

Thursday, July 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:
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- 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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For each number, please be patient and when requested, dial the following Webinar ID: 865 1808 5906

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:

Lanese Martin	District 1	Frank Tucker	District 7
Chang Yi	District 2	Vacant	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, Goldsberry, Mercado, Chase, Turner, Floyd-Johnson, Long, Minor
Absent: Yi, Tucker

B. Open Forum / Public Comment

Public speakers spoke in support of recently launched emergency grant program for equity applicants and raised concerns re potential criminal activity against cannabis businesses during the July 4th weekend.

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

- *Cannabis Regulatory Commission 2019 Annual Report (since February 2020)*
- *Shared drive regarding cannabis robberies and burglaries (since February 2020)*

Member Minor mentioned that OPD’s annual report should be available in the coming months and that East Bay Municipal Utility District representatives could be available at the next CRC meeting. Vice-Chair Martin moved to have EBMUD present at next month’s meeting. Member Goldsberry seconded the motion and it passed by consensus.

Vice-Chair Martin moved to agendize how the CRC can directly communicate with the City Council. Member Goldsberry seconded the motion and it passed by consensus.

D. Approval of the Draft Minutes from the Regular CRC meeting on June 4, 2020 and the Special CRC meeting on June 11, 2020.

Member Floyd-Johnson moved to approve the minutes as drafted. Member Long seconded the motion and it

passed by consensus.

E. Reports for Discussion and Possible Action
1. Parliamentary Procedures

Vice-Chair Martin moved to hear Item E(2) before Item E(1). Member Floyd-Johnson seconded the motion and it passed by consensus.

Vice-Chair Martin provided context for the item then made a motion to recommend staff work with the City Attorney's Office to codify the process for discussing items and to bring back proposed changes to the CRC at a future meeting. Member Floyd-Johnson seconded the motion and it passed by consensus.

2. Agencies listed on the City of Oakland cannabis permit inspection card.

Inspector Rodrigo Jacomet provided an overview of the Building Bureau's permitting process, followed by Inspectors Miguel Villanueva and Sheryl Skillern's overview of the Fire Prevention Bureau's permitting process.

Public speakers asked if the Building and Fire Prevention Bureaus' powerpoints would be available online, whether fire sprinklers are necessary for cultivation operations employing few people, whether certain manufacturing operations qualify as volatile.

Member Floyd-Johnson asked if there was a way to require fire sprinklers in all commercial and industrial properties to put the burden on property owners to bear this cost. Fire prevention staff replied no, it depends on the activity, and property owners and tenants share the responsibility.

Member Mercado asked what are the City's odor mitigation requirements. Member Jacomet replied that it must be done by a licensed engineer. Member Long asked where operators can find building and fire permitting requirements. Member Minor referred to the Building and Fire Prevention Bureau Permitting Procedures available at <https://www.oaklandca.gov/topics/cannabis-permits>.

Last, Member Long and Vice-Chair Martin asked about shared-use facilities.

3. Updated Assessment of Equity Program

Member Minor and Vice-Chair Martin provided background on this project and the work done thus far by the Updated Assessment subcommittee, as well as the draft outline for the public and CRC's consideration.

A public speaker encouraged the assessment to examine why some operators have given up and to do a survey of equity operators.

Vice-Chair Martin encouraged equity operators to stay engaged with this process and to also keep in mind that running a business and a cannabis business is difficult in general. Member Floyd-Johnson recommended including the impact of Covid-19 and recent burglaries in the updated assessment.

Vice-Chair Martin then made a motion to incorporate Member Floyd-Johnson's recommendation, to change the title of 3A in the draft outline to an analysis of Oakland's industry overall as opposed to equity, and to request an annual report from the Revenue Management Bureau on taxes paid by cannabis businesses. Member Floyd-Johnson seconded the motion and it passed by consensus.

4. Continued Discussion re Impact of Covid-19 on the Cannabis Industry

Member Goldsberry moved to continue this item to the next CRC meeting. Vice-Chair Martin seconded the motion and it passed by consensus.

5. Enforcement re Seshes

Vice-Chair Martin moved to place this item on the pending list. Member Floyd-Johnson seconded the motion and it passed by consensus.

6. Continued discussion of recent burglaries of cannabis businesses and recommendations for the City Administration and City Council to support impacted businesses.

Member Minor provided an update since the last meeting. Member Goldsberry describing ongoing communication with OPD.

Public speakers spoke regarding having a concealed carry permit as a deterrent and the need to warn people regarding potential burglaries of cannabis facilities this coming Fourth of July weekend.

Member Long urged OPD to take action this coming weekend. Member Mercado mentioned that operators who were burglarized in months/years prior felt left out of recent discussions. Member Mercado was also interested in knowing about security firms owned by women or people of color.

Member Goldsberry emphasized reducing the cannabis business tax rate to provide operators with the financial resources to fortify their businesses better. Member Goldsberry made a motion to revisit the cannabis business tax rate at the next CRC meeting. Member Floyd-Johnson seconded the motion and it passed by consensus.

Vice-Chair Martin and Member Minor discussed recent surveys of burglarized cannabis businesses and how some operators may be reluctant to fill surveys after being burglarized.

F. Announcements

1. Update on Cannabis Permitting Process
2. Updates to Equity Grant Program

Member Minor provided updates, including the recently launched grant programs for equity applicants.

Members then discussed security concerns for this coming weekend and how the City should warn operators. Member Floyd-Johnson made a motion to ask that the City Administrator's Office coordinate with the Oakland Police Department to notify cannabis businesses of potential crimes against cannabis businesses this coming weekend. Vice-Chair Martin seconded the motion and it passed by consensus.

Member Long then made a motion to agendize the creation of a Department of Cannabis. Member Floyd-Johnson seconded the motion and it passed by consensus. Member Mercado then made a motion to agendize a discussion regarding cybersecurity best practices. Vice-Chair Martin seconded the motion and it passed by consensus.

G. Adjournment