

# *Cannabis Regulatory Commission*

Regular Meeting

Thursday October 5, 2023 6:30 pm

## MINUTES

1 Frank Ogawa Plaza, City Hall, 3<sup>rd</sup> Floor City Council Chambers  
Oakland, CA 94612

Reminder: This meeting will take place in person. Members of the public can observe remotely via zoom but must attend in person in order to participate.

### **PUBLIC PARTICIPATION INSTRUCTIONS**

#### **TO OBSERVE:**

- Attend in person; or
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**TO PROVIDE PUBLIC COMMENT:** There are two ways to make public comment within the time allotted for public comment on an eligible Agenda item.

- Attend in person; or
- Comment in advance. To send your comment 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](mailto:gminor@oaklandca.gov). All submitted public comments will be provided to the Cannabis Regulatory Commission prior to the meeting.

If you have any questions about these protocols, please e-mail Greg Minor, at [gminor@oaklandca.gov](mailto:gminor@oaklandca.gov)

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.

## **Members:**

Javier Armas	District 1	Hellen Harvey	District 7
Tracey Corder	District 2	Chaney Turner	At Large
Taib Alaoui	District 3	Yulie Padmore	Mayor
Tariq Ikharo	District 4	TiYanna Long	City Auditor
Vacant	District 5	Greg Minor	City Administrator
Tanya Boyce	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, Ikharo, Boyce, Harvey, Padmore, Long, and Minor (Member Ikharo arrived after Roll Call)*

*Absent: Corder, Alaoui, Turner*

### **B. Approval of the Draft Minutes from the CRC Special Meeting on February 9, 2023**

*Vice-Chair Long made a motion to approve the minutes as drafted. Member Harvey seconded the motion. The motion passed with Members Harvey and Vice Chair Long voting in favor, and Member Armas, Boyce, Padmore, and Minor abstaining.*

### **C. Reports for Discussion and Possible Action**

#### **1. 2023 Annual Report from Revenue Management Bureau on Cannabis Business Taxes**

*Nicole Andrino with the Revenue Management Bureau (RMB) summarized the information provided in RMB's written report and highlighted the decrease in the largest tier of businesses.*

*Members of the public asked about the downstream impact of reduced cannabis sales, the need to lower cannabis taxes, and asked questions regarding the number of equity vs. general applicants on payment plans.*

*Member Armas stated that taxes on cannabis businesses should be lowered to be more competitive with other jurisdictions. Member Boyce advocated for clarity on where cannabis tax revenues go.*

*Vice-Chair Long made a motion to request that the finance department provide updated information for Tables 6, and 9 in their report with respect to equity vs. non-equity businesses. Member Armas seconded the motion and it passed by consensus.*

#### **2. Proposal to Allow Cannabis Cafes, Authorize the Forgiveness of Cannabis Equity Loans Into Grants, Allow the Transfer of Permits from Equity Applicants to General Applicants, and Increase Number of Cannabis Special Event Permits at a Location from Twelve To Twenty-Four Per Year**

*Member Minor provided a summary of the proposed legislation. Members of the public encouraged the City to support equity businesses by allowing for the transfer of permits and encouraging more onsite consumption options. Member Armas noted what a challenging environment it is for equity operators and how their licenses are treated as less valuable than general applicant licenses. Member Boyce said she was generally supportive but concerned about the topic of allowing equity applicants to transfer licenses and how to ensure reinvestment*

*in the City's equity program. Member Padmore expressed that the proposal was a great start and that the City should move things forward to stimulate Oakland's economy. Member Ikharo expressed support for converting loans to grants, cannabis cafes, and reducing taxes.*

*Vice-Chair Long made a motion to move Item C(2) to the City Council as four separate items for the City Council's consideration. Member Boyce seconded the motion with Members Armas, Ikharo and Minor abstaining.*

### **3. Implementation Update on State Grants**

*Member Minor provided an update on the status of different state grants.*

*Chaz Walker asked if there was anyone with experience cultivating cannabis interested in working with Merritt College on an upcoming project.*

*Member Armas shared that he has had a bad experience with the City's consultant for loan and grant programs, Elevate Impact. Vice-Chair Long asked what the process will be for assessing Elevate Impact's performance and Member Minor shared that staff intends to survey equity applicants as it has in the past.*

*Member Boyce asked for clarity on what time period are covered by the different figures in the CRC memo; Member Minor offered to update the CRC memo in future agendas. Member Boyce inquired about the use of Local Jurisdiction Assistance Grant (LJAG) funds, including funding for CPTED (Crime Prevention Through Environmental Design) and Hazardous Materials Inspector.*

*Member Boyce then made a motion to request a follow up report from staff regarding how the (1) CPTED funds in the LJAG are and will be used and (2) how much of the funding for the Hazardous Materials Inspector will remain going forward. 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)*
- *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)*
- *Oakland Police Department Report on Citations and Arrests for Cannabis Offenses in 2022 (since October 2023)*
- *Draft 2022 Cannabis Regulatory Commission Annual Report (since October 2023)*

*Member Minor offered an overview of the items on the pending list.*

*Member Boyce recommended adding a report from the fire department regarding cultivation fires as well as the impact of private security guards at cannabis businesses across Oakland.*

*Member Boyce made a motion for a report on the topics of cultivation fires and private security guards at cannabis businesses as well as a report from the Planning Department on what zones should be eligible for cannabis businesses. Member Armas seconded the motion and it passed by consensus.*

*Vice-Chair Long then made a motion to bundle the CRC's 2022-2023 annual reports for presenting to the City council in the spring of 2024. Member Boyce seconded the motion and it passed by consensus.*

E. Open Forum / Public Comment

*Jordan Rynning of Peninsula Press spoke.*

F. Announcements

1. Update on Cannabis Permitting Process
2. Updates Since February Meeting
  - a. Cultivation Ordinance Amendment to Preserve Work-Live Uses
  - b. Large Cultivator and Compliance Plan Fees

*Member Minor provided an update on the actions that had taken place since the CRC's last meeting in February 2023. Member Boyce and Vice-Chair Long expressed frustration about the Oakland Cannery and the potential loss of live-work spaces in Oakland. Vice-Chair Long emphasized that the CRC needs to represent the whole community and not just cannabis businesses.*

3. State Legislative Updates
  - a. Senate Bill 51
4. Apply to serve on CRC here:  
<https://oakland.granicus.com/boards/w/8552f8c4c0e15460/boards/6697>

G. Adjournment