



# ONBOARDING PRESENTATION

SAN FRANCISCO CANNABIS OVERSIGHT COMMITTEE



## AGENDA

- Roster of Committee Members
- Legislative Mandate and the Committee's Responsibilities
- What Constitutes a "Meeting"?
- Communications between Members
- Calling a Meeting to Order (individual review)
- How to Call an Item on the Agenda (individual review)
- Creating an Agenda

## ROSTER OF MEMBERS

Seat Number	Stakeholder Interest	Committee Member
Seat 1	Department of Public Health	Mohanned Malhi
Seat 2	San Francisco Police Department	Trenia Wearing
Seat 3	San Francisco Department of Building Inspection	William Strawn
Seat 4	San Francisco Planning Department	Michael Christensen
Seat 5	San Francisco Unified School District	Quarry Pak
Seat 6	San Francisco Entertainment Commission	Dylan Rice
Seat 7	San Francisco Fire Department	Larry Deen

## ROSTER OF MEMBERS

Seat Number	Stakeholder Interest	Committee Member
Seat 8	Owner of a Cannabis Business permitted through the Equity Program	Ali Jamalian
Seat 9	Operator of cultivation, manufacturing, or distribution business with fewer than 20 employees	Aaron Flynn
Seat 10	Rep of organized labor who works with the Cannabis business labor force	Jessica Cry
Seat 11	Rep of organized labor who works with Cannabis delivery service labor force	Dough Bloch
Seat 12	Owner of a storefront cannabis retailer	Shawn Richard
Seat 13	Equity applicant	Leah "Nina Parks" Weitz
Seat 14	Subject matter expertise in state laws and regs	Brendan Hallinan
Seat 15	Experience in workforce and economic development	Theresa Foglio
Seat 16	MCD patient or Medicinal Cannabis patient or involvement in running a Cannabis compassionate use program	Sara Payan

## LEGISLATIVE MANDATE

- Committee created by Ordinance No. 260-18
  - Evaluate data on the growth of the cannabis industry
  - Make recommendations to the Mayor and Board of Supervisors to facilitate socially responsible growth of the City's cannabis industry
    - Job creation
    - Development of economic opportunities

## THE COMMITTEE'S SCOPE OF RESPONSIBILITIES

- Make recommendations on the following:
  - The Office of Cannabis' implementation and enforcement of City laws and regulations relating to Cannabis
  - The effectiveness of City laws and regulations relating to the Equity Program
  - The overall health and stability of Cannabis industry in SF and possible avenues to further help the industry grow and prosper

## WHAT CONSTITUTES A MEETING? (ADMIN. CODE SECTION 67.3(b)(1))

- A majority of voting\* members
- convene at the same time
- and place
- to discuss business within the subject jurisdiction of the committee (decisions do not have to be made)

*\*The Cannabis Oversight Committee has 9 voting members & 7 non-voting members*

## ADMIN. CODE SECTION 67.3(b)(2))

- A series of gatherings
- Outside of a noticed public meeting
- each of which involves less than a majority
- to hear, discuss or deliberate on an item within the subject matter j/x
- if the cumulative result is that a majority of members has become involved in such gatherings

## WHAT DOES THIS MEAN?

Even if a majority of the members of a policy body are not present in one place at one time, an unlawful meeting can still occur.

(Cal. Govt. Code Section 54952.2(b); Admin. Code Sections 67.3(b)(2), (3))

## WHAT DOES THIS MEAN?

Example: An unlawful meeting may occur when one member, or at a member's request of another person, phones or emails a majority of the members to discuss a substantive matter (a seriatim meeting). Whether effected through a series of phone calls or single conference call, or emails or threads, such a meeting is unlawful because it involves a majority of the members.

## IS THIS A MEETING?

Question: Are pre-meetings and post-meetings “MEETINGS”?

Answer: Yes, and they have to be noticed to the public IN ADVANCE

Question: Why?

Answer: Sunshine Ordinance is very specific about when a meeting occurs. A meeting occurs if:

- If a majority gets together
- before or after a scheduled meeting
- to review items on the agenda
- or otherwise discuss matters within the Committee’s j/x

## IS THIS A MEETING?

A meeting does not occur when:

- Minority gets together
- Or otherwise communicates
- Among themselves
- Regarding matters within the Committee’s j/x

**BUT REMBER... a *seriatim* meeting can easily result.**

## NO MEETING WHEN

- Individual communications
- between a person who is not a member of the Committee and a member
- Even if the person cumulatively has contacts or conversations with a majority of the members on the same subject (Cal. Govt. Code Section 54952.2(c)(1))
  - These individual communications must be carefully conducted

## HOW SHOULD MEMBERS INTERACT TO AVOID TRIGGERING A POTENTIAL BROWN ACT VIOLATION?

- Member of the policy body who wishes to provide written materials to a majority of the body should submit the materials to RDA and the other members who receive these materials should refrain from responding until the meeting
- Procedural conversations b/t a majority of members are fine
  - Scheduling a meeting or special meeting
  - Note: Members must take care to ensure that these communications do not veer from procedure to substance and constitute an unlawful seriatim meeting/

## RULES OF CONDUCT: CALLING A MEETING TO ORDER

- Chair welcomes Committee members and members of the public
- Chair announces protocol for providing public comment
  - Distinguishes between “general” and “specific” public comment
    - General: Usually at the beginning or end of the meeting; public comment can be any matter relating to the j/x of the Committee
    - Specific: public comment is limited to the topic of the item on the agenda
      - If the item is only open for discussion, this must happen before or after members discuss
      - If the item is an action item, this must happen before body takes action

## RULES OF CONDUCT: PROCESS FOR CONDUCTING A MEETING

- Resource Development Associates takes roll call of voting members
- Agenda item #2 is introduced: review and consider the meeting agenda
- Next agenda item: approval of minutes
  - Minutes from the previous meeting are reviewed, amended if necessary, and approved for posting
- Move through the remainder of the agenda



## RULES OF CONDUCT: PROCESS FOR CONDUCTING A MEETING

### Example:

- Chair introduces agenda item: “Item # 3. Presentation from the Office of Cannabis.”
- OOC members are invited to present
- Once the presentation is completed, Committee Members may ask questions of the OOC
- Once questions have concluded, Chair can either open the floor for discussion among the members and then take public comment or vice-versa (as long as public comment happens before a vote is taken).

## RULES OF CONDUCT: PROCESS FOR CONDUCTING A MEETING

### Example Continued:

- Once public comment occurs and if a vote is going to be taken, the Chair can open the floor to members for any motions. If so, a motion must 1) be made by a member, and 2) then “seconded” by a different member to be put to a vote
  - Note that an item can only be voted on if the agenda notes that “action” can be taken on the item (second column from the right on the agenda)
- When a motion is seconded, RDA will take an official vote
- After a vote has been taken, the Chair will close the item and introduce the next item on the agenda

## RULES OF CONDUCT: WHAT IF THE COMMITTEE NEEDS MORE TIME? MEMBERS CAN ALSO POSTPONE ACTION ON AN ITEM

- “Adjourn” and “continue,” to postpone or finish an action item at a later time
  - When the meeting is going to go over time
  - When quorum has been lost
  - Committee seeks additional information about an agenda item

## RULES OF CONDUCT: CHEAT SHEET

TO	You Say:	Second Needed	Amendable	Vote Needed
Postpone consideration of something	“I move we postpone this matter until...” “I move to postpone indefinitely	Yes	Yes	Majority
Take up matter previously tabled	“I move we take from the table...”	Yes	No	Majority
Reconsider something already disposed of	“I move we now (or later) reconsider our action relative to...”	Yes	No	2/3
To put an item to a vote	“Are ready for the question. The question is on the adoption of the motion that.... As many in favor, say “Aye.”			
Amending a motion	“Madam Chairman, I move that the motion be amended by adding...”			



## CREATING THE AGENDA

- Chair and Vice Chair will seek input from the Committee about items to agenda-ize for the next meeting at the conclusion of the prior meeting
- Chair and Vice-Chair will work with RDA and the OOC to draft and publish the agenda in accordance with public meetings laws prior to the subsequent meeting.



## Questions & Answers