

# *Cannabis Regulatory Commission*

Regular Meeting

Thursday, March 16<sup>th</sup>, 6:30 p.m.  
Council Chambers, City Hall, One Frank H. Ogawa Plaza

## **AGENDA**

### ***Members:***

Dale Gieringer	District 1	Jacob Sassaman	District 7
Chang Yi	District 2	A. Kathryn Parker	At Large
Zach Knox	District 3	Vacant	Mayor
Jin Jack Shim	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 January 2017.
- E. Reports for Discussion and Possible Action
  - 1. A discussion and possible action on Revised City Ordinances 5.80 and 5.81
  - 2. A discussion and possible action on the Council Members Kaplan and Gallo's proposal to exempt cannabis businesses from the residency requirement if they become an "incubator" business for an equity applicant.
- 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 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) 238-3301.

Thursday, January 19, 2017, 6:30 p.m.  
Council Chambers, City Hall, One Frank H. Ogawa Plaza

# Minutes

### **Members:**

Dale Gieringer	District 1	Jacob Sassaman	District 7
Chang Yi	District 2	A. Kathryn Parker	At Large
Zach Knox	District 3	Sunshine Lencho	Mayor
Vacant	District 4	Amanda Reiman	City Auditor
Matt Hummel	District 5	Joe DeVries	City Administrator
Terryn Buxton	District 6		

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## MEETING AGENDA

### A. Roll Call and Determination of Quorum

*Members Present: Yi, Knox, Hummel, Buxton, Sassaman, Parker, Reiman, DeVries*

*Members Absent: Lencho, Gieringer*

### B. Open Forum / Public Comment

*Michael Allaire spoke in memory of Alex, wants him to be remembered as a great contribution to the cannabis movement and is deeply saddened that he is gone but does not want his memory to be forgotten.*

*Sydney –*

*Josh – said a few words regarding to the loss of Alex. Expressed that Alex was a really good guy and intelligent.*

*Joe Devries – expressed how much of a great inspiration Alex was to the Oakland cannabis community and how much his presence will be missed.*

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

*The Commission added the review of the New Ordinance for the Equity Amendment.*

*Additionally, an Ethics Complaint was filed in regard to the release of the Business Tax list of cannabis businesses. Safety and privacy of these businesses is very important and releasing personal addresses could jeopardize that..*

### D. Approval of the Draft Minutes from the Cannabis Regulatory Commission meeting of 9-15-16.

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*The minutes were approved unanimously with two minor typographical corrections.*

## E. Reports for Discussion and Possible Action

1. A discussion on creating a regulatory model for on-site consumption at non-dispensary locations and for Special Events.

*Member Terryn brought to attention that smokers will need a safe and designated place to smoke marijuana safely after dispensaries close (10pm). A place should be provided or a path for people to legally smoked since most smoke after the hours that dispensaries stay open. P64 allows for licensing on site and special events to happen*

*Member Parker noted that cannabis cannot be sold where alcohol is sold, but a "bring your own" policy would be different since it is not considered sales. Believes a lot of it is stigma and that the public is a bit scared of marijuana being exposed and accessible in their daily lives, such as stores like Walgreens. On-site consumption can be vaporization, in patio, bring your own alcohol, self-food items like a pop up kitchen—there are many possible ways to do it based on each individual space. To find a place for those who cannot consume at home and don't want to consume outside because of risks is important. The model could be seen as a public health benefit. An example could be a wedding where the hosts would want to provide cannabis and alcohol.*

*Joe DeVries noted that alcohol and marijuana consumption mixed together have led to other public health and safety problems, such as driving under intoxication. Since it is now recreationally legal, bars being able to have the option to get a permit for cannabis sales since a place for consumption would not be profitable from a sales or business point of view. Member Chang has propositioned that it would be similar to the bar where an Uber or cab would be called in regards to those who are too intoxicated. Member Knox noted that it is not the commissions concern regarding if the dispensaries are profitable or not, that would be on the business owners.*

*Member Gieringer noted since there is no legal places to go and smoke since most measure Z places are packed. There is a real market to consume marijuana in public, there are t-shirt sales, art, for places that allow the consumption in their facility. No one wants to have a dab party at their house. Member Reiman brought up the idea of day or monthly passes, or pop up food place to help with cost or for others to profit.*

*Member Chang noted that at the Fox Theater to smoke a cigarette one must go to the outside smoking area as opposed to marijuana that can be consumed inside or frowned upon when smoked in the cigarette smoking side. He is proposing that a smoking ordinance allow cannabis smoking where tobacco smoking is allowed. Has noted that coffee shops serve cannabis infused coffee, edibles, etc with minors still serving the product and. would like for the commission to clarify this issue.*

*Public Speaker: Ryan Treice has just moved from Washington to Richmond and believes that Oakland is doing a great job. He has seen how the Denver and Washington models have failed and believes that Oakland is on the right path and is pioneer in many areas political side to science. He goes on to state that in Denver too many businesses opened, because Denver didn't have any limits of the number of business. In Washington it is the opposite where they went from 900 to 60, the product and quality has dropped and forced out those who were doing business and providing for the community before. Those with experience and knowledge were forced out. He believes that there should be requirements for business but not so much where it would kick out the community to provide the great product. California allows out of state and country to get marijuana card, which is rare but can ruin the medical marijuana industry. To put into consideration that alcohol, cigarette and cannabis do not need to belong together. In Portland, Oregon, Cannabis and alcohol is separated through a glass when allowed both in one facility.*

1. E.2 A discussion on the expanded role of the Cannabis Regulatory Commission in the aftermath of the passage of Proposition 64.

*Joe DeVries provided Overview of Measure Z Language and Intent.*

*Member Sassaman believes that we should do what the state planned in 2005 where the last priority should be OPD enforcement over cannabis. To focus on the discrimination over those who are getting cited with cannabis per discretion of the officer. Member Hummel agrees that we make sure OPD is not using cannabis to target people of color and that we should be able to find a way to track that.*

*Member Knox referred to Section 7 or Measure Z. There should be a monitor of the profit from Measure Z to be able to make sure that we can have some say in what and where the money goes. Member Reiman agreed that there should not be any more arrest concerning cannabis and that we should have more of a say or see where the money goes and not just into the general fund to know exactly where it goes and what projects are benefiting from it. Believes that the public would accept and support if they can see what percent goes into schools, communities, housing than just the general fund. Member Sassaman has brought to attention that all the cannabis funds should be into a specific fund to track and monitor not just a general fund*

*Joe DeVries stated that we are not just talking about taxes in section 7 to ensure the timely implementation of the ordinance oversee or make recommendation of city council in section 5.*

*Member Reiman made a motion that the City of Oakland adopts A-E, with changes to A and B. (oversee the implementation of cannabis policy including low response for cannabis).*

*Public Speaker Paul Simonean- Under AUMA requires local government to adopt the local regulations prior to 1/01/18 or subject to the state regulations but as of today Prop 64 allows local government to implement law of non-medical business. There is urgency due to this AUMA requirement.*

*Public Speaker (no name) states that the committee should focus on consumption issue only, and let the other regulations to the private sector to figure that out themselves, allow them through trial and error. Also wants public housing option to smoke it can open options for business to where they can go and make it feasible since not everyone would have that disposable income. Member Sassaman agrees with public speak J.J.*

*Public Speaker Vanessa Dove believes it would be a great idea for the city to follow the Amsterdam model of coffee shops and be good for many smalls businesses.*

## F. Announcements

*Adhoc committee was motioned by member Parker to create a committee to write a regulatory model to discuss and take to City Council to draft and talk to Magnolia or Measure Z clubs.*

## G. Adjournment

*The meeting adjourned at 7:45 pm.*