



MEETING OF THE CANNABIS COMMISSION

City Hall
2180 Milvia Street
Redwood Room (6th Floor)

Thursday, September 12, 2019
2:00 PM

DRAFT ACTION MINUTES

I. Call to Order – 2:07 pm

A. Roll Call and Ex Parte Communication Disclosures

Commissioners present: Cable, Cooper, Lardner, Malmuth, Poindexter, Svec-Burdick.

Absent: Brewster (unexcused)

Staff Present: Secretary Elizabeth Greene and Paola Boylan

B. Changes to Order of Agenda

None.

II. Public Comment:

Five Comments. A community member requested more support be provided by the cannabis commission when items regarding cannabis are presented at other commissions. Another comment expressed difficulties establishing a cannabis special event and asked the Commission for support. It was also expressed that the Equity Program should be inclusive of workforce development efforts.

Community members also expressed concern about media reports related to an unidentified vaping related illness. The Cannabis Commission should discuss and consider releasing a statement. It is important to provide all of the information known on the subject to address any misinformation spread in the media. The Berkeley Patient Group Statement was provided as an example and was read out loud and distributed at the meeting.

III. Approval of Minutes

Commissioner asked if anything had been done regarding the request by the Chair of the Homeless Commission at the July commission meeting to allocate cannabis business tax funds for efforts being made to combat homelessness. Staff explained that this request has not gone to the Council, and that there is discussion regarding how to best bring requests for funding to the Council.

A. July 11, 2019 Draft Action Minutes

Motion/second to approve July 11, 2019 Draft Action Minutes (Lardner/Malmuth). The motion carried 6-0-0-1 (Ayes: Cable, Cooper, Lardner, Malmuth, Poindexter, Svec-Burdick. Noes: None. Abstain: None. Absent: Brewster.)

IV. Planning Staff Report

Secretary Greene announce the quorum for the meeting is four since one commissioner is absent. Two vacancies still exist on the Commission (Districts 5 and 6).

Public comment reminder – the public can only provide input prior to an item being discussed.

Staff provided updates on the Planning Commission and Community Health Commission actions and next steps related to the cannabis ordinance proposals:

- Planning Commission: Reviewed the Zoning Ordinance language at its July and September meetings and has completed its recommendations.
- Community Health Commission: Reviewed and made recommendations at meetings over the summer. Final recommendations will be made at its September 26th meeting.

Ideally, the cannabis ordinance will be presented to Council on November 19, 2019, though this is an ambitious schedule. All three commissions expressed a desire to provide a communication to Council regarding the reasoning behind their recommendations. These letters must be submitted by October 17th, 2019 to be included as an attachment to the Staff Report.

Staff also communicated that the cannabis commission has a single meeting left in the year and must decide if they want to meet in October or November 2019.

V. Chairperson's Report

None

VI. Subcommittee Report

None

VII. Discussion and Action Items

Public Comment

Three comments. It was expressed that more than one Equity Candidate should be selected for the Equity Program and that in order to expand the impact of the program, applicants should be given more consideration based on the number of equity candidates they will benefit either as owners or employees. Anyone who has lived in Berkeley should be eligible for equity status.

It was shared that that the City had been informed of funding available for developing a robust and culturally competent program. This funding offered the opportunity to develop a more robust program; the City did not pursue this opportunity. Future program development should be pursued with a more diverse group informing the development process.

Staff clarified that the City of Berkeley was not eligible to apply for the State's equity grant since its Equity Program was not yet in place. The City hopes to be able to pursue such funding once the Equity Program is adopted.

A. Review draft equity proposal and vote on recommendation to Council.

The Vice-Chair of the Commission stated that while the commission agrees that more than one Equity Candidate business should be selected, only one slot has been approved by City Council. The matter of how many businesses can be selected is outside the control of the Cannabis Commission.

Cannabis Equity Program Selection Process

The Commission discussed the pros and cons of the different types of selection processes, and also how to maximize the number of equity candidates who benefit from the selected business.

Motion/second to approve the hybrid selection process with merit points for businesses which include more equity candidates as part of the team (Poindexter/ Svec-Burdick). The motion carried 6-0-0-1 (Ayes: Cable, Cooper, Lardner, Malmuth, Poindexter, Svec-Burdick. Noes: None. Abstain: None. Absent: Brewster.)

Workforce Development

The workforce development program might be a good way to expand and reach a broader population of Equity Candidates. Commissioners discussed the training programs outlined in the staff memo. It was expressed that paying for an equity candidate to undergo training at an existing cannabis-related training program appeared to be the most straightforward way to implement workforce development (Training

Program 1a). The Commission also discussed creating an incentive for employers to hire equity candidates by refunding or subsidizing a person's salary, which would be at least minimum wage, during the training period. It was suggested that at least the first 160 hours of employment are subsidized by the proposed workforce development program.

Commissioners were interested in knowing how much money it would cost to undertake a completely new program? At this time, staff was unable to provide an accurate cost estimate.

Training Program

Motion/second to recommend sponsoring Equity Candidates to attend an existing cannabis-related training program (Selection 1A of Training Programs) (Lardner/Cable). The motion carried 6-0-0-1 (Ayes: Cable, Cooper, Lardner, Malmuth, Poindexter, Svec-Burdick. Noes: None. Abstain: None. Absent: Brewster.)

Employer Incentives

Motion/second to recommend using City funds to refund or subsidize businesses hiring Equity Candidates during the training period up to 160 hours (Cooper/Poindexter). Motion carried 6-0-0-1 (Ayes: Cable, Cooper, Lardner, Malmuth, Poindexter, Svec-Burdick. Noes: None. Abstain: None. Absent: Brewster.)

City Assistance

It was suggested that since there will only be one equity candidate, the Equity Program should really work to ensure the success of that business by providing funding and waive city fees in addition to providing technical assistance.

Motion/second In the spirit of supporting the Equity Program, the City of Berkley will waive the city licensing fees and provide financial support for technical assistance for the initial formation of the business (Malmuth/Cable). Motion carried 6-0-0-1 (Ayes: Cable, Cooper, Lardner, Malmuth, Poindexter, Svec-Burdick. Noes: None. Abstain: None. Absent: Brewster.)

B. Discuss draft letter to Council regarding Commission's ordinance/equity reasoning

The commission should focus on making a robust letter that argues and supports the views of the cannabis commission. It is important to express these views to City Council since there will be competing recommendation made from other commissions.

The letter should express disagreement with limiting cannabis equity

businesses to one and provide reasoning on the ordinance and equity recommendations.

Commissioners Lardner, Malmuth, and Poindexter agreed to work together to draft a letter to council and to bring it to the October meeting for discussion.

C. Discuss and vote on the number and date of future cannabis meetings in 2019.

Motion/second to recommend the Cannabis Commission meet again in October and cancel the November meeting. (Cooper/Poindexter). Motion carried 6-0-0-1 (Ayes: Cable, Cooper, Lardner, Malmuth, Poindexter, Svec-Burdick. Noes: None. Abstain: None. Absent: Brewster.)

D. Ideas for next meeting.

The Commission did not discuss this item.

X. Adjournment

Adjourn: 4:15 pm

One late item distributed at the meeting.

Commissioners in attendance: 6 of 7

Member of the public in attendance: Approximately 6

Public Comments: 8

Length of meeting: 2 hours and 8 minutes.

APPROVED: _____

Elizabeth Greene

Cannabis Commission Secretary