



MEETING OF THE MEDICAL CANNABIS COMMISSION

City Hall
2180 Milvia Street
Redwood Room (Sixth Floor)

Thursday, February 4, 2016
2:00 PM

APPROVED ACTION MINUTES

I. Call to Order – 2:05

A. Roll Call and Ex Parte Communications

Commissioners present:

Cooper (no ex parte)

Ferguson-Riffe (no ex parte)

Jones (arrived at 2:35, no ex parte)

Pappas (no ex parte)

Rice (ex parte – received an e-mail from representative of the Apothecarium, instructed him to send communication to Commission Secretary),

Tims (no ex parte)

Absent: Lampach (recused due to conflict of interest/excused by councilmember) and Rush.

Staff present: Secretary Elizabeth Greene and Planning Intern Annelise Dohrer

B. Changes to Order of Agenda

Motion/second to move approval of minutes before public comment and to move Item IV.B (Vote on MCC representative) before Item IV.A (Consideration of fourth dispensary) (Rice/Ferguson-Riffe). Motion carried 5-0-0-3. (Ayes: Cooper, Ferguson-Riffe, Pappas, Rice, Tims. Noes: None. Abstain: None. Absent: Jones, Lampach, Rush.)

III. Approval of Minutes

Chair Pappas asked that the minutes be amended to correctly reflect a statement he made in his Chair Report. The last sentence of Item V. shall be changed as follows: “Disappointed in general at the lack of participation, involvement, attendance from local medical cannabis dispensaries that only one dispensary was involved in MCC meetings last year.”

Motion/second to approve the amended minutes. The motion carried 5-0-0-3. (Ayes: Cooper, Ferguson-Riffe, Pappas, Rice, Tims. Noes: None. Abstain: None. Absent: Jones, Lampach, Rush.)

Chair Pappas gave a report. He urged the MCC and public to support the Planning Commission changes to the Zoning Ordinance, which will go before the City Council on February 23, 2016. He also mentioned the Mayor’s opposition to new dispensaries,

II. Public Comment

None.

IV. Discussion and Action Items

B. Vote on MCC representative for February 23, 2016 Council meeting: Berkeley Municipal Code Changes

A. Consideration and recommendation to City Council regarding Fourth Medical Cannabis Dispensary

Public Comment: 31 comments. Comments included testimony in support of individual dispensaries, one concern about impact of dispensary on neighborhood, and brief remarks from representatives of five of the six applicants.

(Commissioner Jones arrived during the public comment.)

MCC Discussion: Some MCC members expressed some frustration with the limitation to only one additional dispensary, and suggested recommending that the Council select more than one applicant. General agreement that the process was very difficult, since more than one applicant appears qualified. There were also procedural questions about the possibility of ownership changes after selection. There was discussion about sending all six applicants to the Council with an equal recommendation versus making a recommendation supporting one or more. There was also discussion regarding the type of recommendation to make, and how to come to a decision. It was determined that a recommendation of some kind should be made and that the recommendation should come from the MCC as a whole, not each individual Commissioner.

3:45 – 3:55 – 10 minute break

The MCC resumed discussion. The Commissioners asked questions of each applicant, related to:

- Status of proposed site
- Source of funding
- Possibility of buy-out by lenders
- Parking for proposed site
- Time needed to open
- Business plan
- Neighborhood concerns and relationship to neighborhood
- Other locations, existing and proposed

Discussion continued regarding how many applicants to recommend to the Council. Motion/second to recommend three applicants to the Council, and that each Commissioner should vote for his/her top three candidates to determine the three to recommend to Council (Cooper/Ferguson-Riffe). Motion carried 5-1-0-2. (Ayes: Cooper, Ferguson-Riffe, Jones, Rice, Tims. Noes: Pappas. Abstain: None. Absent: Lampach, Rush.)

Each Commissioner stated his/her top three choices:
Jones: BIH, BCCC, iCANN

Tims: iCANN, BIH, BCCC
Rice: iCANN, Apothecarium, BIH
Cooper: iCANN, Apothecarium, BIH
Ferguson-Riffe: iCANN, BCCC, BIH
Pappas: BCCC, Apothecarium, iCANN

Final tally:

Applicant Name	Votes
iCANN	6
Berkeley Innovative Health	5
Berkeley Compassionate Care Center	4
The Apothecarium	3
The Cannabis Center	0
Blum Boutique	0

C. Election of Officers

No discussion – continued to March 3rd meeting.

VII. Adjournment

Meeting adjourned at 5:15 PM.

28 late items were distributed at the meeting. See the updated packet for the February 4, 2016 meeting to view the late items:

[http://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3 -
_Commissions/Commission for Medical Cannabis/2016-02-04 MCC Packet%20.pdf](http://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Medical_Cannabis/2016-02-04_MCC_Packet%20.pdf)

Commissioners in attendance: 6

Members of the public in attendance: Approximately 75

Public speakers: 31

Length of meeting: 3 hours, 10 minutes

APPROVED: _____

Elizabeth Greene

Medical Cannabis Commission Secretary