

Measure Z Committee

Meeting Minutes

Thursday, July 16, 2009, 6:00 p.m.

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

Members:

Dale Gieringer	District 1	Keith Stephenson	District 7
Joseph E. Villatoro	District 2	Vacant	At Large
Richard Lee	District 3	Leslie Bonett	Mayor
James Anthony	District 4	Cathi Bartice	City Auditor
Vacant	District 5	Bill Uber	City Administrator
Vacant	District 6		

MINUTES

A. Roll Call and determination of quorum

Members Present: J. Anthony, L. Bonett, D. Gieringer, R. Lee, K. Stephenson, B. Uber,

Members Excused: C. Bartice, J. Villatoro

The meeting of July 16, 2009 was called to order at 6:13 p.m..

B. Open Forum / Public Comment

The following individual(s) spoke: Mr. B. Bennington

C. Review of the Pending List

Staff noted the addition of a "For Tracking" section, with the Election of Officers in March 2010 listed.

Ms. Bonett asked that the Minutes reflect there are approximately 40 people in attendance.

Mr. Lee asked that Item 2 – "Establishment of guidelines for Measure Z clubs to deal with the issue of fees to be paid by licensed Measure Z Clubs" be place on the Agenda for the September 17, 2009 meeting.

Mr. Uber made a motion to cancel the August 20, 2009 meeting as a Summer Break. The motion was seconded by Ms. Bonett and approved by consensus. September 17, 2009 will be the next regularly scheduled meeting of the Measure Z Committee.

D. Approval of Draft Minutes

The Minutes of the June 18, 2009 meeting were approved, without objection, and by consensus.

E-1 Discussion on A Response from Oakland / Alameda Coliseum re: Marijuana Use at the Facility

Vice Chair Gieringer gave a brief review and stated his disagreement with conclusions reached by the Coliseum manager. Chairman Anthony was unsure what pressure Measure Z could bring, but suggested it might be possible to open up a dialog with the Joint Powers Authority, which is made up of Alameda Council Supervisors and Oakland Councilmembers. Mr. Gieringer said he would pursue this with the Coliseum independently.

E-2 Review of Proposed Legislation to “Regulate Control and Tax Cannabis Act of 2010”

Mr. Lee gave an overview of the ballot proposal and informed the group that any updates and/or changes are available at www.taxcannabis2010.org. Mr. Uber noted it would take approximately 443,000 valid signatures to get it on the November 2010 ballot. Mr. Gieringer added that there were three related measures out there too.

The following individuals spoke: Ms. C. Bonaudi, Mr. T. Marshall, and Mr. M. Adams.

Chairman Anthony was noted as absent at 6:49 p.m.; the Committee therefore lost its quorum.

Mr. Lee continued to speak on the whys and wherefores that certain changes were made, noting that this was a first step and that federal law would hold back what the state can do, adding that more cultural changes were still needed in certain parts of the state.

Mr. Anthony was noted as present at 6:53 p.m.

Vice Chair Gieringer stated that the measure may or may not make it to the ballot, but AB 390 (Ammiano) was currently in the legislature and Assembly member Ammiano was feeling confident it will have enough voters to legalize cannabis in California.

The following individuals spoke: Ms. M. Carlson.

Mr. Lee made a motion to endorse the initiative and to have it return for the September 17th meeting, with its final language and title, as submitted to the state. Mr. Gieringer said he had a problem with endorsing anything that has not been finalized.

Mr. Uber then offered a friendly amendment to the motion to “support in concept” the draft initiative and then take another vote of the Committee in September on the final proposal. Mr. Lee seconded the amended motion. Mr. Gieringer restated his opposition to local regulations, which could permit different counties to have different regulations and tax rates, etc. He also noted the proposed measure would not get rid of federal law. Mr. Lee noted that the Committee was not constrained to voting in favor of only one proposal, but could endorse more than one piece of proposed legislation.

Mr. Gieringer offered a substitute motion, postponing a vote to support the measure until the September meeting. Ms. Bonett seconded the substitute motion. The substitute motion failed on a vote of 2 Ayes (Anthony and Gieringer) and 4 Noes (Bonett, Lee, Stephenson, and Uber).

The original (amended) motion was then adopted with 5 Ayes (Anthony, Bonett, Lee Stephenson, and Uber) and 1 Abstention (Gieringer).

E-3 Review of the City Administrator’s Report and Ordinance Amending Ordinance No. 12694 C.M.S., “Ordinance Establishing the Procedures of the Community Oversight Committee Created by Measure Z, Entitled ‘Oakland Cannabis Regulation and Revenue Ordinance’ (Measure Z) and Providing the Terms and Responsibilities of the Committee Members” in Order to Stagger the Appointment Terms of Members to Odd and Even Years -- presented to the Public Safety Committee on June 23, 2009 and introduced at City Council on July 7, 2009

Mr. Uber briefed the Committee on what the City Administrator submitted and had happened so far. Mr. Uber also informed the Committee that the ordinance to stagger the appointment terms of Committee members was scheduled to receive its second reading (final passage) at the July 21, 2009 City Council meeting, as part of the Consent Calendar.

Mr. Anthony expressed his concern that the City Administrator did not forward the Committee’s other recommendations for changes to the enabling ordinance (reducing the number of members needed to establish a quorum and authorizing the Committee to directly lobby outside entities). Chairman Anthony then asked the Committee to authorize him, on behalf of the Committee, to attend the Council meeting on the 21st and communicate the concerns to the Administrator and the Council. Mr. Gieringer made such a motion, second by Mr. Lee, and the motion was adopted with a vote of 5 Ayes (Anthony, Bonett, Gieringer, Lee, and Stephenson) and 1 No (Uber).

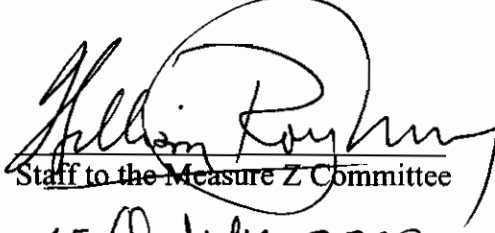
F. Announcements

Mr. Lee announced there will be a discussion of AB 390 and other reform activities at the Oaksterdam University Student Union following the meeting.

Ms. Bonett urged all Oakland residents to vote and return their mail-in ballots for the Special Election, including Measure F, which raises the Medical Cannabis tax rate, which ends on July 21st.

G. Adjournment

There being no further business, and upon the motion duly made, the Measure Z Committee adjourned the meeting at 7:25 p.m.


Staff to the Measure Z Committee
15 October 2009
Date Adopted