to operators: grants, interest free revolving loans, or both? Please note that while loans must be repaid, loans are not taxable and loan repayments provide future funds for equity applicants. On the other hand, grants need not be repaid, but they are taxable, and they provide no future funds to equity applicants
- a. Grants only
 - b. Interest free revolving loans only
 - c. Both grants and interest free revolving loans

16. Do you support prioritizing loans/grants for equity applicants that have not yet received loans/grants?
 - a. Yes
 - b. No
17. Should the City Council authorize establish a loan forgiveness program for equity applicants that are behind on loan repayments? Please note, any forgiven unpaid loans will be taxable and reduce the amount of funding the City can disperse as new loans to equity applicants.
 - a. Yes
 - b. No
18. If you answered yes to Question 17, should an equity applicant whose unpaid loan is forgiven be eligible for future City loans or grants or have to wait a period of time before?
 - a. No, they should not be eligible for future City loans or grants
 - b. Yes, they should be eligible for future City loans or grants immediately.
 - c. Yes, they should be eligible for future City loans after waiting a period of time (please specify how much time)
 - i. 6 months
 - ii. 1 year
 - iii. 2-3 years
 - iv. More than 3 years
19. If you answered yes to Question 17, should there be any eligibility criteria before an equity applicant can have their loans forgiven or should loan forgiveness be available to any equity loan borrower that requests it?
 - a. Any loan borrower should be eligible for loan forgiveness.
 - b. Only loan borrowers that were burglarized should be eligible for loan forgiveness.
 - c. Only loan borrowers that are no longer operational should be eligible for loan forgiveness.
 - d. Other
20. To lower monthly loan payments, should the City extend all outstanding loan terms to 10 years? Please note the longer the loan term, the less funding that will be available in the short term to distribute to equity applicants via new loans.
 - a. No keep the loan terms as is.
 - b. Yes extend loan agreements to 10 years.
 - c. Yes extend loan agreements to more than 10 years.
21. Should the City remove the matching funds requirement from the rental grant? Please note that the matching funds requirement was established to make sure that a business would be self-sustaining over time, thereby avoiding creating false hope for a business that was ultimately going to close.
 - a. Yes remove the matching fund requirement
 - b. No keep the matching fund requirement

III. TRANSFER OF PERMITS

22. The City of Oakland currently prohibits equity applicants from transferring their permits to general applicants. This includes prohibiting an equity business from taking on investors that

control more than fifty percent of the business. Should the City Council allow for equity businesses to transfer their permit(s) to general applicants?

- a. Yes
- b. No

23. If you answered yes, under what circumstances should equity applicants be able to transfer their permit(s)?

- a. Equity applicants should be able to transfer their permit(s) whenever they want.
- b. Equity applicants should be able to transfer their permit(s) 1-3 years after they have applied for a permit.
- c. Equity applicants should be able to transfer their permit(s) after more than three years have passed since they applied for a permit.
- d. Other

IV. FEEDBACK

- 1. What changes should the City consider making to the loan and grant programs and why?
- 2. How can the City of Oakland better support your business?
- 3. What else would you like to say about operating a cannabis business in Oakland?

V. DEMOGRAPHIC QUESTIONS (optional)

For the individual meeting the equity criteria:

- 1. Select the age
- 2. Select the race
- 3. Select the gender
- 4. Select the military status
- 5. Select the disability status
- 6. Select the income range
- 7. Educational history