

Cannabis Regulatory Commission (former Measure Z)

Thursday, June 20th, 2013, 6:00 p.m.

Meeting Minutes

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

Members:

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

Available on-line at: <http://www.oaklandnet.com/measurez>

AGENDA

A. Roll Call and Determination of Quorum

Chairperson Bonett, Vice Chair Hummel, Members Hendrix, Parker, Martinez, and DeVries were present. Member Gieringer and Anthony were excused. Joe DeVries noted that there was a potential appointee being considered for District 2.

B. Open Forum / Public Comment

There were no public speakers.

C. Review of the Pending List

Member Parker noted that re-appointments of members needed to be added to the July agenda. Joe DeVries raised the issue of unregulated cannabis grows having an impact on their neighbors and what, if anything, the Commission could do about it. He cited an incident that took place in West Oakland that led him to hear from several members of the West Oakland Business Alert Group about concerns they have around this issue. These include the attraction of burglars, the question/concern over the legality of these grows, and the impact the growers have on rental rates as they are able to offer above-market rent to prospective landlords driving rental rates up for other businesses. His concern is that poor regulation leads to opposition to the entire movement.

Vice Chair Hummell noted that because of the strict limits on how much one can grow in combination with the lower commercial value of cannabis, very few grows are within the city's guidelines. Member Parker suggested that this is an important topic and would like to hear from those business owners.

Member Martinez concurred and wants to see some data and look at next steps to solve this problem. Member Hendrix commented that coming from a landlord's perspective, there is a lot of construction and modifications to a property and that is one reason landlords want more money from growers. Chairperson Bonett agreed it is an important issue but questions whether it is outside the purview of the Commission.

Jacqueline Patterson, a member of the public, spoke to this being the right forum for this discussion and that landlords should be more concerned than they were five years ago because of the federal government's recent actions against landlords that allow legitimate grows.

William Taggart, a member of the public, also spoke to this issue. He agrees that this commission should bring this forward. Chairperson Bonett noted that the City Attorney limited the authority of the Commission years ago and this topic is somewhat outside those limits.

Member Hendrix noted that the industrial grows exist, we cannot deny it and therefore the Commission does need to address this. Member Hummell also noted that market changes including the dot-com boom and bust impacts these land uses in ways that we cannot control or regulate. He sees areas of over and under-regulation but if in fact the market is right, people will make a profit if they feel safe and currently they do.

The group agreed to place the "Discussion of potential conflicts between cannabis growers and other businesses in the City of Oakland" on next month's agenda.

- D. Approval of the Draft Minutes from the Cannabis Regulatory Commission meetings of May 16th, 2013.

This item was tabled until July.

E. Reports for Discussion and Possible Action

1. Update on review of current CA Legislation regarding Cannabis

Joe DeVries provided a brief update of the actions from last month: the group passed a modified motion regarding AB473 to recommend support of the bill with the caveats that ABC not be the regulatory agency and that the privacy of industry workers' privacy be protected and that access be guaranteed to any patient who is in need of medicine regardless of where they live. He went on to inform the group that the bill died in part due to heavy lobbying by the CA League of Cities. There is still the Steinberg bill in the State Senate but the original legislation the Commission discussed was dead.

Chairperson Bonett noted she wanted to continue to support whatever bill could be passed even if it isn't everything the Commission wants. Member Parker clarified that the Commission still supported the bill just with some conditions. Member Hendrix noted that Rob Raich provided a lot of insight and gave the Commission a powerful message to modify the recommendation. Joe DeVries noted that Member Sassaman also made a strong case that this bill could hurt small long term growers because of the registration requirements, potentially further criminalizing them.

2. Update on Scheduling Meetings with Council Members Gallo and Schaaf

Member Parker attempted to schedule a meeting with Council Member Schaaf but was referred back to Council Members Kaplan and Kernighan by Council Member Schaaf's Office. She felt that her office did not want to take the lead on this issue. Chairperson Bonett had not yet had a chance to meet with Council Member Gallo yet.

3. Update from ad hoc public education committee

Member Parker had done some research and a public education campaign is outside the scope of the Commission. However, if an outside organization wished to create a public education campaign then approach the Commission for support, the Commission could then recommend that the city do so. Although it may be difficult to get the City to fund such an effort, she feels that public awareness of the Commission could be helpful. She is recommending a Face book page and an effort by members to encourage people to attend monthly meetings thereby increasing visibility and public awareness.

Cecile Bernaudi, a member of the public, spoke to the issue. She noted that an overwhelming number of voters supported this law and we should have pamphlets or brochures out in the public to fully inform them of the work being done.

Member Hummell acknowledged a catch 22 in that the cannabis businesses want to be known to attract more customers as well as normalize the issue but many are “hiding” due to the lack of clarity in the law and therefore publicizing them is counterintuitive. Joe DeVries noted that finding out who and where all these dispensaries are is next to impossible due to the unregulated nature of the work.

The discussion turned toward a Face book page and Joe DeVries said he wanted to clarify whether the Commission could create a Face book page within the guidelines of the city as well as where funding for a campaign would come from. Member Parker noted that this is why an outside organization is important—they could fundraise on their own, whether the City had funding to provide or not.

Regarding Public Education, Joe DeVries noted that the Commissioners themselves could be the campaign—they could go out to the many NCPCs and provide a handout on the law. They could even use the Police Department’s Information Bulletin as a guide for residents. He also noted that asking the City to support the campaign is possible but it’s highly unlikely that the city would put any money behind it.

Member Hummell liked the idea of a campaign to “Take it Inside” giving advice to moms, dads, and teenagers about what is okay in public and what is not. Chairperson Bonett wants to see a fact sheet that can be easily handed out. She also would want to get the fact sheet to some media outlets and as a public service announcement.

A motion was made to have the committee create a fact sheet and it passed unanimously.

A second motion was made to create a Facebook page. Joe DeVries said he needed to research if the Commission could create such a page on behalf of the City. Member Martinez suggested that it be researched first and Member Parker modified her motion to be contingent on staff’s research that the page would not violate city policy. Joe DeVries noted that as private residents could create any Face book page they would like anytime they would like.

4. Update on Website, Business Cards, Terms of Office/re-appointment of members/vacancies

Joe DeVries noted that the website is improving and the intern working on it has been limited in their hours which will change in July with the new fiscal year. The new website name will be on the new business cards which were ordered. Member Hummell noted that he uses the cards to

promote the work of the commission. Last, Leslie asked that the information on all the templates be updated to reflect the new name of the commission.

F. Announcements

G. Adjournment

The meeting adjourned at 7:35.