

**BYLAWS OF THE COMMUNITY OVERSIGHT COMMITTEE
CREATED BY NOVEMBER 2, 2004 BALLOT INITIATIVE MEASURE Z,
ENTITLED “OAKLAND CANNABIS REGULATION AND REVENUE ORDINANCE”**

ARTICLE I

NAME

The name of this organization is the Cannabis Regulatory Commission.

ARTICLE II

PURPOSE

It is the purpose of the Cannabis Regulatory Commission (hereinafter referred to as “CRC”), created by Measure Z, to oversee implementation of the Lowest Law Enforcement Priority Policy and ensure timely implementation of Measure Z by:

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

ARTICLE III

FUNCTIONS

As provided by City Council [Ordinance No. 12694 C.M.S.](#), which established the procedures of the Commission and provides the terms and responsibilities of the Commission members, the Commission will advise the City Council of concerns and issues regarding the lowest law enforcement policy for private adult cannabis offenses, make recommendations to the City Council regarding the policy implementation, and report annually to the City Council on the implementation of Measure Z.

The CRC will work with other boards, commissions and City staff, as appropriate to encourage coordination of City efforts. With respect to Measure Z related functions or responsibilities of another board, commission or department of the City, the CRC will provide assistance and advice to such board, commission or department upon request.

ARTICLE IV

MEMBERSHIP

Measure Z created an eleven-member, advisory Community Oversight Committee that includes one community member appointed by each City Councilmember, one community member appointed by the Mayor, one representative appointed by the City Auditor, and one representative appointed by the City Administrator. Committee members must reside in the City of Oakland at the time of appointment and throughout the term and should have the appropriate skills and expertise to carry out the duties of the Commission.

Each member shall be appointed to a term of two (2) years, with each term commencing on the first day of August of odd numbered years, except that an appointment to fill a vacancy shall be for the unexpired term only. Members may be reappointed to subsequent terms. If a member has not been reappointed or replaced upon the expiration of his or her appointed term, that member may remain in hold-over status for up to one (1) year, but may be replaced by the appointing authority at any time during the hold-over period.

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

Commission members serve at the pleasure of their appointing authority.

No member of the Commission may cast a vote on or participate in a discussion by the Commission on any matter which would provide a reasonably foreseeable and material financial benefit to such member or a member of his or her immediate family, or on any other matter which would result in the member violating any governmental conflict of interest law or regulation.

Any Commission member with a conflict of interest on a matter must recuse themselves from any vote of the Commission on the matter, must publicly announce such recusal and the nature of his or her conflict of interest on the record, physically leave the room or turn off video camera, and must refrain from discussing the matter formally or informally with other Commission members, either in a meeting or outside a meeting.

Commission members must adhere to all applicable laws, rules, and regulations, including fulfillment of responsibilities as enumerated in the most up-to-date version of the City of Oakland Public Ethics Commission Handbook for Board and Commission Members.

ARTICLE V OFFICERS

The members shall elect a chairperson and a vice chairperson who shall serve for a two (2) year term. Upon conclusion of their two (2) year term of office, office holders shall be barred from standing for the same office for the succeeding four (4) years, unless two-thirds (2/3) of the total CRC's membership (8 affirmative votes) vote to override the term limit.

ARTICLE VI MEETINGS

The CRC shall meet in City Hall or if authorized by law, via telephone or videoconference, at an established date and time suitable for its purpose. Six members of the Committee shall constitute a quorum for the purpose of conducting meetings. Other meetings scheduled for a time or place different from that established for regular meetings shall be designated special meetings. All meetings shall be held in accordance with the Ralph M. Brown Act (Government Code section 54950 et seq.) and the City of Oakland Sunshine Ordinance (Oakland Municipal Code Chapter 2.20).

ARTICLE VII RULES AND PROCEDURES

The CRC, 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; provided that a quorum for the conduct of business is six members. Voting shall be required for the adoption of any motion or resolution. The business of the Commission shall be conducted, in so far as it is practicable, in accordance with parliamentary rules contained in *Robert's Rules of Order Newly Revised*, as it may be amended from time to time, except as modified by these bylaws and in compliance with the state open meeting laws (Brown Act, Government Code section 54950 et seq.) and local Sunshine Ordinance (Oakland Municipal Code Chapter 2.20).

The discussion of an agenda item shall proceed as follows:

- (a) Either the Commission Member who agendized the item or staff will provide a brief report regarding the item;
- (b) Members of the public will have an opportunity to speak once on the item, either in person or via remotely via teleconference;
- (c) Commission members will have an opportunity to deliberate the item and ask related questions of staff or members of the public; and
- (d) Commission members will have an opportunity to make a motion related to the disposition of item.

Two minutes shall be the maximum time provided to a public speaker providing comment on an agenda item or at open forum.

ARTICLE VIII REPORTS AND RECOMMENDATIONS

The CRC shall make reports, findings 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.

However, recommendations from the CRC shall be carefully and fully considered by the City Administrator before they are presented to the Council. If the City Administrator rejects its recommendation(s), the CRC may submit the recommendation(s) to the City Council for consideration, as appropriate.

ARTICLE IX STAFF

The City Administrator, or a designee, may provide the CRC with staff assistance and a representative of the City Attorney's Office will attend committee meetings as appropriate.

**ARTICLE X
COMMITTEES**

The CRC may not create any Standing Committees for the purpose of delegating any of the Commission's decision-making or duties, but may form ad hoc committees as needed to examine, study, review matters/issues and present their analyses, proposals, findings, recommendations to the Commission for its consideration and action.

**ARTICLE XI
AMENDMENTS OF BYLAWS**

Bylaws may be amended, or new Bylaws adopted, at any regularly scheduled meeting of the CRC provided that notice of the proposed action shall have been sent to each member of the CRC at least fifteen (15) days before said meeting. A two-thirds (2/3) vote of the total CRC's membership (8 affirmative votes) shall be required to amend and/or adopt new Bylaws. The CRC may amend without permission of the City Council, Office of the City Administrator, or Oakland Police Department only those provision of these Bylaws that do not give the Commission powers that are reserved for the City Council/ City of Oakland, Office of the City Administrator, or the Oakland Police Department.

ATTEST: _____



Greg Minor

Staff to Cannabis Regulatory Commission