

## Thao, Sheng

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**From:** Kaplan, Rebecca  
**Sent:** Tuesday, October 18, 2016 7:17 PM  
**To:** Parker, Barbara; Moreno, Doryanna; Fierro, Rocio; Bee, Maria; Minor, Gregory  
**Cc:** Thao, Sheng; Holtan, Laura E.  
**Subject:** Requests for drafting for cannabis item

I would like to request the City Attorney's assistance to draft the following provisions regarding cannabis. I would like the items to be structured in such a way that they could be added as amendments to potential proposals from other members.

Specifically:

- 1) Adding an administrative appeals procedure option for permit denials
- 2) Adding a broad administrative remedies provision for anyone's objections to any component of the law, regulation, or implementation decisions
- 3) Adding an "exhaustion of administrative remedies" provision whereby anyone wishing to litigate specific provisions or specific decisions is required to first seek administrative remedies prior to bringing lawsuit
- 4) Adding definition of who is considered "owners" when considering an application from a non-profit, to be the Executive Director and all members of the Board of Directors.
- 5) Adding clarification that cooperatives may apply, and that any requirements applying to any "person" shall also apply to a group of persons e.g. operating as a cooperative. (And all members of a worker-owned cooperative are considered "owners")
- 6) Adding a provisions allocating a portion (20%) of the cannabis-related Gross Receipts Tax to be dedicated to funding a specified list of functions:
  - a) 1/3 to job training/job matching/access programs (specific programs to be selected in the future through a publicly-approved process)
  - b) 1/3 to local urgent needs including blight abatement, illegal dumping removal and enforcement, graffiti abatement, homeless alternatives/services/navigation and related needs. Divided into equal shares per council office for allocation.
  - c) 1/3 to start-up loans for lower-income applicants/under-served communities.
- 7) Allowing permit/application fee to be waived for lower-income applicants.
- 8) Allowing lower-income/under-served applicants to apply for a reduction of up to 50% in their annual gross receipts tax rates, annually, for up to two years.
- 9) Adding clarification that Oakland has historically required vertical integration of our dispensaries, and continues to allow our permitted dispensaries to also cultivate/manufacture.
- 10) Adding a provision explaining how payment of back taxes and back fees will be handled for anyone who had already been in operation but hadn't paid those -- based on how back fees and taxes are handled in other, non-cannabis situations.

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ORSA/CC  
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