

Thursday, December 2, 2021, 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:

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Members:

Vacant	District 1	Frank Tucker	District 7
Tracey Corder	District 2	Chaney Turner	At Large
Austin Stevenson	District 3	Stephanie Floyd-Johnson	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 Regular CRC Meetings on October 7, 2021 and November 4, 2021.

- 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. Burglaries of Cannabis Businesses and Related Security Issues
 3. Emerald New Deal Proposed Ballot Initiative
 4. Develop Onsite Consumption Regulations
 5. Implementation Update on Current BCC and Go-Biz Grants
- D. Review of the Pending List and Additions to Next Month's Agenda
- *Staffing/Costing of a Department of Cannabis (since January 2021)*
 - *Follow Up Questions re Revenue Management Bureau Report (since June 2021)*
- 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. Following the recommendation of the CRC, the City Administration will postpone collections for six months for equity loan borrowers in need while staff conducts an analysis of the loan program and whether to propose related legislation to the City Council.
- G. Adjournment

Thursday, October 7, 2021, 6:30 pm
Teleconference Meeting

MINUTES

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MEETING AGENDA

A. Roll Call and Determination of Quorum

Present: Minor, Stevenson, Turner, Floyd-Johnson, Long, Tucker

Absent: Corder

B. Approval of the Draft Minutes from the CRC Meeting on August 5, 2021.

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

C. Reports for Discussion and Possible Action

1. Establishment of Process to Certify Equity Businesses

Member Minor introduced the item then Ramon Garcia and Nina Parks presented a powerpoint presentation regarding a statewide certification program for equity businesses that features a clear identifier for equity businesses. Additional information on the project is available at equitytrade.org.

Members of the public inquired whether the program would support equity-owned delivery companies that sell products made by general applicants. Nina Parks confirmed that equity-owned delivery businesses would be included.

2. Revolving Loan Program for Cannabis Equity Applicants

Member Minor provided an overview of the revolving loan program and policy questions around loan forgiveness for the commission and City Council to consider. Members of the public emphasized how capital intensive the regulated marketplace is and that Oakland should find a creative solution to avoid equity applicants being in debt and in a worse position.

Chair Turner then made a motion to freeze collections on delinquent equity applicants until the City Council evaluates the program. Member Stevenson seconded the motion. Vice-Chair Long then made a friendly amendment for the CRC to recommend that the City Council halt collections of delinquent equity applicants. Chair Turner seconded the motion. Member Floyd-Johnson voted in favor, however, Member Tucker had left the meeting so there was no quorum to pass the motion.

3. Local Jurisdiction Assistance Grant Program

Member Minor provided an overview of the current proposal. Member Floyd-Johnson emphasized having performance measures to ensure permitting is expedited. Member Stevenson moved to continue the rest of the agenda to the next meeting due to the lack of quorum.

4. Develop Onsite Consumption Regulations
5. Implementation Update on Current BCC and Go-Biz Grants

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

- *Staffing/Costing of a Department of Cannabis (since January 2021)*
- *Follow Up Questions re Revenue Management Bureau Report (since June 2021)*

E. Open Forum / Public Comment

F. Announcements

4. Update on Cannabis Permitting Process
5. Apply to serve on CRC here: <https://oakland.granicus.com/boards/w/8552f8c4c0e15460/boards/6697>

G. Adjournment

Thursday, November 4, 2021, 6:30 pm
Teleconference Meeting

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MEETING AGENDA

A. Roll Call and Determination of Quorum

Present: Corder, Stevenson, Payne, Turner, Floyd-Johnson, Long, Minor

Absent: Tucker

B. Approval of the Draft Minutes from the Special and Regular CRC Meetings on October 7, 2021.

Member Floyd-Johnson moved to approve both minutes as drafted. Member Stevenson seconded the motion. The motion initially failed due to Members Corder, Payne and Minor all abstained, however, after Member Minor voted in favor the motion passed.

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 then Member Floyd-Johnson moved to approve the Resolution as drafted. Chair Turner seconded the motion and it passed by consensus. Vice-Chair Long inquired if the Resolution had to be renewed at every meeting. Member Minor stated he would consult with the City Attorney's Office.

2. Revolving Loan Program for Cannabis Equity Applicants

Member Minor and Paula Groves of Elevate Impact provided an overview of the loan program and policy questions around loan forgiveness. Public speakers asked what the City can do to attract private investment in equity businesses, appreciated the City for listening to public comment and being thoughtful, and how fear about being unsuccessful and falling into debt.

Member Payne highlighted how equity applicants' lack of personal capital increases their risk of business failure and asked what is needed to get delinquent equity applicants back on track. Member Floyd-Johnson emphasized the importance of intervening early on when a loan borrower becomes delinquent, questioned whether it is the City's role to remove all risk associated with running a cannabis business, and asked whether equity businesses are adequately capitalized. Vice-Chair Long agreed that it is not the City's job to eliminate all risk but recommended a short-term deferment while the CRC identifies a long-term solution.

Vice-Chair Long made a motion to recommend that the City provide a three-month deferment to loan borrowers in need. Member Floyd-Johnson seconded the motion. Member Corder noted that three months may not be long enough. Chair Turner made a friendly amendment to extend the deferment to six months. Vice-Chair Long accepted the friendly amendment and the motion passed by consensus.

Member Stevenson asked what the characteristics are of loan borrowers that have fallen behind on payments. Member Minor and Ms. Groves noted the main commonality was an issue with their business location. Member Stevenson then made a motion for staff to provide a summary of the business profiles of equity applicants in default as well as those that are successfully repaying their loans. Member Floyd-Johnson seconded the motion and it passed by consensus.

3. Local Jurisdiction Assistance Grant Program

Member Minor provided an overview of the item and the upcoming application deadline. Member Floyd-Johnson asked how the investments in building and fire staff will improve permitting timelines. Member Floyd-Johnson then made a motion to accept the grant proposal allocation as drafted and to request that staff provide information on the permitting timeframes to reflect how the grant will change existing permitting timelines. Chair Turner seconded the motion and it passed by consensus with Members Payne and Minor abstaining.

4. Develop Onsite Consumption Regulations

Member Minor provided background on the topic. Public speakers noted this discussion has been taking place for multiple months. Member Payne preferred broad language as opposed to super detailed and encourage equity applicant participation on this topic. Member Payne made a motion to have the City Council go out of their way to solicit particular input from equity applicants regarding onsite consumption. Chair Turner seconded the motion but Member Payne then withdrew her motion. Chair Turner then made a motion to continue the item to the next meeting. Member Floyd-Johnson seconded the motion and it passed by consensus.

5. Implementation Update on Current BCC and Go-Biz Grants

Chair Long then noted more than two and a half hours had passed since the start of the meeting and asked for a motion to extend the meeting. Members Corder and Turner voted to extend; Members Stevenson, Long, and Floyd-Turner voted against so the meeting ended after Open Forum.

- D. Review of the Pending List and Additions to Next Month's Agenda
- *Staffing/Costing of a Department of Cannabis (since January 2021)*
 - *Follow Up Questions re Revenue Management Bureau Report (since June 2021)*

E. Open Forum / Public Comment

Public speakers spoke regarding challenges facing equity businesses and how City should incorporate equity into onsite consumption proposals.

F. Announcements

6. Update on Cannabis Permitting Process
7. Apply to serve on CRC here: <https://oakland.granicus.com/boards/w/8552f8c4c0e15460/boards/6697>
8. November 19th deadline for Request for Proposal (RFP) for Public Education Campaign to Support Equity-Owned Cannabis Businesses: <https://cao-94612.s3.amazonaws.com/documents/RFP-for-Public-Education-Campaign-To-Support-Equity-Owned-Cannabis-Businesses.pdf>

G. Adjournment



Cannabis Regulatory Commission

TO: Cannabis Regulatory Commission

FROM: Greg Minor

Assistant to the City
Administrator

SUBJECT: December 2021 Agenda Items

DATE: November 29, 2021

ITEM B Approval of Draft Minutes from the Regular CRC Meetings on October 7, 2021 and November 4, 2021

After the November Cannabis Regulatory Commission (CRC) meeting staff was informed of a typo in the October 2021 CRC meeting minutes at the end of the second paragraph of the third page. Staff incorrectly wrote that Chair Turner had left the October 2021 meeting instead of Member Tucker. The updated October minutes correct this error.

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

Recently passed 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 Resolution 2021-3 renewing these findings.

ITEM C (2) Burglaries of Cannabis Businesses and Related Security Issues

Chair Turner has requested an informational report on the burglaries of cannabis facilities that took place the weekend of November 20th-21st. While data is still being gathered by the Oakland Police Department (OPD), of the approximately 35 calls related to burglary or take over robbery incidents Saturday November 20th through Monday November 22nd, approximately 18 of the 35 calls were related to cannabis. Of the 18 targeted locations, roughly half consisted of unpermitted cannabis operations. The cannabis locations with security guards onsite generally prevented or interrupted the burglary incidents. Since these incidents, the Special Activity Permits Office has re-opened the 2020 emergency grant program for burglarized equity cannabis businesses and has reached out to state officials to inquire about potential strategies to address these occurrences.

ITEM C (3) Emerald New Deal Proposed Ballot Initiative

Chair Turner has recommended agendizing a discussion regarding a potential ballot initiative next year in the City of Oakland titled the Emerald New Deal. See attached Frequently Asked Questions for more information.

ITEM C (4) Develop Onsite Consumption Regulations

The CRC has discussed the creation of an additional cannabis consumption lounge where cannabis deliveries take place for multiple months. The City of Oakland currently offers an onsite-consumption permit but it only applies to existing dispensaries in good standing). In February staff provided draft language for an onsite consumption lounge and the CRC moved to continue this item to April and to prioritize equity applicants for onsite consumption licenses. Staff is unsure of whether and how to incorporate onsite smoking in places of employment, which would require an exemption from the City's smoking pollution control ordinance, OMC 8.30.

Below is draft language for the CRC and public's review and feedback (new language in underline). The language below is intentionally broad; staff welcomes feedback on how to narrow the requirement for obtaining an onsite consumption permit where appropriate.

DRAFT LANGUAGE

5.80.025 - Onsite consumption permit

A. A dispensary must obtain a secondary onsite consumption permit in order for cannabis to be consumed on the premises of the dispensary.

1. Any consumption of cannabis in or on a commercial or industrial property in the City of Oakland is prohibited without an onsite consumption permit. Onsite consumption permits issued to non-dispensaries shall only be granted if the location meets the same location restrictions as those that apply to dispensaries. At least half of all onsite consumption permits issued under this Subsection shall be issued to equity applicants.

i. Onsite consumption shall comply with any required performance standards, including standards to address security, anti-drugged driving, and odor mitigation.

2. A general applicant seeking an onsite consumption permit under Subsection (A)(1) shall have permitting priority over all other general applicants seeking a permit under this Subsection if the general applicant serves as an incubator by satisfying the following:

i. Providing free real estate or rent for a minimum of three years to an equity applicant who has exclusive access to at least one thousand (1,000) square feet to conduct their business operations.

ii. Providing any City required security measures, including camera systems, safes, and alarm systems.

iii. The equity incubatee must obtain their cannabis permit and/or local authorization for a state license before the general incubator receives their onsite consumption permit and/or local authorization for a state license.

3. Subsection (A)(1)-(2) shall sunset two years after its adoption unless extended further by the Oakland City Council.

B. An onsite consumption permit may be issued at the discretion of the City Administrator to existing dispensaries in good standing or to applicants under OMC 5.80.025(A)(1) following a public hearing conducted according to the requirements of Chapter 5.02 and based on an evaluative point system that takes into consideration the operating history and business practices of the applicant, and any other factors that are deemed necessary to promote the peace, order and welfare of the public. An application for an onsite consumption permit may be denied for failure to meet requirements of the City Building Code, City Fire Code, City Planning Code, this chapter, and/or any violation of State or local law relevant to the operation of dispensaries.

C. The City Administrator shall establish conditions of approval for each onsite consumption permit, including but not limited to a parking plan, ventilation plan, anti-drugged driving plan, and set hours of operation. Set hours of operation may only be adjusted by submitting a written request to and obtaining approval from the City Administrator's Office.

D. The permit shall be subject to suspension or revocation in accordance with Section 5.80.070, and the owner/operator shall be liable for excessive police costs related to enforcement.

E. The application fee and annual fee for the onsite consumption permit shall be specified in the City's Master Fee Schedule.

F. All onsite consumption permits shall be special business permits and shall be issued for a term of one year. No property interest, vested right, or entitlement to receive a future license to operate a cannabis business shall ever inure to the benefit of such permit holder as such permits are revocable at any time with or without cause by the City Administrator subject to Section 5.80.070.

ITEM C (5) Implementation Update on Current BCC and Go-Biz Grants

The City of Oakland has received three state grants thus far 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; 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); then in the summer of 2021 the City received a \$2,434,712.51 from Go-Biz. Tables 1-3 provide an overview of the uses of each of these grants and the subsequent narrative offers an update on the various programs funded through state grants.

Table 1: 2020-2021 BCC Grant

Category	Amount	Status
Grants to Operators	\$850,000	Dispersed
Commercial Kitchens	\$250,000	Dispersed
Commercial Kitchens OR Events Featuring Equity Businesses	\$200,000	Dispersed
Workforce Development	\$200,000	Dispersed
Program Analyst Position	\$150,000	Dispersed
TOTAL BCC FUNDING	\$1,650,000	

Table 2: 2020-2021 Go-Biz Grant

(Data not updated since November 4, 2021 due to Thanksgiving holiday)

Category	Amount	Status
Grants to Operators for All Eligible Expenses	\$1,510,239	Approximately \$234k Remaining
No Interest Revolving Loans to Operators for All Eligible Expenses	\$960,239	Dispersed
No Interest Loans to Purchase Property	\$2,010,239	Funds to Purchase Property Dispersed; Approximately \$200k Remaining
Utilization of Shared-Use Manufacturing Facilities	\$50,000	Dispersed
Workforce Development	\$800,000	Approximately \$230k Remaining
Loan and Grant Administration	\$350,000	Dispersed

Technical Assistance	\$250,000	Dispersed
Legal Assistance	\$165,000	Dispersed
City Staff Costs Administering Equity Program	\$480,987	Dispersed
TOTAL GO-BIZ FUNDING	\$6,576,704	

Table 3: 2021-2022 Go-Biz Grant
(Data not updated since November 4, 2021 due to Thanksgiving holiday)

Category	Amount	Status
Grants and/or No-Interest Revolving Loans to Operators for All Eligible Expenses	\$1,448,475.41	Approximately \$1.1 Million Remaining
Grants to Utilize Shared-Use Manufacturing Facilities	\$500,000	Approximately \$166,666 Remaining
Loan and Grant Administration	\$160,000	Not Yet Dispersed
Technical Assistance	\$121,500	Not Yet Dispersed
Legal Assistance	\$121,500	Not Yet Dispersed
Portion of City Administrator Analyst Position	\$83,237.10	Not Yet Dispersed
TOTAL GO-BIZ FUNDING	\$2,434,712.51	

In the summer of 2020, the Special Activity Permits Division launched a BCC and Go-Biz funded grant program for equity operators for all eligible expenses that is administered along with the no-interest loan program by 4Front Partners, dba Elevate Impact. At the recommendation of the CRC, staff and Elevate Impact have held monthly meetings with equity operators the Tuesday after the CRC meeting to provide any updates regarding the program and maintain an ongoing feedback loop. Every week staff and Elevate Impact monitor the programs and analyze what adjustments are needed to effectively disburse funds. More information on the loan and grant programs is available at www.elevateimpactoakland.com and the agendas for monthly loan and grant meetings with statistics regarding the loan and grant programs is available here: <https://www.oaklandca.gov/boards-commissions/cannabis-regulatory-commission/meetings>.

In September 2020 staff launched two shared-use manufacturing facilities funded by the BCC grant. The two teams managing the kitchens have selected 15 manufacturers to use the sites and obtained all necessary approvals for the locations. Now operators are utilizing the shared-use facilities. More information is available here: <https://www.oaklandca.gov/services/shared-use-manufacturing-facilities>

Next, in late October 2020 staff launched a workforce development grant program providing equity operators with grants of up to \$50,000 to recruit, train, or retain equity employees. Staff reviewed and approved all 27 applications received in 2020 and is working with the workforce grant applicants to get them under contract in order to disperse funds. To date, twenty-four of the workforce grant applicants have received funding, 17 of which have received their entire grant amount and seven of which have received the first half of their grant. Three grantees' contract documents are still being finalized. More information is available here: <https://www.oaklandca.gov/services/workforce-development-grant-program>

Finally, on November 20, 2020 staff released a Request for Proposals (RFP) for the approximately \$2 million that is available to equity operators to purchase property(ies) that support multiple equity operators. The City received 18 applications for Phase One of the RFP. A panel of City staff from the Departments of Race and Equity, Economic and Workforce Development and the City Administrator's Office reviewed and scored the applications, resulting in five applicants moving forward to the last phase of the RFP.

The top five applicants submitted their Phase Two responses on March 12th with a letter of intent to purchase a property and a detailed budget. Staff inspected the proposed locations, held follow up meetings with applicants, and on April 30th provided the top two applicants a conditional commitment letter for the purchase of a shared-use manufacturing facility that will both support the equity applicants involved in the RFP process and equity applicants that can utilize the space each year. In late August staff entered into a loan agreement with the team of equity applicants to purchase the property and the team of equity applicants closed on the property in September. Staff anticipates a press release with more information on the project will be available later this month. More information is available here: <https://www.oaklandca.gov/services/purchasing-property-program>

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. Due to the Thanksgiving holiday, updated permitting statistics were not available in time for the December CRC meeting.

Figure 1: Application Totals

<i>APPLICATIONS</i>	TOTALS	PENDING
Total Complete & Incomplete Applications	1646	138
Total Complete Applications	1646	
Complete General Applications	702	
Equity Applications based on residency	811	
Equity Applications based on conviction	133	
Incubators	383	
Interested in Incubating	28	
Complete Application with property	1156	
Complete Application without property (Equity)	396	
Complete Applicants without property (General)	94	

Figure 2: Permit Applications by Category

COMPLETED APPLICATIONS BY BUSINESS TYPE	GENERAL	INCUBATOR*	INTERESTED IN INCUBATING*	EQUITY
Delivery	170	67	4	247
Cultivator (Indoor)	211	121	17	162
Cultivator (Outdoor)	6	5	0	37
Distributor	153	90	4	231
Mfg. Volatile	55	40	0	46
Mfg. Non-Volatile	99	55	2	171
Transporter	6	4	0	40
Lab Testing	2	1	0	10
GRAND TOTALS	702	383	27	944

*These numbers are part of the General Total

Figure 3: Operators Locally Authorized for Provisional or Annual State License by Category

LOCALLY AUTHORIZED FOR STATE *ANNUAL/PROVISIONAL LICENSES*	GENERAL	INCUBATOR	EQUITY	
Delivery	41	48	122	
Cultivator	12	78	43	
Distributor	11	74	102	
Mfg. Volatile	5	29	6	
Mfg. Non-Volatile	22	71	103	
Transporter	1	2	5	
Lab Testing	0	2	2	
Retailers	3	1	3	
TOTALS:	95	305	386	786

*These figures represent those who have actually applied with the state for their provisional/annual license

There are additional applicants who are locally authorized, but who have not yet applied with the state.

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

	GENERAL NOT INCUBATING	INCUBATOR	EQUITY	TOTAL
<i>NEW ANNUAL PERMITS BY BUSINESS TYPE</i>				
Dispensary	0	1	5	6
Delivery	48	16	72	136
Cultivator (Indoor)	0	4	5	9
Cultivator (Outdoor)	0	0	0	0
Distributor	13	19	39	71
Mfg. Volatile	0	4	1	5
Mfg. Non-Volatile	7	10	35	52
Transporter	3	0	3	6
Lab Testing	0	0	0	0
GRAND TOTALS	71	55	160	286

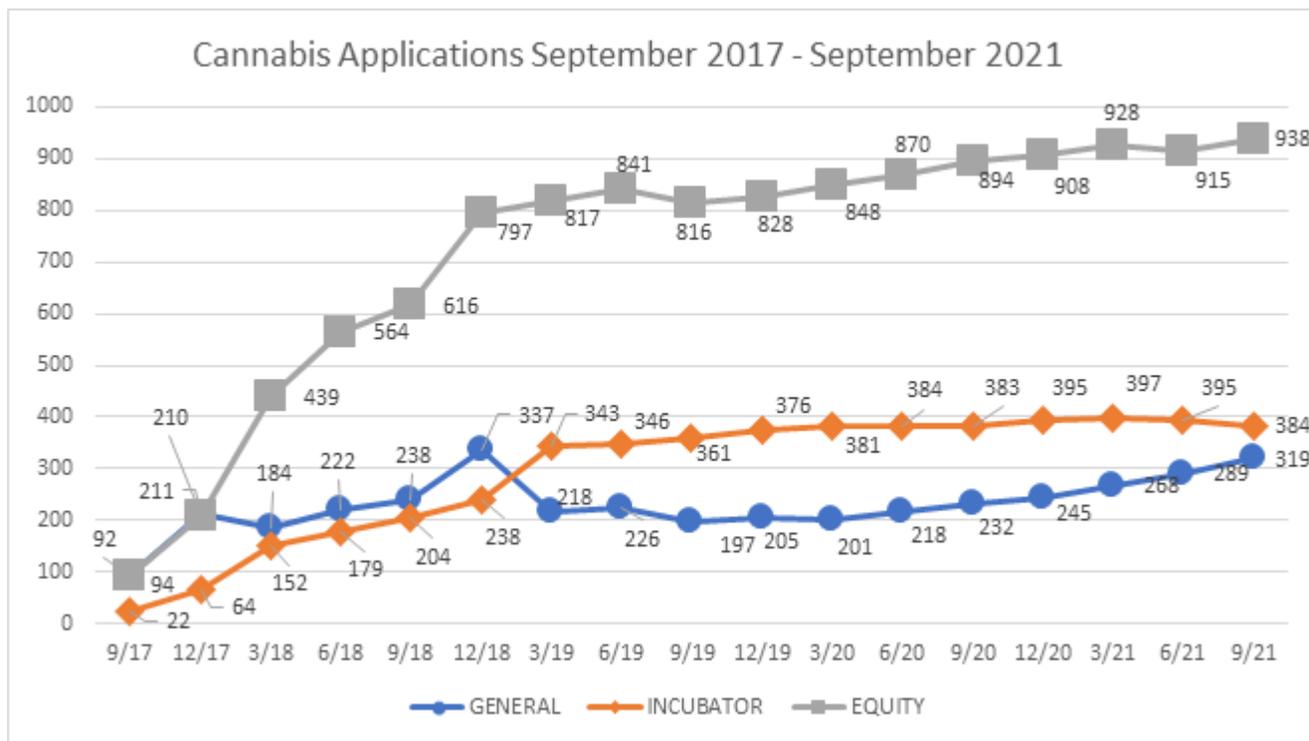
Figure 5: Withdrawn Applications

WITHDRAWN APPLICATIONS	GENERAL	INCUBATOR	EQUITY	TOTALS
Delivery	10	24	46	80
Cultivator (Indoor)	3	16	35	54
Cultivator (Outdoor)	14	11	11	36
Distributor	3	38	43	84
Mfg. Volatile	2	14	20	36
Mfg. Non-Volatile	6	19	28	53
Transporter	5	1	15	21
Lab Testing		2	3	5
TOTALS	43	125	201	369

Figure 6: Revoked Local Authorization

REVOKED LOCAL AUTHORIZATION	GENERAL	INCUBATOR	EQUITY	TOTALS
Delivery	1	6	6	13
Cultivator (Indoor)	1	9	2	12
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	3	27	13	43

Figure 7: Graph of Cannabis Permit Applications Received Since 2017



OAKLAND CANNABIS REGULATORY COMMISSION

RESOLUTION NO. 2021-3

ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE CANNABIS REGULATORY COMMISSION AND ITS COMMITTEES WOULD PRESENT IMMEDIATE 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.



Frequently Asked Questions

Oakland's Emerald New Deal

1. What is the Emerald New Deal?

The Emerald New Deal is an Oakland initiative that will redirect 100% of our city's existing Cannabis Business Tax to a fund that will support the individuals, families, and neighborhoods that have suffered the most under the War on Drugs.

2. How will the Emerald New Deal work?

The Emerald New Deal will redirect 100% of our city's existing Cannabis Business Tax to the Planning and Oversight Committee of the Emerald New Deal Fund. The Committee will **direct and approve expenditures** through a Strategic Investment Plan that supports the individuals, families, and neighborhoods that suffered the most under the War on Drugs

3. What is the Strategic Investment Plan?

This END Strategic Investment Plan will establish the Committee's funding priorities based on research, including impact data, and identified needs of our communities. The Investment Plan will be published every four years with the intention of adapting based on research and needs.

4. What type of programs will the Committee and the Strategic Investment Plan fund?

The Strategic Investment Plan will focus on the following categories: (1) Community and Economic Development, (2) Mental Health, (3) Housing Access, (4) Economic Self-Sufficiency, and (5) Re-Entry Support Services. The Committee will develop the Strategic Investment Plan every 4 years using research to determine the geographic areas, specific communities, and even individual-level criteria for investing the funds towards those most impacted by War On Drugs.

The research, report, and Strategic Investment Plan will help determine to what extent the funds are used to start new programs and/or support existing programs and Community Based Organizations.

5. How much revenue does the City receive from current cannabis taxes?

In 2020, the Cannabis Business Tax collected \$14 million in revenue. The revenue currently goes into the City's General Fund where it is unlabeled and therefore virtually impossible to track, the END will ensure the funds support some of our most vulnerable community members.



Frequently Asked Questions

Oakland's Emerald New Deal

6. How will moving these funds from the General Fund impact the City's budget/capacity to meet currently allocated expenditures?

While the Cannabis Business Tax collected \$14 million in 2020, the tax revenue currently accounts for only 1-1.5% of the City's General Fund. Through the Strategic Investment Plan, a portion of the END will continue to fund city services and departments that support our community members most impacted by the War on Drugs.

7. How are the areas most impacted by the War on Drugs identified and targeted?

Historical racial disparities driven by redlining, disinvestment, drug arrests, displacement data and other laws and policies of policing have outlined East and West Oakland as the most impacted communities in need.

8. How will the Planning and Oversight Committee of the Emerald New Deal Fund be constituted?

The committee will have 9 seats. Each City Councilmember and Mayor will nominate 1 person. Nominees shall meet at least one of the following criteria (a) individual or family member that has been directly impacted by incarceration associated with War On Drugs; (b) professional expertise in finance, grantmaking, and auditing; and (c) an owner, employee or advocate of the cannabis industry.

At least 5 of the seats will be held by individuals or family members who have been directly impacted by incarceration associated with War On Drugs.

9. Which City Department will be in charge of staffing out the Committee?

To be determined. The committee will be housed under the existing Office of Cannabis, which is currently overseen by the Economic & Workforce Development Department.

10. What are some differences between a regular cannabis business and an equity cannabis business?

An Equity Cannabis Business is started and led by low-income and underserved individuals who seek to operate in the Cannabis industry.



Frequently Asked Questions

Oakland's Emerald New Deal

11. What is the fate/role of the current Cannabis Regulatory Commission (CRC)?

The current Cannabis Regulatory Commission actually has **no** regulatory authority, it functions only as an *advisory* commission with no implementation or auditory authority.

The END would replace the CRC with the new “Planning and Oversight Committee,” which will have actual regulatory and implementation powers.

12. . What is the role of community-based organizations (CBOs) in the process?

A funding/grant process will be established by the newly instituted Committee in the first year of END implementation, which may fund both CBOs’ existing programs and newly created programs.