

Thursday, April 19th, 2012, 6:00 p.m.

Draft Meeting Minutes

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

Members:

Dale Gieringer	District 1	Vacant	District 7
Vacant	District 2	A. Kathryn Parker (pending)	At Large
Sierra Martinez	District 3	Leslie Bonett	Mayor
James Anthony	District 4	Vacant	City Auditor
Matt Hummel	District 5	Joe DeVries	City Administrator
Vacant	District 6		

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DRAFT MINUTES

A. Roll Call and Determination of Quorum

Members Gieringer, Anthony, Hummel, Martinez, DeVries, and Chairperson Bonett were present. Also present was A. Kathryn Parker whose appointment was pending at the time of the meeting.

Chairperson Bonett gave newly appointed Member Martinez an opportunity to introduce himself.

B. Open Forum / Public Comment

There were no speakers under public comment.

C. Review of the Pending List

Chairperson would like item 3 (Monitor, on an ongoing basis, “private, adult” marijuana offense arrests) to be brought forward at the May meeting. The group agreed and discussed whether there were strategies to get more detailed information from OPD about their arrests. The committee discussed the idea of a press release announcing that they will be discussing this issue or some other effort to draw attention to OPD’s implementation of Measure Z.

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 Measure Z 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 Measure Z 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 Measure Z Commission at (510) 238-3301.

Kathryn Parker asked if Item 5 from the pending list (Review of Oakland compliance / non-compliance policies with the Drug Enforcement Agency (DEA) should be discussed in light of the recent Federal raid on Oaksterdam University. The group agreed to ask about this of OPD as well.

Chairperson Bonett raised the question of the annual report and Joe DeVries explained that last year the report was given in March of 2011 and at that meeting the committee had questions about the training bulletin and eventually came back to committee in December of 2011. It was acknowledged that a 2011 annual report (Item 4 on the pending list) is due and Joe DeVries will be responsible for drafting it. This item will be on the May agenda as well for discussion and to give Joe DeVries direction as to what to include in the report.

Last, Member Gieringer asked what the committee is allowed to do under the bylaws in regard to press releases. Some committee members want to bring more attention to this item. It was mentioned that the City Attorney's Office no longer attends meetings. Joe DeVries clarified that budget cuts have caused the City Attorney to only staff committees when necessary such as this committees report to council and the definition of private as it relates to cannabis offenses. In regard to a press release, Joe DeVries doesn't see a press release as helpful unless the press felt that this was a story was worth reporting on. It is a political question, not a procedural one. For example, if a large number of people were to testify at a committee meeting it might get press but without any public outpouring, it won't get any press.

- D. Approval of the Draft Minutes from the Measure Z Committee meeting of January 18th, 2012.

The minutes were approved by consensus after some minor typographical errors were noted.

- E. Reports for Discussion and Possible Action

1. Vote for new 2-year terms for Chair and Vice Chair

Interim Chairperson Bonett and Interim Vice-Chair Hummel were both nominated and elected to full two year terms in their current positions.

2. Update regarding standing Committee Members' reappointment via Mayor's office, new appointments and process regarding vacancies.

Kathryn Parker's nomination and James Anthony appointments are both coming to the City Council on April 30th. The other members' reappointments have not been processed but the vacancies are being looked at by the City Auditor and the District 2 Councilmember. Joe DeVries will remind the other Council Members again that they have vacancies.

3. A continuation of the discussion of the federal crackdown on marijuana dispensaries and the City's response to it.

Dale Gieringer handed out a petition against the federal raids and announced that on April 20th there would be a protest at the federal building followed by a march. Kathryn Parker asked what if anything came out of committee. Joe DeVries stated that he did not think the council had met regarding this issue. He went on to say that Council Member Kernighan was outraged at the federal crackdown but also felt that there was reluctance to admonish the federal government for the crackdown because it could jeopardize the assistance the federal government is providing the city to address violence in high crime neighborhoods. Joe DeVries elaborated on the City's effort to better coordinate the city, state, and federal law enforcement activities in Oakland's high crime neighborhoods. He noted that this is an important effort that is long overdue.

This idea that the federal government would use its clout to hold back assistance to Oakland on violent crime because of the city's position on cannabis was met with outrage from all the committee members. Member Gieringer noted that it is a real injustice that Oaksterdam was raided the same day as seven people were shot and killed in East Oakland.

Member Hummel asked if there is a real threat from the feds or is it just a fear from the city. Joe DeVries. Kathryn Parker noted that at the Public Safety Committee the committee members did not seem interested in public response to the federal government. Also, Joe DeVries noted the committee was more concerned with the permitting of four new dispensaries in light of the federal crack down.

Member Martinez asked how the federal resources compare to the resources the City receives from the dispensaries. Member Anthony noted that it's not an either-or question but the city receives \$1.68 million from dispensaries and the 25 police officers the feds are paying for equates to about \$2.5 million. Joe DeVries noted the City receives a lot of grants from the federal government to pay the salaries of Police Officers over the years even when the city was taking a bold stand on cannabis so its not the grant necessarily that is threatened but the coordination with federal agents on things such as gun violations. If the federal agents charge those crimes there are stiffer federal sentences which have a positive impact on the neighborhoods where these violent crimes take place. Basically, it's hard to quantify the federal assistance.

Member Gieringer pointed out that arrests statewide have not gone down since the passage of proposition 215 and in fact had increased in the past five years but by and large are not medical marijuana cases. Kathryn Parker asked if it would be worthwhile to point out to council that they receive a lot of money from dispensaries. Joe DeVries noted that the council is very aware of that revenue.

Chairperson Bonett said that she would like a written response from the council about this issue. Joe DeVries pointed out again that without a large public outpouring, the issue is not going to get a lot of attention. Since only one person came to speak on this issue in December, the council doesn't see that this issue is causing a lot of outrage. Members discussed the idea of approaching their Council Members individually to see the issue

addressed. Member Anthony noted that anyone can speak to the Public Safety Committee during open forum.

The group decided to keep this item on next month's agenda while members will individually approach their members.

4. A continuation of the discussion of the City's Smoking ordinance

Member Gieringer started with commentary on the Public Health Department's letter to the committee. He took issue with the letter in that the state smoking law does not mention marijuana but local ordinances do and that is where the problem is. Member Gieringer went on to suggest that he would like to see an ordinance allowing for cannabis smoking in designated areas or special events and that he would draft such an ordinance if the committee agreed with it. The committee discussed different permitting processes that the City uses for special events, alcohol, etc. They also discussed the political support that doesn't seem to exist for cannabis consumption at dispensaries and the lack of enforcement of the City's smoking ordinance at large public events. Member Gieringer again pointed out that this could be a revenue generating source for the City.

It was agreed that Member Gieringer will begin drafting an ordinance.

5. Proposal: Bylaw change to change the name of this Committee to Cannabis Regulation Community Oversight Committee.

Chairperson Bonett suggested that the committee's name be changed to allow for residents to understand what it is the committee oversees because currently people don't know what the committee is or does. She also noted that it will take 8 members to change the name so it cannot be done until more appointments are made. Members discussed possibly shortening the name or including more about cannabis in the name. Chairperson Bonett noted that Measure Z Committee is a euphemism and should be changed so that it doesn't take a lengthy explanation when referring to the committee.

Member Gieringer suggested the name Cannabis Oversight Committee, that way Cannabis is in the name and on the agenda. By consensus the group agreed that the Cannabis Oversight Committee is worth exploring. Kathryn Parker suggested adding it to the pending list until there are more members. This was made into a motion and passed unanimously.

F. Announcements

There were no announcements.

G. Adjournment

The meeting adjourned at 7:30pm.