

Cannabis Regulatory Commission

Regular Meeting

Thursday, February 15th, 6:30 p.m.
Council Chambers, City Hall, One Frank H. Ogawa Plaza

MINUTES

Members:

Lanese Martin	District 1	Frank Tucker	District 7
Chang Yi	District 2	A. Kathryn Parker	At Large
Zach Knox	District 3	Stephanie Floyd-Johnson	Mayor
Jin Jack Shim	District 4	Vacant	City Auditor
Matt Hummel	District 5	Greg Minor	City Administrator
Derreck Johnson	District 6		

Available on-line at: <http://www.oaklandnet.com/measurez>

MEETING AGENDA

A. Roll Call and Determination of Quorum

Members Present: Martin, Yi, Shim, Hummel, Tucker, Parker, Floyd-Johnson, Minor
Members Not Present: Knox, Johnson

B. Open Forum / Public Comment

Speakers spoke about their concern regarding cannabis operators displacing residents of 5733 San Leandro Street and the broader impact of the cannabis industry on industrial areas and non-cannabis businesses. Office of Councilmember Kaplan offered a proposal that included prohibiting displacement of residential tenants. Former Member Gieringer mentioned pending state legislation re cannabis, including proposals to automatically expunge cannabis convictions and anti-discrimination at work.

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

- *Medical cannabis permitting process (since July 2017)*
- *Use of cannabis tax revenues (since July 2017)*
- *Annual report (since September 2017)*
- *Cannabis advertising (since September 2017)*
- *Additional 2016 enforcement data (since September 2017)*
- *Onsite consumption/lounges (since October 2017)*
- *Microbusinesses (since October 2017)*
- *Cannabis tax rates (since November 2017)*
- *Event permitting (since December 2017)*
- *Dispensary applicant runner-ups (since December 2017)*
- *Adjusting meeting time/day (since January 2018)*

Regarding adjusting meeting time/day, staff reported that the Council Chambers was available at 5:00pm on third Thursdays. Chair Hummel expressed his preference at continuing to meet at 6:30pm to maximize public

participation. Members then asked staff to explore whether the room was available on other Thursdays at 6:30pm.

D. Approval of the Draft Minutes from the Cannabis Regulatory Commission meeting of November 2017.

Minutes were approved with no objection.

E. Reports for Discussion and Possible Action

1. Updated 2016 OPD Cannabis Enforcement Data

This item was re-scheduled to the next CRC meeting, however, Member Floyd-Johnson expressed frustration with the lack of context for OPD data included in the agenda packet and Members Shim and Hummel requested that the issue of expungement of cannabis offenses be put on future agenda.

2. Cannabis Donation Programs

Public speakers spoke of the need for ensuring that donation based programs that serve sick individuals or veterans with cannabis continue under the new state regulatory structure. Specifically, speakers advocated for reducing or eliminating any taxes for donation based programs or businesses.

Members Yi, Shim, Parker and Hummell all expressed support for compassion program either through creation of new license type or waiving fees for donation based transactions.

Member Tucker made a motion to recommend that all taxes be waived for compassion programs at all levels of the supply chain. Members Shin, Floyd-Johnson, Tucker and Hummel voted in support. Member Yi voted against and Members Minor and Martin abstained.

Member Yi then made motion to recommend that City Council adopt a new licensing category for compassionate microbusiness. Member Shim seconded the motion. Member Martin expressed uneasiness with the conversation and the possibility of people marketing their business at the expense of the sick. Members Tucker, Martin and Minor abstained; Members Yi, Shim, Hummel, Parker, and Floyd-Johnson voted in support. Member Tucker requested that a representative of the City Attorney's Office attend future meetings.

3. Cannabis Impact on Housing

Public speakers expressed concern regarding cannabis businesses displacing live-work residents at 5733 San Leandro and other industrial locations and encouraged the commission to adopt language from Councilmember Kaplan's recommendation.

Chair Hummel and Member Shim expressed support for avoiding displacement from the cannabis industry.

Member Tucker made motion to support Councilmember Kaplan's recommendation that the City Council prohibit issuance of cannabis permits for facilities that have, are, or will displace residential tenants. Member Floyd-Johnson seconded the motion. Member Yi opposed the motion, Member Minor abstained, all other Members voted in support of the motion.

Member Shim then requested that Councilmember Kaplan's third recommendation regarding creating a review process for alternative locations for cannabis facilities be added to next month's agenda.

4. AB 2020- Special Events

Staff summarized pending state legislation to allow for cannabis special events in urban jurisdictions. Members Parker and Hummel requested information on all other cannabis-related pending state legislation at next month's meeting.

Member Tucker requested that the topic of a cannabis sanctuary city policies be on next month's agenda.

F. Announcements

Vice-Chair Parker announced that she will be leaving the commission in a few months due to a scheduling conflict.

G. Adjournment