

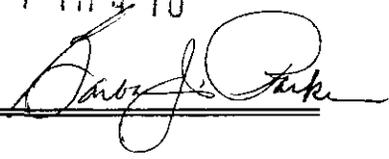
REVISED

ORDINANCE NO. _____

C.M.S.

05 JUL -7 PM 4:10

INTRODUCED BY COUNCILMEMBER _____



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

WHEREAS, on November 2, 2004, the voters of the City of Oakland enacted the Oakland Cannabis Regulation and Revenue Ordinance, a voter initiative commonly referred to as Measure Z; and

WHEREAS, Measure Z became effective on December 7, 2004; and

WHEREAS, Measure Z makes the investigation, citation and arrest for private adult cannabis (marijuana) offenses (e.g. use distribution, sale, cultivation and possession of cannabis for medical and non-medical purposes) the City of Oakland's lowest law enforcement priority; and

WHEREAS, Measure Z also creates an eleven member, advisory Community Oversight Committee to oversee the ordinance's implementation and provides that the committee shall include one community member appointed by each City Councilmember, one community member appointed by the Mayor, one representative appointed by the Oakland City Auditor and one representative appointed by the City Administrator; now therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. It shall be the function and duty of the Community Oversight Committee to oversee implementation of the Lowest Law Enforcement Priority Policy and ensure timely implementation of Measure Z by:

- a. advising the Council of concerns, issues regarding the lowest law enforcement policy for private adult cannabis offenses;
- b. making recommendations to the Council regarding the policy implementation; and
- c. reporting annually to the Council on the implementation of Measure Z.

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Section 2.

a. The Committee shall consist of eleven (11) members. The Mayor shall appoint one community member. Each Councilmember shall appoint one community member. The Committee also shall include one representative of the City Administrator and one representative of the City Auditor. Members must reside in the City of Oakland at time of their appointment and for the duration of their term and should have the appropriate skills and expertise to carry out the duties of the Committee.

b. Six members shall constitute a quorum.

c. The members shall be appointed to terms of two years, said term to commence upon the first day of August 2005, except that an appointment to fill a vacancy shall be for the unexpired term only. Members may be reappointed to subsequent terms.

Section 3.

a. A vacancy on the Community Oversight Committee will exist whenever a member dies, resigns, ceases to reside in Oakland or is removed.

b. Committee members shall serve at the pleasure of their appointing authority.

Section 4. The members shall elect a chairperson and a vice chairperson, who shall serve for a one year term. The Community Oversight Committee shall meet at City Hall, and at an established date and time suitable for its purpose. Such meetings shall be designated regular meetings. All meetings shall be held in accordance with the state and municipal open meeting laws (Brown Act and Sunshine Ordinance).

Section 5. The Community Oversight Committee, in consultation with the City Administrator, shall establish rules and procedures for the conduct of its business by a majority vote of the members present. Voting shall be required for the adoption of any motion or resolution. The Community Oversight Committee may make reports, and recommendations either to the City Administrator or the City Council, as appropriate. An annual report will be presented in writing to the City Council. Recommendations from the Community Oversight Committee shall be carefully and fully considered by the City Administrator before they are presented to the Council. However, if the City Administrator rejects the Committee's recommendation(s), the Committee may submit recommendations to the Council for consideration, as appropriate.

Section 6. The City Administrator, or a designee, may provide the Community Oversight Committee with staff assistance and a representative of the City Attorney's Office shall attend the committee meetings as appropriate.

Section 7. The Community Oversight Committee may not create any Standing Committees for the purpose of delegating any of the Committee's decision-making or duties, but may form ad hoc committees as needed.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and
PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

LaTonda Simmons, City Clerk
And Clerk of the Council of the
City of Oakland, California

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