

Tremaine Wright: Hello and welcome everyone, I am Tremaine Wright the Chair for Cannabis Control Board. Recognizing that we have all present, Jen Metzger in Albany with myself and Board members Jessica Garcia, Rubin McDaniel and Adam Perry attending remotely. I am pleased to call to order the fifth meeting of the Cannabis Control Board and to welcome all of you who are participating via real time live stream. As we have previously stated, it is our hope that in the near future, we will be able to safely have these meetings in person. But for now, we will continue to invite the public to attending remotely to protect the health and safety of all participants. As always, this meeting will be recorded and the recording and transcript will be available to the public on the Office of Cannabis Management's website; cannabis.ny.gov. Please note, there is a designated section on the website where information on Cannabis Control Information on Cannabis Control Board Meetings are available on a designated section of the LCM website. Today's agenda will include some welcoming brief remarks from my self, a review and approval of the meeting minutes from the Cannabis Control Board meeting held on December 16th, consideration of the delegation of hiring authority from the Board to the Executive Director, consideration of a service level agreement for the OCM Call Center, discussion of the recently announced social and economic equity fund, a report from the Office of Cannabis Management's Executive Director, Chris Alexander, and then the Board will proceed into Executive Session to discussed proposed, pending or current litigation matters and then we will adjourn.

So, let's get started with our first Board Meeting of 2022. This promises to be a year of action for Cannabis in New York State and we're excited for the steps ahead. First, we continue to recruit top talent to the Office of Cannabis Management. With each new initiative and project that we've taken on, I get the opportunity to engage with the growing team in our office and I have to say, I'm just so excited about the team on board and those joining soon. Job postings are being added on a rolling basis, so please continue to monitor the OCM website to view opportunities.

This month, we have an opportunity to meet with members of the Legislature including Black, Puerto Rican, Hispanic and Asian legislative caucus to update them on our progress and seek their partnership in raising awareness for a series of community outreach and education events that we're calling Cannabis Conversations. Meanwhile, Governor Hochul has taken a huge step forward in bringing life to New York's social and economic equity program. I'm thrilled that the Governor's Executive Budget includes the creation of the New York Social Equity Cannabis Investment Fund with a public/private partnership. The funds will grow to \$200 million and provide capital funding to eligible equity applicants for communities impacted by disproportionate policing during decades long of cannabis prohibition. When I speak to other states about what some of the biggest challenges were in implementing social equity in adult use markets, by far and away the most common response is the lack of access to capital. I'm thrilled that New York will be working to address this right out the gate. Later, in today's agenda, we'll hear more of the fund from Board Member Rubin McDaniel.

So switching gears to a matter of procedure. The first order of business is the review and approval of the meeting minutes from the December 16th Cannabis Control Board. However, before we move much further into today's proceedings, I would like to make some brief remarks about Open Meetings Law. As stated at every Board Meeting, the Cannabis Control Board is subject to the Open Meetings Law which is intended to ensure the greatest levels of transparency and public participation in the affairs of the government. Due to the ongoing pandemic, we have requested that members of the public join us via video conference which we will continue to offer to keep the public and members of this body safe.

Now, I'll read a brief statement on Open Meetings Law into the record. Pursuant to Chapter 1 of the Laws of 2022 enacted on January 14, 2022, Board members may continue to fully participate in meetings via video conference from locations that are not open to the public, provided that the public has the ability to view or listen to such proceedings, and the meetings are recorded and later transcribed. The new law sunsets on February 14, 2022. The public was been provided with information on how to access this meeting within the Public Meeting Notice that was distributed to members of the press and posted on the OCM website. A recording of this meeting together with the transcript will also be available on the OCM website. Previous recordings, meeting minutes, and transcripts are archived on the OCM website as well. However please note, there is a designed tab on the website entitled Board Meetings which provides access to this information. May I please have a motion to approve the December 16th, 2021 Board meeting minutes.

Male: So moved.

Tremaine Wright: Thank you may I have a second on the motion?

Jen Metzger: Second.

Tremaine Wright: Thank you. That was Jen Metzger. Is there any discussion by any Board member? Hearing none, I will call for a vote. All in favor?

All: Aye

Tremaine Wright: Opposed, abstentions, none. The motion to approve the December 16th, 2021 Board Meeting minutes carries.

The next order of business is the consideration of the delegation of hiring authority from the Cannabis Control Board to the Executive Director of the Office of Cannabis Management resolution #2022-01. It's our first resolution of the year. May I please have a motion to consider and approve resolution #2022-01 Resolution delegating to the Executive Director of the Office of Cannabis Management the authority to exercise employment decisions relating to Officer of Cannabis Management employees except certain decisions concerning employees in certain titles.

Adam Perry: So moved.

Tremaine Wright: Thank you Mr. Perry. Can I have a second on the motion.

Jessica Garcia: I'll second.

Tremaine Wright: Thank you Jessie. Mr. Alexander, could you please explain briefly and offer your recommendations?

Chris Alexander: Absolutely, thank you Madam Chair. The Cannabis Law grants to the Board both authority to appointment all directors as necessary including counsels, deputies, assistants, investigations and other employees and the authority to delegate that power to the Executive Director. This resolution is in front of the Board, it will help streamline OCM's hiring and on-boarding as we continue to grow the agency.

Tremaine Wright: Thank you Mr. Alexander, is there any discussion, question or comment by any Board member? I will call for a vote. Ms. Metzger?

Jen Metzger: Aye.

Tremaine Wright: Ms. Garcia?

Jessica Garcia: Aye.

Tremaine Wright: Mr. McDaniel?

Rubin McDaniel: Aye.

Tremaine Wright: Mr. Perry?

Adam Perry: Aye.

Tremaine Wright: I vote in favor as well. The motion to approve resolution number 2022-01 Resolution delegating to the Executive Director of the Office of Cannabis Management the authority to exercise employment decisions relating to Office of Cannabis Management employees except certain decisions concerning employees in certain titles carries.

Concerning the next order of business, may I please have a motion to consider and approve resolution #2022-02 Resolution to Authorize the Executive Director of the Office of Cannabis Management to enter into a service level agreement between the New York State Office of Children and Family Services, Human Call Services Call Center and the Office for the Provision of Call Handling Services.

Jen Metzger: So moved.

Tremaine Wright: Thank you Ms. Metzger, can I have a second on the motion?

Rubin McDaniel: I second.

Tremaine Wright: Mr. Alexander could you please explain background briefly and offer your recommendations?

Chris Alexander: Absolutely, Madam Chair. This resolution authorizes OCM to enter into a service level agreement with the Office of Children and Family Services for call center functions. This call center has been in operation for some time, has handled answers level 1 questions that have come in from the public to that call center related to the Medical and Cannabinoid Hemp Program. We're looking to extend that call center and extend the service to also the Adult-Use Program.

Tremaine Wright: Thank you Mr. Alexander. Is there any discussion, question or comment by any board member? I'll call for a vote. Ms. Metzger.

Jen Metzger: Aye.

Tremaine Wright: Miss Garcia?

Jessica Garcia: Aye.

Tremaine Wright: Mr. McDaniel?

Rubin McDaniel: Aye.

Tremaine Wright: Mr. Perry.

Adam Perry: Aye.

Tremaine Wright: And I vote in favor as well. The motion to approve Resolution #2022-02 Resolution to authorize the Executive Director of the Office of Cannabis Management to enter into a service level agreement between the New York State Office of Children and Family Services, Human Call Service Call Center and the Office for the Provision of call handling services carries.

As mentioned at the beginning of the core, we decided to dive deeper into the details of the Social and Economic Equity Fund. I would now like to invite Board Member Rubin McDaniel to present an overview of the fund.

Rubin McDaniel: Thank you Madam Chair I appreciate that and this is an exciting day for the Office of Cannabis Management certainly. We certainly want to thank the legislature for such a bill that was so aggressive around social equity and for our governor, Governor Hochul for her support in recognition that access to capital is one of the real difficulties other social equity applicants have had around the country in implementing these programs. This \$200 million

public/private fund is the beginning of our work on helping candidates get access to capital. We certainly have more work to do in other parts of the areas of cannabis, but I'm very excited about this one. This will allow us to assist our social equity applicants who are interested in retail licenses have the funding they need for capital improvements to open their facilities in a timely manner. So that as the Board and the staff roll out licenses, we will also be able to help with facilitating the build-out of facilities to execute on those licenses. So it's a very exciting program. DASNY, Dormitory Authority of the State of New York, will assist the Office of Cannabis Management in overseeing the site location of potential sites, the design and build-out of those sites, and facilitate getting our equity applicants into those sites so the capital and leasing will not be an impediment to them being successful. We anticipate this will be a \$200 million fund, a portion of which will be funded from the Office of Cannabis Management revenues, but also from private investors. I've been working on this with other members of the Board and the staff for the past several months. We've also worked with several folks inside the state and I believe we've created a mechanism that allows us to get going quickly so that these funds will be available to start as we begin issuing licenses. So, we still have a lot of work to do on the final development of the fund, getting everything in place. We will have more to talk about in future board meetings but this is an exciting moment for the Office of Cannabis Management in that we're able to address an issue that the Governor, the Board Members and everyone who works for the Office of Cannabis Management recognizes and that is, if you don't have access to timely capital and capital is efficient, a lot of our social equity applicants we're trying to help get into this business who have been disproportionately impacted by the negative or the policing of marijuana laws, this will allow them to get into business in a way that other states have not been able to achieve. I'm just very excited about us being a real leader in this industry and look forward to working with everybody on this project. Madam Chair.

Tremaine Wright: Thank you for that update. I think everyone is so excited and looking forward to learning more about it. At this time, I'd like to ask our Executive Director to please come forward and provide us with an update on the Medical Cannabis Program.

Chris Alexander: Thank you Madam Chair. As you know, good afternoon everyone and thank you Board Members for Member McDaniel for that presentation. As you know, we've been up and running here at the Office of Cannabis Management for a couple of months now. We started with the expansion of the existing medical program pursuant to the implementation of the MRTA. In the fall we allowed for the sale of whole flower, we expanded the list of commissions who can certify medical cannabis patients. We permanently waived the \$50 fee and we've advanced public comment for regulations allowing the home cultivation of medical cannabis. We've taken steps to further implement the MRTA and expand the medical cannabis program to now allow commissions to certify patients for any clinical condition per their clinical discretion which will greatly improve access and allow patients to see if medical cannabis can be right for them. This is a huge addition and improvement to the program that I'm really excited about.

Yesterday an alignment with this change, we launched a new medical cannabis data management system that adds that clinical change for determining eligible conditions and streamlining the user experience. Additionally, as stated, the public comment period on the medical cannabis home cultivation regulations has now closed. Over the last few months, we've received 160

comments from a wide range of stakeholders. The office is currently beginning the work to conduct an assessment and provide a formal response to those comments.

Next, as it relates to the Opt-out, that deadline for the opt-out by municipalities of retail and on-site consumption activity ended on December 31st of 2021. Data has been received followed by locales with the Cannabis Control Board through a web based portal shows that 10% of cities and 34% of municipalities have opted out of retail dispensaries and onsite consumption lounges. For context, more than 11 million New Yorkers live in cities and only 118,000 live in cities that have opted out. So we are assured there will still be wide access to cannabis and to the business opportunities that we're creating here. As a reminder, municipalities that have already opted out are able to opt back into the program at any point in time. And another reminder municipalities cannot otherwise prohibit other cannabis businesses and conduct that was made legal with the passage of the MRTA including possession and use by adults over the age of 21.

Lastly, I'm thrilled to expand on what the Chair mentioned earlier that the office will be rolling out a virtual community engagement campaign called "Cannabis Conversations." We will be hosting a series of regional conversations and on in language Spanish session. The schedule is pictured here on the slide. Please register for your region at the link provided on the slide and feel free to submit questions to the office in advance. The link will also be posted on the OCM website Cannabis.ny.gov. We wish we could join you in person and we look forward to a day when we can, but in the interest of public health, we're going to host these sessions virtually. Please note, once we are able, we will get out there, we will tour the state and engage with you in person. These conversations represent the first OCM engagement series and there will be many, many more to come. Thank you Madam Chair.

Tremaine Wright: Thank you for that update, Chris. And everyone please note that the time, location and the live stream link will be shared on cannabis.ny.gov in advance of the next Cannabis Control Board Meeting. A recording of today's meeting, meeting minutes and a transcription will be posted as well. And that concludes today's public agenda items. Concerning the next order of business, may I please hear from the General Counsel Mr. Sam Luger.

Sam Luger: Actually Madam Chair I'll jump in here. I'm requesting an opportunity to speak to the Board in Executive Session to discuss pending proposed or current litigation.

Tremaine Wright: May I have a motion to consider and approve the Executive Session to discuss the proposed pending or current litigation? Thank you, Mr. Perry. Can I get a second?

Rubin McDaniel: Second.

Tremaine Wright: Thank you Mr. McDaniel. The motion to approve the Executive Session to discuss the proposed pending or current litigation carries. To my fellow Board Members we will now move into Executive Session, everyone else, the screen will now go blank. We will return

for the limited purpose of adjourning this meeting. The Executive Session has concluded may I please have a motion to adjourn this meeting?

Jen Metzger: So moved.

Tremaine Wright: Thank you Ms. Metzger and a second from you Miss Garcia? Okay thank you. Is there any discussion by any Board Member? Hearing none I'll call for a vote. All in favor?

All: Aye.

Tremaine Wright: The motion to adjourn this meeting carries. Thank you all for your patience as we went into Executive Session. We have now concluded today's business and we will now adjourn.