



MEETING OF THE CANNABIS COMMISSION

City Hall
2180 Milvia Street
Redwood Room (Sixth Floor)

Thursday, February 7, 2019
2:00 PM

APPROVED ACTION MINUTES

I. Call to Order – 2:09 pm

A. Roll Call and Ex Parte Communication Disclosures

Commissioners present: Cooper, Pappas, Rice, and Xango Eyeé (substitute for Brewster)

Absent: Brewster (excused), Cable (unexcused)

Staff Present: Secretary Elizabeth Greene, Mark Sproat, and Claire Kostohryz.

Ex Parte Communications: Cooper about Item A to staff and separately to Commissioner Brewster, Pappas spoke with Councilmember Bartlett and Rice talked to Councilmember Hahn.

B. Changes to Order of Agenda

Motion/second to move B to after Item E (Cooper/Pappas). The motion carried 4-0-0-1. (Ayes: Cooper, Rice, Eyeé, Pappas. Noes: None. Abstain: None. Absent: Cable.)

Public Comment: One comment. Pam Speich introduced herself and said that she would be attending the Cannabis Commission meetings on behalf of the Community Health Commission.

II. Approval of Minutes

Motion/second to approve the January 10, 2019 minutes (Cooper/Rice). The motion carried 4-0-0-1 (Ayes: Cooper, Rice, Eyeé, Pappas. Noes: None. Abstain: None. Absent: Cable.)

III. Planning Staff Report

Molly Jones has resigned leaving only 5 members and 4 vacancies so the quorum for today's meeting is 3. Vice Chair Cooper volunteered to write a letter to council requesting appointments to fill the vacancies. Staff mentioned the late items.

IV. Vice Chairperson's Report

We are sorry to see Molly go and we wish her the best. Commissioner Rice discussed the refocusing of their mission which is to implement what the voters approved. Need more data regarding Berkeley High usage and the effect of legalization in Colorado.

V. Subcommittee Report

No report.

VI. Discussion and Action Items

A. Election of Chairperson and Vice Chair

Motion/second to elect Cecily Brewster to be Chair of the Commission (Cooper/Rice). The motion carried 4-0-0-1 (Ayes: Cooper, Rice, Eyeé, Pappas. Noes: None. Abstain: None. Absent: Cable.)

Motion/second to elect Michael Cooper to be Vice Chair of the Commission (Rice/Pappas). The motion carried 4-0-0-1 (Ayes: Cooper, Rice, Eyeé, Pappas. Noes: None. Abstain: None. Absent: Cable.)

Public Comment: None.

C. Review next steps for cannabis regulations in Berkeley, with estimated timeline.

Discussion regarding how the estimated timeline doesn't capture how long the Commission and the City have been working on cannabis regulations, specifically regarding delivery-only. There is a frustration with the lengthy process and how it has affected possible revenue from cannabis delivery-only transactions in the City.

Public Comment: None.

D. Discuss and vote on possible next steps related to Equity Program, M-district cultivation expansion, Delivery-only dispensing, consumption location, special events, advertising concerns, interaction with other commissions, subcommittees to facilitate tasks above, increased commission membership, more input from local cannabis businesses, especially dispensaries.

Staff clarified that the Equity Program discussion can be moved to the next meeting because of the more pressing group of ordinances being presented to council sooner. The commissioners discussed the feasibility of the proposed buffers by the Staff and by the CHC. They will be writing a letter to City Council to advocate for their regulations regarding security, neighborhood compatibility, buffers, quotas etc. They will push the rest of the conversation until after Item B, and decide what to put in the letter.

Public Comment: One comment. Berkeley is losing out because cannabis businesses will go to different municipalities.

E. Discuss and vote on representative at upcoming Council and Community Health Commission meetings.

Commission reached a consensus that there is no purpose of speaking as the public at the February 19 and February 26 Council meetings. Xango Eyeé

volunteered to go to the CHC meeting.

Public Comment: One comment. It's a good idea to go to the CHC meeting.

B. Discuss cooperatives/collectives and vote on sending a letter to Council urging changes to State law.

Pappas will work with Cable to revise letters to Council and the BCC in support of state legislation to regulate cooperatives and collectives. He will bring them back to the Commission next month.

Public Comment: One comment. No new temporary licenses are being given out and places with temporary licenses are not going to the next level. This is discriminatory against collectives.

D. Continued Discussion.

A written letter will have to come back for approval at the next meeting and it will advocate for the ordinance language that the Cannabis Commission recommended which is highlighted in Item VII under Action Item E. The letter will discuss buffers, security guards, safe consumption sights, delivery requirements and retail buffers.

Public Comment: Three comments. Security guards are a large financial burden for non-retailers that don't hold cash in space. Lounges are a positive way to safely smoke for people in Section 8 housing and could keep smokers off the streets. The definition of equity should be more inclusive, rather than only people who have criminal records related to cannabis.

F. Ideas for next meeting.

Focus on the state law regarding equity businesses.

X. Adjournment

Adjourned at 4:08 P.M.

Four late items were distributed at the meeting.

Commissioners in attendance: 4 of 5

Members of the public in attendance: 4

Public comments: 7

Length of meeting: 1 hour and 59 minutes

APPROVED: _____

Elizabeth Greene

Cannabis Commission Secretary

