

# *Cannabis Regulatory Commission*

Special Meeting

Thursday October 3, 2024 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 and participate remotely via zoom as well.

### **PUBLIC PARTICIPATION INSTRUCTIONS**

#### **TO OBSERVE:**

- Attend in person; or
- To observe the meeting by video conference, please click the link below to join the webinar:  
<https://us06web.zoom.us/j/85019341834>
- 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  
or +1 301 715 8592

For each number, please be patient and when requested, dial the following Webinar ID: 850 1934 1834

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 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.
- Comment virtually. When public speakers are called for an item please raise your hand in zoom and unmute yourself. If you have dialed in, please press “9” to raise your hand and “\*6” to unmute.

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:**

Samantha Sage	District 1	Hellen Harvey	District 7
M. Chaz Walker	District 2	Chaney Turner	At Large
Zachary Gayner	District 3	Yulie Padmore	Mayor
Tariq Ikharo	District 4	TiYanna L. Smith	City Auditor
Linda Grant	District 5	Greg Minor	City Administrator
Vacant	District 6		

Available on-line at: <https://www.oaklandca.gov/boards-commissions/cannabis-regulatory-commission>

## MEETING AGENDA

A. Roll Call and Determination of Quorum

*Present: Sage, Walker, Gayner, Grant, Harvey, Turner, Padmore, Smith, and Minor*  
*Absent: Ikharo*

B. Approval of the Draft Minutes from the CRC Meeting on June 6, 2024

*Chair Turner moved to approve the minutes as drafted and Vice-Chair Smith seconded the motion. The motion passed with members Gayner, Padmore and Sage abstaining.*

C. Reports for Discussion and Possible Action

1. Annual Report on Cannabis Business Taxes from the Revenue Management Bureau

*Member Minor summarized the report from the Finance Department, noting key trends of continuing decline in the total gross receipts of cannabis operators, albeit with a total greater than before the COVID-19 pandemic. Member Gayner asked how “employees” are defined in the report and Member Minor offered to consult with the Finance Department for clarity. Member Ikharo asked why overall revenues are declining; Member Minor noted the City needs to finish exit surveys for cannabis operators to answer that question beyond anecdotal information. Member Walker noted that Oakland is the hub of the regulated cannabis industry and Oakland needs to lean into tourism and onsite consumption to support its cannabis industry.*

2. Onsite Consumption Proposal

*Michael Alvarenga with Councilmember Kaplan’s office and Nara Dahlbacka with the Milo Group presented a proposal to authorize smoking of cannabis at dispensaries and other forms of cannabis consumption to provide additional revenue opportunities for the cannabis industry. Ms. Dahlbacka noted that they modeled the proposal after San Francisco’s approach to onsite consumption.*

*Attorney Gina Austin called in to recommend clarifying that outdoor space would not have to be designated as a smoking room and that neither alcohol nor tobacco should be allowed. Marty Higgins spoke in favor of the proposal, noting his experience operating a smoking lounge in San Francisco that promotes community and that patrons prefer. Amber Senter also spoke in support, while encouraging the City to ensure equity retailers can comply with HVAC requirements for smoking rooms.*

*Member Walker expressed support for the proposal as consumption lounges are beneficial for veteran's community and tourism, though the City should prioritize equity operators. Member Sage echoed concerns regarding equity operators' ability to comply with HVAC requirements. Chair Turner said it is the right time to pursue this proposal and support cannabis retailers.*

*Member Gayner asked what protections will be in place for employees exposed to secondhand smoke and Chair Turner asked if this proposal had been presented to the building and fire departments. Member Sage also stated that section D in the proposal was too vague. Member Sage then made a motion for the proponents of the onsite consumption proposal to draft clearer language in Section D. Member Walker seconded the motion and it passed by consensus.*

### 3. Updating CRC Bylaws to Clarify the CRC's Purpose, Allow for Remote Public Comment, Establishing Meeting Cadence, Add Conflict of Interest Policy and Establish Procedures for Agenda Items

*Member Minor provided background on past efforts to update the CRC's bylaws and the proposed updates, which include a recommendation to meet quarterly instead of monthly. Vice-Chair Smith expressed openness to meeting less frequently, Member Walker encouraged continuing to meet monthly for now based on the passion of the CRC's current membership. Chair Turner emphasized the importance of consistency, whether the CRC meets monthly or less frequently. Member Harvey expressed support for meeting monthly to ensure the CRC is able to get through an entire agenda.*

*Chair Turner then made a motion to accept the bylaws as drafted except to continue meeting monthly and to establish two minutes as the maximum time period per speaker for public comment. Member Gayner seconded the motion and it passed by consensus.*

### 4. Potential Change to Proposition 64 Health and Safety Grant Cohort Two Security Funds

*Member Minor summarized the current challenges with respect to this grant and the alternative approach to focus all security funding on grants for the cost of security guards. Member Walker encouraged using this grant to gather data on what makes a cannabis business secure and how much security measures cost.*

*Vice-Chair Smith made a motion to recommend consolidating the security grant categories and asking operators what their monthly security costs are. Chair Turner seconded the motion and it passed by consensus.*

### 5. Community Meetings for Cannabis Applications within 300 Feet of Residential Zones

*Member Minor noted this item was not time sensitive and could be continued to the next meeting.*

### 6. Implementation Update on State Grants

*Member Minor provided a status update.*

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

- *Building and Fire Baseline Permitting Timelines (since January 2022)*
- *Planning Department Discussion re Zones Eligible for Cannabis Businesses (since October 2022)*
- *CRC Attendance Policy (since November 2023)*
- *Contracting Hazardous Materials Inspections (since November 2023)*
- *Enforcement of CUP beautification requirements (since January 2024)*

E. Open Forum / Public Comment

*Janae Miller encouraged the CRC to continue meeting monthly.*

F. Announcements

1. Update on Cannabis Permitting Process
2. Apply to serve on CRC here:

<https://oakland.granicus.com/boards/w/8552f8c4c0e15460/boards/6697>

*Member Minor announced that he is departing the City of Oakland for a position with the City of San Rafael. CRC members then expressed hope that the next staff person have familiarity with cannabis and an understanding of equity.*

G. Adjournment