

# *Cannabis Regulatory Commission*

Regular Meeting

Thursday, March 17, 2016, 6:30 p.m.  
Council Chambers, City Hall, One Frank H. Ogawa Plaza

## **AGENDA**

### ***Members:***

Dale Gieringer	District 1	Jacob Sassaman	District 7
Sean Donahoe	District 2	A. Kathryn Parker	At Large
Sierra Martinez	District 3	Vacant	Mayor
James Anthony	District 4	Amanda Reiman	City Auditor
Matt Hummel	District 5	Joe DeVries	City Administrator
Marlon Hendrix	District 6		

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

### **MEETING AGENDA**

- A. Roll Call and Determination of Quorum
- B. Open Forum / Public Comment
- C. Review of the Pending List and Additions to Next Month's Agenda
- D. Approval of the Draft Minutes from the Cannabis Regulatory Commission meeting of 2-18-16
- E. Reports for Discussion and Possible Action
  - 1. Update on the development of the City's Draft Modified Dispensary Ordinance and Cultivation/Manufacturing Ordinance. (5.80 and 5.81)
  - 2. Discussion of efforts to create an Oakland based job training and placement program for the cannabis industry.
  - 3. Discussion of developing a letter from the City of Oakland to potential landlords, as part of the licensing process, to encourage the leasing of space to cannabis businesses.
- F. Announcements
- G. Adjournment

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 meetings 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 a 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) 238-3301.

Thursday, February 18, 2016, 6:30 p.m.

## Meeting Minutes

Council Chambers, City Hall, One Frank H. Ogawa Plaza

### **Members:**

Dale Gieringer	District 1	Jacob Sassaman	District 7
Sean Donahoe	District 2	A. Kathryn Parker	At Large
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## MEETING AGENDA

### A. Roll Call and Determination of Quorum

Present: Members Gieringer, Martinez, Hummel, Sassaman, Parker, Reiman, DeVries.

Absent: Anthony, Donahoe.

### B. Open Forum / Public Comment

There were 6 Public Speakers;

1. Orville Maeux raised concerns about Council member Gallo's recommendation at the Public Safety Committee that a 1000 foot buffer be included in the new ordinances. He felt that this would make it impossible for businesses to locate in Oakland and greatly reduce the potential employment opportunities.
2. Azania Howse raised concern about the opportunities for the African American Community in the newly emerging cannabis industry. She correlated it with the disproportionate number of African Americans that have been and still continue to be incarcerated for cannabis offenses. She noted that these rates still remains unacceptably high and that the City needs to invite African Americans to participate in the process.
3. Trevar (Mazza) is a manufacturer that has not been able to find space in Oakland and is concerned that additional buffers will make it even more difficult. He recommends removing buffers especially for non-volatile manufacturing.
4. Michael Allaire spoke about the need to protect and allow a license for home-based growers of which his organization represents many. He noted that there are thousands of people growing small amounts of

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cannabis in their homes that they in turn sell to dispensaries and manufactures and there is no proposed licensing for these people in MMRSA or in the City's proposed ordinances.

5. Paul Roethle spoke in favor of allowing broad discretion for the City Administrator in locating cannabis businesses as opposed to fixed buffers (especially in the instance of non-dispensary, non-cultivating businesses. He also asked if the City intends to put a limit on the various license types (to which it was responded that the City only proposing limits per year on dispensaries).
6. Terry Buxton spoke about the issue of smoking versus vaporization and noted that many believe smoking is still more useful and therefore should still be considered in the discussion around consumption at dispensaries..

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

Member Sassaman asked that a discussion about the problems associated with butane cans and their disposal/recycling, and an outreach component about this problem be added to a future agenda.

Member Sassman also suggested next month that the commission discuss how the city could reach out to landlords on behalf of cannabis businesses to help them locate in Oakland.

#### D. Approval of the Draft Minutes from the Cannabis Regulatory Commission meeting of 1-21-16

The January minutes were approved unanimously.

#### E. Reports for Discussion and Possible Action

1. Discussion of Public Safety Committee's February 9<sup>th</sup> action and direction on the City's Draft Modified Dispensary Ordinance and Cultivation/Manufacturing Ordinance. (5.80 and 5.81)

The Commission looked at the comments made by the individual Council Members at the Public safety Committee and addressed each one individually. Member Reiman summarized the different concerns raised:

CM Kalb: proposed City Administrator discretion in determining buffers for businesses (as opposed to hard, inflexible buffers) which most commissioners expressed support for.

CM Gallo: proposed 1000 foot buffers from Schools, Parks, Youth Centers, Churches, and from other cannabis businesses. This more restrictive approach raised several concerns for the commission and for those who spoke publicly.

CM Guillen: suggested that the buffers for K-12 schools be extended to include community colleges (K-14) since many high school students attend class at community colleges. He also raised the banking issue as a major concern since cannabis businesses are cash only and therefore have serious security risks. He asked staff to look into some way of creating a more traditional banking system for these businesses. Last, he asked about the difference between smoking and vaporizing (he was unfamiliar with the process and distinction between the two).

CM Brooks: raised concerns about residential impacts from cannabis cultivation in neighborhoods and wanted to see these more restricted. She also raised concerns about the lack of people of color in the current industry (as opposed to the disproportionate number of people of color imprisoned by the drug war). She recommended language be written into the ordinance requiring a robust local hiring rule.

Regarding the banking concern, Member Gieringer noted that State Board of Equalization Member Fiona Ma is researching this issue statewide. Chairperson Hummel asked if the City ID Program (that links I.D.'s to an ATM account might be an alternate way to help the industry with its banking needs.

There were three public speakers regarding the zoning issue:

JP Martin, CEO of GrowX noted that he visited 20 properties in search of a location and only one landlord was willing to rent to him. He suggested the City should issue a letter to landlords indicating these businesses are permitted to encourage them to offer leases.

Alex Zavelle suggested that the City should allow a business who wished to locate outside the designated zones to go through a public process similar to a Conditional Use Permit process if they choose instead of banning them in these areas altogether.

Sylvia Chi noted that the CM Kalb amended language would not necessarily allow for cultivation in areas where limited agriculture is permitted.

The commission unanimously passed several motions to advise the City Council of their position on the above topics. Those motions included:

1. A motion supporting the removal of buffers for non-dispensary and non-cultivation purposes and limiting the buffer to K-12 schools.
2. A motion supporting the City investigating ways for the cannabis industry to utilize traditional banking methods.
3. A motion supporting a 50% local hire requirement on all cannabis businesses.
4. A motion opposing a 1000 foot buffer and in support of allowing clustering of cannabis businesses.
5. A motion supporting increasing local, minority ownership in the cannabis industry.
6. A motion supporting the addition of wording to the ordinances that require cannabis businesses to address blight, graffiti, and illegal dumping in the area surrounding their business.

The commission asked that staff incorporate these recommendations in the upcoming staff report. Joe DeVries noted that if the commissioners and the audience wish to be heard by the City Council that it would be wise to reach out to them directly and keep in mind that the Council Members have many competing interests they must represent, one of the most important being promoting public safety in their districts. The more the cannabis industry supporters can show they are committed to those same values, the more likely they will be heard by the council.

#### E. Announcements

It was noted that there are still two vacancies on the commission.

#### G. Adjournment