

Item D. Approval of Draft Minutes, Measure Z Committee Meeting of January 20, 2011 and "Corrected" Measure Z Committee Meeting Minutes of November 18, 2010

# Measure Z Committee

**DRAFT**  
Meeting Minutes

Thursday, January 20, 2011, 6:00 p.m.

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

## **Members:**

Dale Gieringer	District 1	Keith Stephenson	District 7
Joseph E. Villatoro	District 2	TC Everett	At Large
Richard Lee	District 3	Leslie Bonett	Mayor
James Anthony	District 4	Wendy Herndon	City Auditor
Matt Hummel	District 5	Jeff Baker	City Administrator
Dhar Mann	District 6		

## **DRAFT MINUTES**

### **A. Roll Call and determination of quorum**

*Members Present: D. Gieringer, J. Villatoro, M. Hummel, TC Everett, L. Bonett, W. Herndon, J. Anthony, J. Baker and Chairperson Lee*

*Members Excused: D. Mann, K. Stephenson*

*The meeting of January 20, 2011 was called to order at 6:10 p.m. Quorum was achieved with nine members present.*

### **B. Open Forum / Public Comment**

*There was one speaker on this Item:*

Cecelia Bernado:

Spoke to encourage Committee to resolve issue of definition of word "private" as utilized in the Measure Z Committee.

### **C. Review of the Pending List**

Member Baker made a motion to discuss of the word "private" as utilized in the Measure Z Committee, including an Ad Hoc Committee (Members Everett, Anthony and Baker) to research the issue. Motion seconded by Member Gieringer. Motion passed by consensus.

Motion to agendaize "private" discussion for the February 2011, Measure Z Committee meeting agenda. Motion seconded by Member Gieringer. Motion passed by consensus.

Request by Bonnet to add discussion of impact of California Senate Bill, (SB 1449) to Pending List.

Motion by Member Hummel to add discussion of City of Oakland Smoking Ordinance; the definition of smoking within the Ordinance and the definition of "weed" as contained in the Ordinance. The Item will be discussed at the February 2011 meeting. Motion Seconded by Anthony. Motion passed by consensus.

**D. Approval of Draft Minutes**

Member Bonett requested the spelling of her name be corrected in the draft minutes and there is a typographical (page 3, paragraph 9) that refers to "Measure Z" as "Measure Y."

Member Villatoro requested the Minutes include the discussion regarding combining the Annual Report of 2009 and 2010 (question of whether Annual Report can include two years).

Motion to approve Minutes as corrected. Motion approved by consensus.

**E. Reports for Discussion and Possible Action:**

**1. Discussion: Development of Guidelines, Fees and Overall Regulation of Measure Z Clubs.**

Member Gieringer suggested placing the issue of Fee Guidelines on the Pending List for discussion at a later time. After discussion, the Guidelines could be revisited for further refinement.

Member Villatoro requested further clarification on the legality of "Measure Z Clubs" prior to issuance of "Fee Guidelines" by the Measure Z Committee. The "Guidelines" should be forwarded to the Oakland City Council for review, consideration and possible adoption – rather than the Committee providing guidance to individual Club owners/operators.

**2. Status Report on Preparation of Measure Z Annual Report to City Council.**

Member Baker provided the overview on the Annual Report to the Oakland City Council. Members Bonett, Herndon and Baker met over the holiday break, developed the attached outline and now request the Committee's feedback on the outline. A review of the 2009 Minutes should provide adequate background material for inclusion in the report.

Member Bonett requested the Annual Report contain both years in the title of the report.

Lieutenant Poirier assured the Committee that OPD would provide the Annual Report on Criminal Marijuana Arrest Records for 2010. In addition, the Lieutenant reminded

the Committee of its offer to submit a draft Training Bulletin to OPD on the Measure Z policy.

Member Anthony volunteered to meet with Lieutenant Poirier and spend "quality time" to develop the draft Training Bulletin. Member Hummel volunteered to participate on the Ad Hoc Committee regarding the Training Bulletin.

Member Gieringer asked since marijuana possession has been reduced to an infraction, will become difficult to track marijuana arrests?

Lieutenant Poirier responded that the tracking efforts are indeed different since infractions are forwarded to Traffic Court and future gathering of statistics will take this into consideration.

### **3. Recommendation from the Measure Z Committee to the Oakland City Council that the City of Oakland Adopt Licensed Smoking Establishments within the City of Oakland**

Member Gieringer suggested the title be change to "Licensed Marijuana Establishments" and the issue be postponed until a future meeting. Member Hummel and Member Gieringer will work together on this issue as an Ad Hoc Committee.

#### **There was one speaker on this Item:**

**Victor Servin, Valedictorian, Oaksterdam University, Class of 2011**

Is there a possibility of creating a medicinal café/club modeling the Measure Z Club?

Chairperson Lee requested interested Committee members to contact Mr. Servin regarding his request.

#### **F. Agenda Building, February 2011**

Agendize discussion of definition of word "private" as utilized in the Measure Z Initiative.

Agendize discussion of City of Oakland Smoking Ordinance; the definition of smoking within the Ordinance and the definition of "weed" as contained in the Ordinance.

#### **G. Announcements**

Member Gieringer announced California NORML is sponsoring a statewide conference on marijuana policy in January 29, 2011, Brower Center in Berkeley. Space at the event is rapidly selling out – if you plan to attend, now is the time to register. Announcements for the event are available up front.

Chairperson Lee announced an East Bay Activist Meeting at Oaksterdam University Student Union, 1915 Broadway, following the meeting.

**H. Adjournment**

*There being no further business, and upon the motion duly made, the Measure Z Committee was adjourned.*

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Staff to the Measure Z Committee

\_\_\_\_\_  
Date Adopted

**DRAFT**