

Measure Z Committee

ADOPTED Minutes

Thursday, April 1, 2010, 6:00 p.m.

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

“SPECIAL MEETING”

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
Vacant	District 6		

DRAFT MINUTES

A. Roll Call and determination of quorum

Members Present: L. Bonett, TC Everett, Chairperson Anthony

R. Lee, K. Stephenson, W. Herndon, J. Baker, J. Villatoro

Members Excused: D. Gieringer (Excused), M Hummel (Excused)

The “Special Meeting” of April 1, 2010 was called to order at 6:04 p.m.

B. Open Forum / Public Comment

There were no speakers at Open Forum.

C. Review of the Pending List

There were two changes to the Pending List.

- 1. Election of Officers – March 2012*
- 2. Item 6: Annual Report for 2009; Draft will provided by Member Bonnet*

D. Approval of Draft Minutes

The Minutes of the February 18, 2010 meeting were approved, by consensus.

Item: _____
Measure Z
May 20, 2010

G. Review and Approval of Report from Measure Z Subcommittee re Guidelines for Fees on Measure Z Clubs

(This Item was taken out of turn per direction of Chairperson Anthony.)

Member Lee and Member Villatoro provided the report: Changes have been made to the payment schedule:

1. (See Item 3, Sub Committee Report.) Payments will be made quarterly and figured annually.
2. (See Item 5, Sub Committee Report) Measure Z clubs will pay \$15 per member, per year fee.
3. (See Item 5a., Sub Committee Report) Measure Z Clubs pay the Measure F Tax of 1.8% gross receipts tax.
4. (See Item 18, Requirement for a “reserve account.”
5. Discussion on Sub Committee whether to “ earmark” tax revenues to specific projects; city department and/or programs.

Chairperson Anthony outlined the “limits of the Committee’s powers; that is, the power consists of moving proposed policy recommendations to the City Council through the Office of the City Administrator. In the event the City Administrator does not support policy, the Committee may send proposed policy recommendations directly to City Council.

Auturo Sanchez, Assistant to the City Administrator, provided the following: Any one who opens a Measure Z Club presently and distributes cannabis for non-medical purposes could be subject to prosecution under the City’s Nuisance Abatement Ordinance or under current state and federal law.

There was one speaker on this Item.

- Alex Campbell (commended Committee on work on 2010 Initiative)
- Preston Thompson (expressed concern on reference to cannabis dispensary or or club as “nuisance.”)

Chairperson Anthony proposed the following language amendments to Item 14: Sub Committee Report on Measure Z Clubs:

“Measure Z Clubs shall be required to issue membership identification cards to all active members and are required to maintain and to quarterly submit a list of active and non-active members for each year for fee calculating purposes.”

(See Item 12, Sub Committee Report:) Change first sentence to read: “If by May 1st a club fails to complete...”

Item: _____
Measure Z
April 1, 2010

(See Item 16, Sub Committee Report:) Change first sentence to read:
Membership identifications shall be issued only after a members applicant's
identification and state law age requirement has been verified..."

(See Item 16, Sub Committee Report:) Add: "...or another form of photo
identification that has been issued by an agency authorized to issue identifications
recognized by California.

(See Item 17, Sub Committee Report:) Change first sentence to "Club member
identification numbers shall be unique to that individual."

(See Item 17, Sub Committee Report:) Change second sentence to read: "The
Measure Z Club shall determine the most efficient method of assigning
identification numbers to members." Delete remainder of sentence.

(See Items 19 and 20, Sub Committee Report:) Delete Items 19 and 20.

Motion to accept report with aforementioned changes passed by consensus.

**E-1 Review of Oakland Police Department Report on Department Activities
Related to Arrests for Criminal Marijuana Offenses for 2009-2010**

Lieutenant Poirier, OPD, provided the report. The Oakland Police Department maintains
a policy that the investigation, citation and arrest for private cannabis offenses is the
lowest law enforcement priority. All officers receive training on the marijuana policy.
As of this date, the Oakland Police Department has not drafted a training bulletin on the
policy. (OPD is not adverse to the Measure Z Committee drafting a training bulletin for
department review.) However, statistics bear out the fact that enforcement of private
adult cannabis offenses is a low priority.

There was one speaker on this Item:
- Jeff Jones

Motion to Receive and Accept Report. Passed by consensus.

F. Election of Officers

**Chairperson Anthony nominated Richard Lee as Chairperson. The nomination was
seconded and passed unanimously.**

Item: _____
Measure Z
April 1, 2010

Leslie Bonnett was nominated for Vice Chairperson. The nomination was seconded and passed unanimously.

H. Announcements

I. Adjournment

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