

Cannabis Regulatory Commission

Regular Meeting

Thursday, June 16th, 2016, 6:30 p.m.

AGENDA

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
Sierra Martinez	District 3	Sunshine Lencho	Mayor
Vacant	District 4	Amanda Reiman	City Auditor
Matt Hummel	District 5	Joe DeVries	City Administrator
Terryn Buxton	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 4-21-16, (and the meeting of 6-18-15; old minutes that were never approved)
- E. Reports for Discussion and Possible Action
 - 1. A discussion with the Fire Marshall and Building Official regarding what applicants should expect when seeking new Cannabis operating permits in the City of Oakland.
 - 2. A discussion and recommendation on amending ordinances 5.80 and 5.81 as passed by the City Council.
- F. Announcements
- G. Adjournment

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♿ 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) 238-3301.

Cannabis Regulatory Commission

Regular Meeting

Thursday, April 21, 2016, 6:30 p.m.

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

Minutes

Members:

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

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MEETING MINUTES

A. Roll Call and Determination of Quorum

Members present: Martinez, Hummel, Sassaman, Parker, Reiman, and DeVries.

B. Open Forum / Public Comment

Michael Allaire spoke about the need to protect small growers in the City Ordinances and the fact that Assembly Bill 2516 will allow for the licensing of "Cottage growers." Michael urged the Commission to support AB 2516 and to advise the City to do so as well.

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

Chairperson Hummel asked if the Commission could have the Building and Fire Departments participate in a discussion next month about what to expect when applying to get a new permit from those departments.

D. Approval of the Draft Minutes from the Cannabis Regulatory Commission meeting of 3-17-16

The minutes were approved unanimously.

E. Reports for Discussion and Possible Action

1. A presentation by the Public Ethics Commission on the Government Ethics Act

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Jelani Killings from the Ethics Commission presented an overview of the Government Ethics Act which passed in 1996 and was modified again by voters in 2014. He shared a short training video that demonstrated various scenarios that public officials need to be aware of in the course of their work such as reporting gifts, recurring oneself from votes, and avoiding a conflict of interest. A link to the video is attached below.

<http://www2.oaklandnet.com/Government/o/CityAdministration/d/PublicEthics/s/CCE/index.htm>

2. Annual Officer Elections

The Commission unanimously re-elected Chairperson Hummel and Vice-Chair Parker to another term in their roles.

3. A discussion of concerns around the use and proper disposal of butane in manufacturing cannabis products.

Commissioner Sassaman brought this issue of concern forward and noted that the environmental impact of discarded butane canisters should be an easily preventable problem. He believes that many people dump them illegally for fear that having them in their recycling bins would lead investigators to discovering a production operation.

Member Martinez suggested that manufactures could also allow people to drop used canisters off or that dispensaries could be repositories for them. It was noted that these canisters are used for manufacturing but are also used for personal use—therefore Chair Person Hummel suggested that any storefront or smoke shop should consider collecting them.

Several Public speakers commented:

Michael Allaire noted that he is a member of the Alameda County Waste Commission and in his experience there is a need for public education and outreach and the Commission does have some funding for such efforts.

Orville Meaux raised concerns about dispensaries accepting used canisters because they are still under federal scrutiny and this could be a reason to invite action by them.

Terryn Buxton also raised concern for dispensaries due to the fact that these canisters can have residual gas in them and it presents a liability to store large quantities of them in a retail location with large amounts of foot traffic daily.

Mathew Richmond noted that these canisters are the by-product of an illegal environment and they are not likely to remain in use once MMRSA takes effect and manufacturers switch to large canisters and use a “closed-loop” system.

Paul Roethle suggested that new manufactures should be required to have a waste management plan along with their security plan that they submit to receive approval from the city.

F. Announcements

1. *Presentation of amended ordinances 5.80 and 5.81 to the City Council Public Safety Committee on April 26th at 6pm at City Hall, all are encouraged to attend.*
2. *Green Rush will be holding a job fair on 4/30 from 10 to 6 at the Regency Ballroom in San Francisco.*

G. Adjournment

The meeting adjourned at 7:45.

Cannabis Regulatory Commission

Thursday, June 18th, 2015, 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
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		

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MEETING AGENDA

A. Roll Call and Determination of Quorum

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

B. Open Forum / Public Comment

There were no public speakers.

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

Member Reiman asked to add a discussion about full legalization and what it would mean to Oakland.

D. Approval of the Draft Minutes from the Cannabis Regulatory Commission meeting of 4-16-15.

The minutes were approved unanimously.

E. Reports for Discussion and Possible Action

1. Discussion and Action on the Oakland Police Department Memo on 2014 Citations and Arrests for Marijuana Offenses (Attached)

Captain Kirk Coleman who oversees the Criminal Investigations Division presented the report and findings. He discussed the number of arrests in the report year-over-year and noted that an increase in officers on the street equates to an increase in cannabis arrests. He noted that OPD is seeing more unauthorized grows in the city at

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houses and warehouses and this led to the increase in arrests for cultivation. A by-product of these grows is people attempting to rob them creating unsafe conditions in the neighborhoods.

Member Parker asked about discrepancies in the table (some of the beat numbers are missing) and Captain Coleman noted he would need to edit the table.

Member Martinez asked about the racial and geographic disparities in the numbers of arrest and what the commission could do to change those. Captain Coleman noted that education is critical and that open-air consumption attracts enforcement especially in high crime areas where the police are targeting resources (to combat gang activity for example). Member Martinez noted that the disparities in OPD Stop data are also problematic and wants to continue to see how these disparities can be addressed, whether regarding cannabis or otherwise.

Member Reiman mentioned the Study by Stanford Professor Jennifer Eberhardt and Captain Coleman noted that study is still underway. Member Sassaman asked about some of the arrests being related to other offenses and Captain Coleman clarified that in the case of cultivation, the police are usually only made aware of it when a fire takes place at an illegal grow. He went on to note that 40% cannabis arrest/cites happen during a traffic stop when someone is pulled over for something else and about 60% are when officers are called to a location for some other more serious problem.

Joe DeVries called out the geographic orientation of cannabis offenses. He suggested that far more officers are deployed to Beat 34x which has the highest violent crime rate and that is also where there are the highest number of cannabis arrests. Member Reiman responded that even though those neighborhoods have more violence, doesn't mean the police should make cannabis arrests in those neighborhoods—they should instead focus on the violent crime.

Captain Coleman again emphasized the need to educate people about the law and more so about the concerns around home-based cultivation operations due to the damage they can cause to the house and neighborhood.

2. An update on AB 266

Member Gieringer spoke about two bills that are gaining momentum in the legislature. AB 266 in particular passed the assembly which is the first time such a bill has gotten this far and it is headed to the State Senate with several issues to be addressed. AB266 gives complete control of licensing facilities to local governments. It will be very compatible with the City of Oakland's work.

Member Gieringer also noted there is a Senate Bill (SB 643) that will be melded with AB 266. It is much broader but also gives a lot of local control. There is a third bill for cultivation only but it is not entirely compatible with the other two.

Member Donahoe noted some other bills including one that requires cultivation to be organic, a bill regarding labor practices and apprenticeships in the medical cannabis industry.

Member Anthony made a motion that the City of Oakland should support AB 266 with some changes to eliminate restrictions on people with criminal records from getting permits and any other changes the City Administrator would recommend.

There was an extensive conversation about concerns regarding delivery-only dispensaries and whether the commission should support the bill in its current form. Joe DeVries pointed out that the bill allows the city to

finally regulate the rest of the industry which the commission has been hoping for. The motion passed with 5 yeses, and 4 abstentions.

3. Update on the City's proposed Cannabis Cultivation Ordinance.

Joe DeVries stated that staff would be bringing a comprehensive set of proposed regulations to the commission in July for the commission to consider in hopes that staff can bring a package back to the City Council in the fall. It's likely this would include all of the areas the state is considering permitting.

4. An update on efforts at Statewide Legalization in 2016 (Reiman)

Member Reiman provided a brief update that several groups are meeting and discussing strategies.

E. Announcements

None

F. Adjournment

The meeting adjourned at 8:20