

July 29, 2021 PANEL MEETING

STAFF COPY

Executive Director



GOVERNOR GAVIN NEWSOM

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY Secretary Lourdes M. Castro Ramírez



MEMBERS OF THE PANEL

Dr. Diandra Bremond – Chairperson, Los Angeles County Sharon-Frances Moore, J.D. – Member, San Diego County Majority Leader Ian Calderon – Member, Orange County

LOCATION

Cannabis Control Appeals Panel 400 R Street Sacramento, CA 95811 **Note:** Video Conference Only

MEETING DATE AND TIME

Thursday, July 29, 2021 1:30 p.m. to 3:00 p.m. (or conclusion of business)

NOTICE TO THE PUBLIC

Pursuant to Executive Order N-29-20 and N-08-21, certain provisions of the Bagley Keene Open Meeting Act are suspended due to a State of Emergency in response to the COVID-19 pandemic. Consistent with the Executive Order, the Cannabis Control Appeals Panel (CCAP) meeting will occur remotely, with no physical meeting location. CCAP will be using the video conferencing service, Zoom, to host the meeting and allow for remote public participation.

If you have any questions or comments regarding the meeting, or addressing the Panel, or requesting special accommodations during the Public Comment portion of the meeting, contact us by email at info@ccap.ca.gov or by calling (916) 322-6870 one week prior to the Panel meeting.

Join Zoom Video Meeting

https://us02web.zoom.us/j/83963692601?pwd=S1h2ZUk0RytoMmlNNkNFTjFLc0Vrdz09

Meeting ID: 839 6369 2601

Passcode: 586394

Call-In Information: 1-669-900-9128 US

Meeting ID: 839 6369 2601

Passcode: 586394

Item 1 Call or Order and Establishment of Quorum

Action Item

Dr. Diandra Bremond, Chairperson

Item 2 Approval of June 8, 2021, Meeting Minutes

Action Item

Dr. Diandra Bremond, Chairperson

Item 3 Presentation on Establishment of the Department of Cannabis

Information Item

Control, AB-141 Budget Act of 2021, and Provisional Licenses Christina Dempsey, Acting Deputy Director, Department of

Cannabis Control

Item 4 Executive Director Report Information Item

Anne Hawley, Executive Director

Item 5 Finalize Values, Goals, and Mission Statement Action Item

Anne Hawley, Executive Director

Item 6 Panel Member Handbook Revision – Hiring Process for Executive Action Item

Director

Anne Hawley, Executive Director

Item 7 Public Comments on Items Not on the Agenda Information Item

The Panel may not discuss or act on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting. [Government Code

Sections 11125, 11125.7 (a)]

Item 8 Future Agenda Items Procedural Item

Dr. Diandra Bremond, Chairperson

Item 9 Adjournment Procedural Item

Dr. Diandra Bremond, Chairperson

NOTICE TO THE PUBLIC

The public may provide appropriate comment on any issue before the panel at the time the item is discussed. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment. Total time allocated for public comment may be limited.

All times are approximate and subject to change. The meeting may be cancelled without notice. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. Action may be taken on any item on the agenda. Time limitations for discussion and comment will be determined by the Chair.

This panel meeting is open to the public and is accessible to the physically disabled. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting Christopher Phillips at (916) 322-6870. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

Interested parties should access the Panel's website for the meeting agenda and more information at http://www.ccap.ca.gov/. Requests for further information should be directed to Christopher Phillips at (916) 322-6870 or in writing to: Cannabis Control Appeals Panel, 400 R Street, Suite 320, Sacramento, CA 95811



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AGENDA ITEM 1

CALL TO ORDER AND ESTABLISHMENT OF QUORUM

NO MATERIALS FOR ITEM 1

AGENDA ITEM 2 APPROVAL OF JUNE 8, 2021 **MEETING MINUTES**



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Open Session Meeting Minutes

Tuesday, June 8, 2021 10:00 am – 10:35 am

Cannabis Control Appeals Panel 400 R Street Sacramento, CA 95811

Members present via teleconference:

- Dr. Diandra Bremond, Chairperson (in Los Angeles County)
- Sharon-Frances Moore, J.D. (in San Diego County)
- Majority Leader Ian Calderon (in Orange County)

Staff present via teleconference:

- Anne Hawley, Executive Director, Cannabis Control Appeals Panel
- Christopher Phillips, Chief Counsel, Cannabis Control Appeals Panel
- Sarah M. Smith, Senior Staff Attorney, Cannabis Control Appeals Panel
- Brian Hwang, Staff Attorney, Cannabis Control Appeals Panel

Public present via teleconference:

- Patrick Babajanian
- Shannon Gibson

Summary:

1. Call to Order and Establishment of Quorum.

Chairperson Diandra Bremond called the teleconference meeting to order at 10:00 am.

Sarah Smith took the roll call vote. Panel Members Diandra Bremond, Sharon-Frances Moore, and Ian Calderon were present. A quorum was established.

2. Approval of May 5, 2021 Meeting Minutes.

Chairperson Bremond asked the Panel if there were any additions or corrections to the minutes of the May 5, 2021 meeting. There were no additions or corrections. No comments from the public.

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Motion (Moore): Approve the minutes of the May 5, 2021 meeting as submitted. Seconded (Calderon). Sarah Smith took a roll call vote on the motion. Motion passed 3-0.

3. Executive Management Report.

Executive Director Anne Hawley presented the Executive Staff Report.

Hawley opened by stating she will provide a detailed end-of-the-year financial report at the next meeting. As of today, CCAP's budget for 2020-21 Fiscal Year was \$3,058,000. CCAP's projected year-end expenditures is \$1,753,000. Hawley will provide a more detailed accounting once the fiscal year ends on June 30.

Hawley moved onto discuss the online portal for CCAP's case management system. The Department of General Services' One-Time Acquisition Unit approved CCAP's purchase and development of the portal – which will cost around \$31,000. CCAP will begin engaging with its partners and consultants to map out the project's timeline. Hawley will keep the Panel updated when there is more information to share.

With the upcoming consolidation and creation of the new Department of Cannabis Control on July 1, CCAP's legal team will be conducting a review of CCAP's administrative regulations and website content. It is anticipated that CCAP's regulations will not have to undergo any substantive changes. While it is expected that most of the changes will be grammatical, CCAP will continue to review its current regulations in a wholistic and detailed manner. Updates regarding changes to CCAP regulations will be provided in future panel meetings.

No comments from the Panel. No comments from the public.

4. Review and Approve: Values, Goals, and Mission Statement.

Executive Director Hawley presented on CCAP's draft statements of its values, goals, and mission.

Strategic planning is a long-term, future-oriented process of assessment, goal setting, and strategy building that takes account of present circumstances and maps out the future of CCAP. It requires CCAP to reflect on its current capabilities and work environment. This process will lead to a clearer prioritization of resources, decision-making based on those priorities, and ultimately leading to the creation of a strategic plan. The three components of the strategic plan include determining CCAP's mission statement, the core values that drive CCAP, and CCAP's desired goals.

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CCAP's strategic planning process began in summer of 2019. Representatives from the Department of Consumer Affairs (DCA) helped facilitate a missions, visions, and values workshop with CCAP staff. Through that workshop in July 2019, CCAP staff developed draft concepts for CCAP's strategic plan. Unfortunately, the strategic planning encountered delays due to a lack of quorum and then the onset of the COVID-19 pandemic.

The draft mission statement, as developed by CCAP staff, is for the Panel to provide "fair, accessible, and timely quasi-judicial resolution of appeals from cannabis licensing decisions." Hawley asked for comments or questions from the Panel. Chairperson Bremond asked if "resolution" should be plural. Senior Staff Attorney Sarah Smith responded she is very certain that "resolution of appeals" is the correct grammatical usage. No other comments from the Panel.

The draft vision statement is "cultivating a transparent and respectful forum for cannabis businesses within all California communities." Hawley asked for comments or questions from the Panel. Chairperson Bremond complimented the inclusion of "cultivating" in the vision statement. No other comments from the Panel.

The draft statement of CCAP's values includes efficiency, fairness, professionalism, respect, and transparency. Hawley asked for comments or questions from the Panel. No comments from the Panel.

Hawley next discussed CCAP's draft statement of its strategic goals. The first strategic goal is decision making – "ensuring appeals from licensing agency decisions are resolved in a fair and timely fashion." Hawley asked for comments or questions from the Panel. Panel Member Moore commented this strategic goal looks narrowly focused and suggested the goal should add something in addition to the licensing agency. Chairperson Bremond asked if all appeals will be coming from the licensing agency. Senior Staff Attorney Smith answered that a revision here is appropriate. Smith suggested that the goal should be rephrased as "ensuring appeals from decisions of the licensing agency" because the appeal will always be filed by license holders, not the agency. The decision that the Panel will be reviewing will be a decision from the licensing agency. The current wording gets the point across, but it may lead to some confusion for readers. Panel Member Moore agreed and stated that this edit would resolve their original concern. Hawley noted the suggestion to change the draft statement to read as "Ensuring appeals from decisions of the licensing agency are resolved in a fair and timely manner." Hawley asked Chief Counsel Christopher Phillips if there should be one motion to capture all the edits at the end. Phillips answered that would be appropriate if you want to take all the draft statements at once, with the understanding that they have been modified to the language that was just discussed. No other comments from the Panel.

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The second goal is outreach and education — "to provide transparency and education on the appeals process for cannabis stakeholders." Hawley asked for comments or questions from the Panel. Panel Member Moore said "transparency" does not seem to fit in the sentence. Moore suggested that "transparent education" might be a better phrase. Chairperson Bremond suggested "transparency" could be struck from the language so that the draft statement reads as "to provide education" instead. Hawley noted the suggestion to change the draft statement to read as "To provide education on the appeals process for cannabis stakeholders." No other comments from the Panel.

Finally, the third strategic goal is organizational effectiveness – "to develop an effective and collaborative work environment while maximizing resources." Hawley asked for comments or questions from the Panel. No comments from the Panel.

Hawley then outlined a tentative schedule for the strategic planning process. The next key date is July 12 when DCA will be conducting one-on-one Zoom interviews to discuss external and environmental issues that CCAP may need to address. These interviews will involve discussing strengths, weaknesses, opportunities, and threats, and will typically run between 30 minutes to an hour. The next date to note is the July 30 to August 13 timeframe. DCA will compile and analyze data from the environmental scan and will create a document for Panel members and staff to use during the strategic planning process.

The next timeframe to note is August 19-20. DCA will facilitate a strategic planning session for Panel members. This will be a publicly noticed meeting. Around October 6, the final strategic plan will be reviewed, edited, and adopted by Panel members in another publicly noticed meeting. Around October 20, DCA will facilitate a meeting with Panel staff to create an action plan to complete the strategic objectives as set forth in the plan. This will serve as a blueprint for CCAP's work moving forward. Hawley will work with the Panel to make sure there are no scheduling conflicts.

No other comments from the Panel. No comments from the public.

Sarah Smith took a roll call vote on whether to approve the Values, Goals, and Mission Statement as modified during this meeting. Motion passed 3-0.

5. Cannabis Control Appeals Panel Member Handbook Revision.

Chief Counsel Phillips introduced a proposal to make several revisions to the Panel Handbook. He explained this agenda item is an action item, and CCAP staff will recommend a vote be taken to adopt the proposed revisions. This is similar to last meeting's agenda item on the same topic. There will likely be one more agenda item in the future to revise the Handbook. Phillips then introduced Senior Staff Attorney Smith to present on the three recommended revisions.

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The first recommended revision has to do with the structure of licensing agencies. At present, the Handbook refers to three separate licensing agencies. There is a pending merger of those agencies into the single Department of Cannabis Control. Staff recommends editing the Handbook to reflect this change. Moreover, the current draft of the Handbook only covers the history of cannabis regulation through 2017, but there have been subsequent events since then. Therefore, the Handbook should be updated to include this recent history.

The second recommended revision is regarding the prohibition against Panel members speaking for or acting on behalf of the Panel without proper authorization, located on page 10 of the Handbook. Staff recommends editing the prohibition to refer Panel members to specific written policies if they have questions about when it is appropriate to speak on behalf of the Panel. This would make it easier for the legal staff to give advice on the matter and would give a tangible piece of information for Panel members to refer to.

Finally, the third recommended revision is regarding the prohibition on honoraria. The current language in the Handbook could be misinterpreted to mean Panel members could accept honoraria under certain circumstances, which is not the case. Therefore, staff recommends revisions to eliminate any ambiguity and make it absolutely clear that honoraria may not be accepted.

The benefits of these changes are mostly clarity. There is no real risk other than the time it would take to approve these changes to the Handbook.

No comments from the Panel. No comments from the public.

Sarah Smith took a roll call vote on whether to approve the recommended revisions to the CCAP Member Handbook. Motion passed 3-0.

6. Pending Legislation Informational Presentation: Senate Bill 59 (Caballero), Assembly Bill 29 (Cooper).

Chief Counsel Phillips introduced an update report on pending legislation. Phillips stated this agenda item is informational only and that no action will be taken. This is a recurring and necessary agenda item this time of the year because of what is happening with the legislature. Phillips then introduced Staff Attorney Brian Hwang to present on two pending bills.

Staff Attorney Hwang introduced himself and began by first discussing Senate Bill 59. SB 59 would have extended the repeal date of the provisional licensing program from January 1, 2022 to January 1, 2028. This extension would have given applicants, local jurisdictions, and the state additional time to comply with California Environmental Quality Act requirements as well as process pending annual license applications. The most recent update is that, as of May 24, SB

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59 has been ordered to the inactive file at the request of Senator Caballero, the bill's author, due to language that was added to the Governor's May revise budget bill. Bills in the inactive file are considered inactive for a variety of reasons. However, an author may later remove their bill from the inactive file to be placed back on the agenda.

Hwang then discussed Assembly Bill 29. AB 29 would have modified the Bagley-Keene Open Meeting Act to require that a state body, such as CCAP, post online all writings and materials on the same day as they are distributed to members of the body, or at least 72 hours before the meeting, whichever is earlier. While Bagley-Keene requires state bodies to publicly post meeting agendas, there is no similar notice requirement for supporting documents that a state body will consider relating to an agenda item. Currently, AB 29 has been held under submission as of May 20. This is an action taken by a legislative committee when the bill's author and committee members may want to continue to discuss or work on the bill, but there is currently no motion for the bill to progress out of the committee.

Panel Member Calderon asked who the author of AB 29 is. Hwang answered that the bill's author is Assembly Member Cooper. Calderon also asked if AB 29 was held on suspense in Assembly Appropriations. Hwang confirmed that it was.

No other comments from the Panel. No comments from the public.

7. Public Comments on Items Not on the Agenda.

Chairperson Bremond warned any comment should not involve pending or future appeals, complaints, applications, or any disciplinary actions that may come before the Panel. No comments from the public.

8. Future Agenda Items.

Panel Member Calderon commented that, at some point, it may be worth having a Panel discussion regarding provisional licensees and their ability to seek appeals through CCAP. This topic is something that may be pursued legislatively. For example, language could be added to a bill that would allow provisional licensees to appeal a decision of the licensing agency and appear before CCAP. There are many provisional license holders who do not have the same appeal rights as annual license holders.

Chairperson Bremond expressed agreement about having a discussion to not only better understand how provisional licenses function, but also how potential legislation could be enacted to allow provisional licensees to come before the Panel.

No other comments from the Panel. No comments from the public.



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9. Adjournment.

Motion (Moore). Adjourn the meeting. Seconded (Calderon). Meeting adjourned at 10:35 am.

AGENDA ITEM 3

PRESENTATION BY THE DEPARTMENT OF CANNABIS CONTROL

NO MATERIALS FOR ITEM 3

(POWERPOINT WILL BE
PRESENTED BY THE
DEPARTMENT)

AGENDA ITEM 4

EXECUTIVE DIRECTOR REPORT

NO MATERIALS FOR THIS
AGENDA ITEM
(VERBAL REPORT)

AGENDA ITEM 5 FINALIZE VALUES, GOALS, AND **MISSION STATEMENT**

STAFF REPORT

REGULAR PANEL MEETING July 29, 2021

SUBJECT: Finalize Values, Goals, and Mission Statement

BACKGROUND:

Strategic Planning is a long-term, future-oriented process of assessment, goal setting, and strategy building that maps an explicit path between the present and a vision of the future, that relies on careful consideration of an organization's capabilities and environment, and leads to priority-based resource allocation and other decisions. It includes the process of developing a strategic plan. Because strategic planning is a team effort that builds consensus on a future direction for an entity, the process itself is more important than the resulting document.

Three key components of a strategic plan include the mission statement (the reason for the entity's existence), values (the core principles that drive the entity), and goals (the desired outcomes).

During the summer of 2019, CCAP staff worked with the SOLID Training and Planning Solutions Unit from the Department of Consumer Affairs to develop draft Values, Goals, and a Mission Statement for CCAP. Due to the lack of quorum, CCAP was unable to officially adopt the draft statements. Now that CCAP has a quorum of panel members, the strategic planning process can resume. Adoption of these three foundational components is the first step of a comprehensive strategic plan.

UPDATE:

At the June 8, 2021, Panel meeting, the Panel considered and approved the Values, Goals, and Mission Statement as verbally modified during the discussion. Since that meeting, the three cannabis licensing agencies have been formally consolidated into one department, thereby outdating some language. For the sake of clarity, certainty, and transparency, staff recommends one final review and adoption of the Values, Goals, and Mission Statement.

The proposed and anticipated timeline for additional strategic planning activities has also been adjusted.

ANALYSIS:

The versions of the Values, Goals, and Mission Statement, as presented by staff in Attachment 1, are the product of numerous discussions and iterations. The process began with the SOLID Training and Planning Solutions Unit performing a workshop and has ended with open

discussion and debate by panel members in a publicly noticed meeting. Staff believes the current versions represent the Panel's requests and recommends final adoption.

BUDGET AND FISCAL IMPACTS:

The SOLID Training and Planning Solutions Unit from DCA has been contracted to facilitate the strategic planning process with CCAP. The cost for these services is \$3,080.50.

BENEFITS AND RISKS:

There are no known risks associated with adopting the final proposed components of a strategic plan. There are, however, several benefits. The purpose of planning is to improve the chances of reaching desirable outcomes. The benefits of planning enable an organization to: 1) prepare for contingencies that could prevent it from attaining its goals, 2) prepare a framework for the organization's orderly growth and progress, and 3) have a strategy for the allocation of resources in a manner that will allow the organization to meet its goals.

ATTACHMENTS:

1. Review: Values, Goals & Mission Statement

RECOMMENDATION:

Approve the Mission Statement, Vision, Values, and Strategic Goals as identified in Attachment

STAFF CONTACT:

Anne Hawley, Executive Director Cannabis Control Appeals Panel 916-322-6870

STRATEGIC PLANNING

2019 - 2021

BACKGROUND

July - August 2019:

Representatives from
Department of Consumer Affairs
(DCA), SOLID Training and
Planning Solutions Unit
facilitated a mission, vision and
values workshop with CCAP
Staff.





MISSION, VISION AND VALUES



Mission (Draft)

The Cannabis Control Appeals Panel provides fair, accessible, and timely quasi-judicial resolution of appeals from the Department of Cannabis Control's licensing decisions.



MISSION, VISION AND VALUES

Vision (Draft)

Cultivating a transparent and respectful forum for cannabis businesses within all California communities.





MISSION, VISION AND VALUES



Values (draft)

Efficiency

Fairness

Professionalism

Respect

Transparency



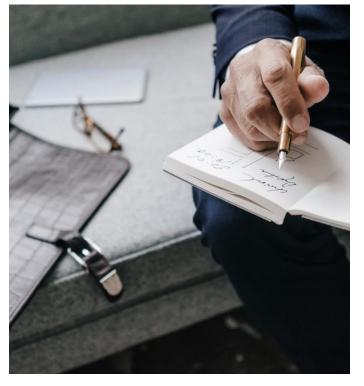
STRATEGIC GOALS



Decision Making (Draft)

Ensuring appeals from decisions of the Department of Cannabis Control are resolved in a fair and timely manner.







STRATEGIC GOALS

Outreach and Education (Draft)

To provide education on the appeals process for cannabis stakeholders.



STRATEGIC GOALS

Organizational Effectiveness (Draft)

To develop an effective and collaborative work environment while maximizing resources.





July 29, 2021: Panel Members will review, provide feed back and approve the mission, vision, values and strategic goals.



August 2021(Dates TBD): DCA will conduct one-on-one interviews via Zoom. Topic: Views on external environment.



September, 2021 (Dates TBD): DCA will compile and analyze data and produce environmental scan document to use during strategic planning.

ADJUSTED TIMELINE



September 2021(Date TBD): DCA will facilitate strategic planning session with Panel Members (Publicly noticed meeting)



October 2021 (Date TBD): Final strategic plan is reviewed, edited, and adopted by the Panel Members. (Publicly noticed meeting)



November 2021(Date TBD): DCA will facilitate a meeting with Panel staff to create an action plan to complete strategic objectives.

ADJUSTED TIMELINE

CANNABIS CONTROL APPEALS PANEL

AGENDA ITEM 6

PANEL MEMBER HANBOOK REVISION -- HIRING PROCESS FOR EXECUTIVE DIRECTOR

STAFF REPORT

REGULAR PANEL MEETING July 29, 2021

SUBJECT: Panel Member Handbook Revision – Hiring Process for Executive Director

BACKGROUND:

As a matter of best practices, all government boards and commissions typically adopt a board policy manual. This document is intended to guide members of the Panel under specific procedural circumstances, reiterate relevant statutes and ethical standards, and ensure consistent application of general administrative policies. The policy manual, known as the "Member Handbook," was originally adopted by the Panel at its first meeting on August 13, 2018. The Member Handbook was last updated on June 8, 2021.

ANALYSIS:

After recent reviews of the Handbook, CCAP panel member Sharon-Francis Moore identified a provision that requires additional attention. The Handbook cites Business and Professions code section 26041 and indicates that the Panel shall appoint an Executive Director. The Handbook provides no guidance to the Panel on how to accomplish this task.

Staff has undertaken a review of sister boards and panels tasked with similar duties and complied a customized guide that incorporates and utilizes best-practices for CCAP Panels to use in the future when recruiting and hiring an Executive Director.

Staff's proposed solution is to incorporate the *Executive Director Recruitment and Selection Outline* (Outline) to the Handbook as "Addendum A". Additionally, the Outline has three attachments that consist of a task and timeline list, a duty statement, and a job description.

BUDGET AND FISCAL IMPACTS:

None.

BENEFITS AND RISKS:

There are no known risks associated with the proposed adoption of the Outline. There are, however, several benefits:

- To provide clarity and certainty to the Panel on how to recruit and hire the Executive Director. This outline will be especially important if the recruiting and hiring process is undertaken while the Executive Director position is vacant.
- To provide transparency and involvement by all panel members during the recruiting and hiring process.

ATTACHMENTS:

- 1. Executive Director Recruitment and Selection Outline
- 2. Tasks & Timeline for Executive Director Recruitment & Hiring (Attachment A to Outline)
- 3. Duty Statement (Attachment B to Outline)
- 4. Job Description (Attachment C to Outline)

RECOMMENDATION:

Approve the proposed Executive Director Recruitment and Selection Outline, and its attachments, as Addendum A to the Panel Member Handbook.

STAFF CONTACT:

Anne Hawley, Executive Director Cannabis Control Appeals Panel (916) 322-6870

DRAFT



Executive Director Recruitment and Selection Outline

(Addendum A of Panel Member Handbook)

Adopted on ______, 2021

FOREWORD

The purpose of this outline is to provide a practical guide for Panel Members in the recruitment of a qualified Executive Director (ED). This outline is intended as a useful reference for the selection process. It should be considered a supplement to working with the Business, Consumer Services & Housing Agency (BCSHA), CCAP Legal Counsel, and the Office of Human Resources (OHR) at the Department of General Services (DGS) in the selection of an Executive Director.

ROLES AND RESPONSIBILITIES

Below is a list of roles and responsibilities who will assist and participate in the Panel's Selection Committee process.

Roles	Responsibilities
Chairperson	Manages Selection Committee process at publicly announced
	panel meeting. Manages closed meeting session for selection
	process. Contact the selected candidate and offers the position.
Selection Committee	Evaluate applicants' qualifications to determine which
(2 Panel Members)	applicants are the most qualified for the position. In
	consultation with DGS OHR, develop and apply screening
	criteria against all applications received in CalHR's Examination
	and Certification Online System (ECOS) to determine if the
	recruitment resulted in a sufficient number of qualified
	applicants for consideration. Develop job related interview
	questions and conduct a fair and equitable interview process.
CCAP Chief Counsel	Advise Panel Members on Bagley-Keene Requirements for open
	and closed meetings and procedural questions.
General Counsel or	Participate in Selection Committee's interview panel.
Deputy General Counsel	
from either BCSHA (or	
other designated	
department)	
Employee Resource	Responsible for gathering and organizing all application
Liaison (ERL)/CCAP	documents for Selection Committee review. Submits Request
Administrative and	for Personnel Action (RPA) package to CCAP's assigned
Business Services	Classification and Pay (C&P) Analyst at DGS OHR.
Coordinator (AGPA)	
DGS C&P Analyst	Reviews Request for Personnel Action (RPA package)
DGS C&P Manager	Final approval of RPA package, advertisement and recruitment.
DGS Examinations Unit	Reviews and approves final candidates for eligibility.

A sample listing of tasks and a timeline for ED recruitment and selection is included as **Attachment A.**

Any inquiries or comments relating to this outline should be directed to the DGS OHR and CCAP's Employee Resource Liaison (ERL).

PANEL ACTION: REVIEW DUTY STATEMENT

An updated and current ED duty statement that clearly and accurately describes the functions and responsibilities of the position, as determined by the Panel, is required. The duty statement provides the foundation upon which recruitment is based. See <u>Attachment B and C</u> for the current duty statement and job posting for CCAP's Executive Director.

The duty statement will be used to develop recruitment strategies and advertisements for the position. In addition, it will be used to define the criteria for the screening of applications and the development of interview questions.

If a current duty statement is not available, the OHR C&P Analyst assigned to the Panel will obtain a duty statement from another Board/Panel of similar size and mission and can assist the Panel in developing an appropriate duty statement.

Any changes to the duty statement require Panel review and approval at a publicly announced Panel Meeting.

RECRUITMENT OF QUALIFIED CANDIDATES

Recruitment and appointments of EDs shall be made in accordance with the provisions of civil service laws to ensure consistency and transparency throughout the process.

Panel Members must determine the qualifications that will produce the best ED for that Panel; therefore, it is necessary for the Panel (or the Selection Committee) to develop a set of qualifications to be used in the recruitment of the Executive Director.

The following criteria are general in nature and can be used as a starting point for the desired qualifications.

- Demonstrated supervisory and management skills.
- Administrative experience including fiscal responsibility, budget preparation, development of regulations, policy and procedures development, and implementation.
- Knowledge of the organization and functions of California State Government which include the organization and practices of the Legislature and the Executive Branch.
- Ability to communicate effectively both orally and in writing and deal effectively with a broad spectrum of people interacting with the Panel.

Prior experience working with Boards and/or Panels.

Initial recruitment will include advertising on the California Department of Human Resources' website (www.calhr.ca.gov). Other recruitment activities may include other social media/recruitment platforms. Reaching a group of candidates whom the Panel considers to be the most likely to be excellent candidates will dictate the focus and direction of the advertising.

PUBLIC MEETING REQUIREMENTS

The Panel's Chief Counsel should address issues regarding public meeting requirements. When a committee of the Panel consists of more than two members it is considered a quorum and any meeting must be noticed, as required by law. Therefore, a Selection Committee established by the Panel to assist in the recruitment effort, should be limited to no more than two Members.

PANEL ACTION: ESTABLISH SELECTION COMMITTEE

The Panel should identify two members who will have sufficient time and interest to commit to actively participating in the selection process.

COMMITTEE ACTION: SCREENING APPLICATIONS

The Selection Committee will work with the DGS OHR C&P Analyst to advertise, develop screening criteria, review applications, conduct initial interviews and obtain a manageable number of candidates to be interviewed by the full Panel at a publicly noticed meeting.

Initial (pre-) screening of qualified applicants can be performed by the C&P Analyst or by the Selection Committee, in accordance with the qualifications established by the Panel or the Selection Committee. The screening criteria can be very general in nature, and is intended to eliminate candidates who clearly do not meet the criteria established by the Panel or Selection Committee.

A final screening by the Selection Committee will identify a target number of candidates for an initial interview. Typically, a candidate pool of at least five to six applicants is recommended.

Applicants who were screened out during the initial screening process should be notified by mail of the results. These notifications should be done by the DGS C&P Analyst. Per Government Code Section 12946, OHR will retain the applications a minimum of two years following the completion of the selection process.

SELECTION COMMITTEE ACTION: INITIAL INTERVIEWS

If initial interviews are held to narrow the field of candidates, the Selection Committee is responsible for conducting the interviews. The Employee Resource Liaison (ERL)/CCAP Administrative and Business Services Coordinator (AGPA) may assist in scheduling the interviews on the date(s) and at the location(s) selected by the Selection Committee. If

interviews are scheduled for more than one day, the interviews may be scheduled in different locations depending upon Panel interest, candidate locations, and budget considerations.

In scheduling interviews, the notifications should provide at least a one-week advance notice for the candidates. In determining the location of the interviews, consideration should be given to where the majority of candidates reside, as candidates must endure any costs associated with appearing for an interview. Interviews can also be conducted through a teleconference platform such as Zoom or WebEx.

If references were not requested in the recruitment advertisement, candidates should be advised to bring a list of at least three professional references to the first interview.

Forty-five to fifty minutes should be allowed for each candidate's interview. Prior to the interview, the duty statement should be provided. [Note: For confidentiality purposes, examples of effective interview questions will only be provided to the Selection Committee.]

For the initial interview, suggested topics to be covered are as follows:

- The exact duties of the position.
- The supervision given and/or received.
- The frequency and level of public contact.
- The value of independent decision-making.
- The responsibility of training staff, if applicable.
- The ED's relationship with the Panel.
- The education desired/required.
- The qualifications of the position.

In closing the interview, advise the applicants when a decision is expected to be made and that all candidates will be notified in writing if they will proceed to the next step, a final interview before the full Panel.

CHECKING REFERENCES

The references of the final candidates may be obtained and contacted prior to any final interviews. This can be done by the Committee Members or by the DGS C&P Analyst assigned to the Panel. This provides the Panel with all necessary information to make a decision on the day of the interviews and eliminates the need for another public meeting on the same issue. Appropriate reference check questions will be provided by the DGS C&P Analyst.

PANEL ACTION: CONDUCTING TOP CANDIDATE INTERVIEWS

Final interviews of the top two to three candidates are conducted by a quorum of the full Panel in closed session. This meeting must conform to the notice requirements of the Bagley-Keene Act. This interview gives all Panel Members an opportunity to meet the candidates and assess

their qualifications and to determine how well they will perform the duties of the position, in addition to how well they will work on a personal level, with the Panel.

A different set of interview questions should be developed for the final interviews and the questions should cover a range of topics that will give the Panel a strong sense of the applicant's understanding of, and readiness for, the position. The following four areas are typically covered:

- 1. Ability to communicate effectively, both orally and in writing.
- 2. Experience working with quasi-judicial bodies.
- 3. Management skills.
- 4. Knowledge of the cannabis industry.

In closing the interview, advise each applicant when a decision is expected to be made and that all candidates will be notified of the final decision in writing.

PANEL ACTION: SELECTION OF FINALIST

After all candidates are interviewed in closed session, the Panel must vote to select the final candidate for the ED position. This vote is also held in closed session. Any official actions taken by the Panel in closed session must then be reported on in open session.

Setting the Salary

When the final selection has been voted on by the Panel, the Panel must also determine the appropriate salary in closed session. All appointments shall be within the salary range for the established Exempt level approved by CalHR. Upon the initial appointment, the Exempt shall be entitled to the rate within the salary range five percent above the rate last received or the minimum within the salary range, whichever is higher.

All exceptions to the appointment salary must be submitted to the Business, Consumer Services and Housing Agency Secretary, the Governor's Office Appointments Secretary, and CalHR for approval.

After the Panel has made its final selection and determined the salary to be offered in closed session, the Panel's Chairperson shall return to open session to generally announce that the Panel has made a selection. The announcement of the selected successful candidate should wait until the candidate notification and acceptance process outlined below has been completed and the unsuccessful candidates have been notified (at least verbally).

Candidate Notification

After the Panel has determined the candidate and salary, the Chairperson will contact the selected candidate and offer the position. Once the candidate accepts, the effective date the candidate will begin the duties of ED must also be determined. After the discussion, the Chairperson will provide the candidate with a confirmation letter drafted by the C&P Analyst, which outlines the facts of the appointment. The Chairperson will forward a copy of the

confirmation letter to the C&P Analyst. The DGS OHR will provide an attachment for the confirmation letter outlining the State's benefits package.

OATH OF OFFICE

Executive Director Appointment

The Oath of Office (Std. 688) must be administered on or prior to the effective date of the ED's appointment. The Oath of Office may be administered by the Secretary of BCSHA, an elected official, judicial officer or a public notary. The ERL/CCAP Administrative and Business Services Coordinator (AGPA) can assist with arrangements for the administration of the Oath of Office.

Letters should be sent to all candidates notifying them of the selection decision. Notifications can be performed by Panel staff or DGS OHR staff.

Prior to the Panel selecting a permanent ED, it may be necessary for the Panel to select or designate an individual to a temporary appointment to the position in order to continue Panel business without interruption. Two such temporary appointments are the Acting Assignment and the Interim Assignment.

Acting Assignment

In the absence of an ED, the Chairperson can designate a Panel staff person to act as the ED, either until a Panel meeting can be convened to appoint an Interim ED (who may be the same person as the Acting) or until a permanent ED takes office. An Acting assignment requires the administration of an Oath of Office and confirmation of the position's authority by a letter from the Panel's Chairperson.

An Acting assignment does not confer any status upon the individual and there is no additional monetary compensation, so these appointments should only be used for short-term needs.

Interim Assignment

Appointment of an Interim ED requires a vote by a quorum of Panel Members at a publicly noticed meeting and administration of the Oath of Office. Typically, an Interim appointment is used to maintain the Panel's daily activities during the recruitment process and to compensate an individual (usually a Panel staff person) for taking on the additional responsibilities.

CONTACT INFORMATION

Please feel free to contact the following resources if you have any questions regarding the process:

- DGS Personnel Officer 916-376-5428
- CCAP Chief Counsel 916-322-6870
- DGS OHR Classification and Pay Unit 916-617-3686
- DGS OHR Examination Unit 916-376-5443

• Employee Resource Liaison (ERL)/CCAP Administrative and Business Services Coordinator (AGPA) 916-322-6870

ATTACHMENT A TASKS & TIMELINE FOR EXECUTIVE DIRECTOR RECRUITMENT & HIRING

Step	Tasks	Responsible Party	Timeline
1	Review and approve ED duty statement at publicly	Panel Members	Day 1
	announced meeting.		
2	Designate a two-person Selection Committee	Panel Members	Day 1
3	Confirm statement of qualification questions for job	Selection Committee	Day 2
	posting (5 days)		
4	Gather all required documents and submit Request for	Employee Resource	Day 7
	Personnel Action (RPA) package. (2 days)	Liaison (ERL)/CCAP	
		Administrative and	
		Business Services	
		Coordinator (AGPA)	
5	Complete review of RPA package (7 days)	DGS C&P Analyst	Day 9
6	Review and final approval of RPA package & submit for	DGS C&P Manager	Day 16
	advertising (2 days)		
7	Job is posted and advertised on CalHR website and other	DGS OHR	Day 18
	recruitment platforms. Length of job posting can range		
	from one to two weeks or longer. (2 weeks)		
8	Gathers and organizes all application documents for	CCAP/ERL	Day 32
	screening by the Selection Committee. (5 days)		
9	Paper screen and score all applications (1 weeks)	Selection Committee	Day 37
10	Selection Committee interviews 5 to 6 candidates who	Selection Committee	Day 44
	scored highest in paper screening. (1 week)		
11	Submit candidates to DGS HR Examinations Unit for final	Selection Committee with	Day 51
	eligibility review (2 days)	assistance from CCAP/ERL	
12	C&P Analyst Final Review (1 day)	DGS C&P Analyst	Day 53
13	C&P Manager Final Review (1 day)	DGS C&P Manager	Day 54
14	Final eligibility and candidate pool determined. 2 to 3	Selection Committee	Day 55
	candidates (1 day)		
15	Check references of final candidate pool (1 day)	Selection Committee	Day 56
16	Schedule interviews (2 days)	Employee Resource	Day 57
		Liaison (ERL)/CCAP	
		Administrative and	
		Business Services	
		Coordinator (AGPA)	
17	Final 2-3 candidates are interviewed in publicly noticed,	All Panel Members	Day 59
	closed session meeting. Panel members discuss, score, and		
	vote on top candidate in closed session. Determine the		
	salary to be offered. (1 day)		
18	Panel's Chairperson shall return to open session to	Selection Committee	Day 60
	generally announce that the Panel has made a selection.		
	No name is mentioned.		
19	Contact the selected candidate and offer the position.	Chairperson	Day 60
	Candidate accepts offer. (1 day)	a	
20	Announce the new ED after unsuccessful candidates have	Chairperson or CCAP Staff	Day 61
	been notified.		

Attachment 6.3

DUTY STATEMENT

SHADED AREA TO REFLECT RECLASS POSITION NUMBER ONLY

SHADED	AREA TO REFLECT RECLASS		
	RPA 17/18 002	EFFECTIVE DATE:	
	POSITION NUMBER (Agency - Unit	Clare Social)	
əl	1 CONTON NOWBER (Agency - Onit	- Class - Serial)	
	CLASS TITLE		
3	Executive Officer		
a.m. to 5:00 p.m.	SPECIFIC LOCATION ASSIGNED TO		
i.ii. to 5.00 p.iii.	Sacramento CURRENT POSITION NUMBER (Ag	ionay Unit Class Cariety	
	721-100-1234-001		
DUR EFFORTS TO TREAT OTHERS	EXPECTED TO WORK COOPERATIV LEVEL OF SERVICE POSSIBLE. YO FAIRLY, HONESTLY AND WITH RES	LID ODEATIVITY AND	
of the Cannabis Contro aff officer of the Panel, a and activities of the orga		onsibility and authorit	
nsibilities assigned to the position and the state of the same and the state of the same and the	d the percentage of time spent on each al sheet if necessary)	n. Group related tasks under the	
Responsible for oversight, general direction of the day-to-day operations and activities of the Panel. Manage and administer Panel's statutory responsibilities, including organizing work elements, providing staffing and directing operational activities. Participate in policy deliberation which affect every aspect of the Panel. Provides recommendations and guidance to Panel staff to ensure that the Panel's goals and objectives are accomplished by developing and interpreting Panel policy into strategies and operational procedures. Create			
cedures to govern work a	as necessary in line with s	tate standards.	
Act as liaison with other government agencies, which include; but not limited to: Governor's Office, Business, Consumer Services and Housing Agency, the Bureau of Cannabis Control, California Department of Public Heath, and California Department of Food and Agriculture.			
rovide policy advice in consultation with the Panel on a wide variety of regulatory, gislative and controversial issues. Meet and confer with the Panel Chair on a regular asis.			
media inquiries and acts res and activities of the I	as a liaison. Disseminate Panel.	e official information	
u	media inquiries and acts ures and activities of the l	media inquiries and acts as a liaison. Disseminate ures and activities of the Panel.	

% of time performing	Indicate the duties and responsibilities same percentage with the highest per	s assigned to the position and the percentage of time spent on centage first. (Use additional sheet if necessary)	each. Group related tasks under the		
duties 5%	Direct the development of reports by the Panel provided to the Governor, the State Legislature, and the public concerning Panel activities.				
5%	Other duties as required and necessary.				
	KNOWLEDGE, SKILLS AND ABILITIES				
	Applicants must demonstrate the ability to perform high administrative and policy influencing functions effectively. Such overall ability requires possession of most of the following more specific knowledge and abilities.				
	tate Government which d the Executive Branch; ganization, and ps; program development and principles and nnel management				
	 Ability to plan, organize, and direct the work of multidisciplinary professional and administrative staff; analyze administrative policies, organization, procedures and practices; integrate the activities of a diverse program to attain common goals; gain the confidence and support of top level administrators and advise them on a wide range of administrative matters; develop cooperative working relationships with representatives of all levels of government, the public, and the Legislative and Executive Branches; analyze complex problems and recommend effective courses of action. Knowledge of the Equal Employment Opportunity Program objectives and a manager's role in the Equal Employment Opportunity Program. Ability to effectively contribute to the Commission's Equal Employment Opportunity objectives and promote diversity throughout all programs of the Commission to ensure a balanced workforce. Knowledge of and ability to interpret and apply appropriate provisions of the California Government Code, Federal and State statutes, Rules and Regulations, State Contract Code, State Administrative Manual, etc. 				
SUPERVIS	OR'S STATEMENT: I HAVE DISCUS	SED THE DUTIES OF THE POSITION WITH THE EMPLOYE			
SUPERVISOR'S NAME (Print)		SUPERVISOR'S SIGNATURE	DATE		
THE DITTY	STATEMENT	D WITH MY SUPERVISOR THE DUTIES OF THE POSITION			
The statements contained in this duty statement reflect general details as necessary to describe the principal functions of this job. It should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned, including work in other					
functional areas to cover absence of relief, to equ		qualize peak work periods or otherwise balance the workle EMPLOYEE'S SIGNATURE	DATE		

Attachment 6.4

Job Posting: EXECUTIVE OFFICER, CANNABIS CONTROL APPEALS PANEL

Cannabis Control Appeals Panel

JC-105656 EXECUTIVE OFFICER, CANNABIS CONTROL APPEALS
PANEL
EXECUTIVE OFFICER, CANNABIS CONTROL APPEALS
PANEL

\$10,018.00 - \$11,157.00

Final Filing Date: 7/19/2018

Job Description and Duties

The Executive Officer is hired by the Panel. The Executive Officer enforces the overall policies established by the Panel relating to its programs, under the authority of Business and Professions Code section 26042. The position is exempt from civil services and is located in Sacramento, California.

The Executive Officer acts as principal staff officer of the Cannabis Control Appeal Panel (CCAP), and is delegated the responsibility and authority for the day-to-day operations and activities of the organization.

You will find additional information about the job in the Duty Statement.

This position is designated under the Conflict of Interest Code. The position is responsible for making or participating in the making of governmental decisions that may potentially have a material effect on personal financial interests. The appointee is required to complete Form 700 within 30 days of appointment and once per year. Failure to comply with the Conflict of Interest Code requirements may void the appointment.

(If you're experiencing problems with opening the Duty Statement, please try using another internet browser. Internet Explorer is most compatible for this purpose.)

You will find additional information about the job in the **Duty Statement**.

Minimum Requirements

You will find the Minimum Requirements in the Class Specification.

• EXECUTIVE OFFICER, CANNABIS CONTROL APPEALS PANEL

Additional Documents

- Job Application Package Checklist
- <u>Duty Statement</u>

Position Details

Job Code #:

JC-105656

Position #(s): 721-

721-100-1234-001

Working Title:

EXECUTIVE OFFICER, CANNABIS CONTROL APPEALS PANEL

Classification:

EXECUTIVE OFFICER, CANNABIS CONTROL APPEALS PANEL \$10,018.00 - \$11,157.00

of Positions: 1

Work Location: Sacramento County

Job Type:

Exempt Executive Assignment - Non

Tenured, Full Time

Work Shift: Work Week:

8:00 a.m. - 5:00 p.m.

Monday - Friday

Department Information

The Cannabis Control Appeals Panel provides quasi-judicial administrative review of decisions of the three licensing entities associated with the regulation of commercial cannabis sales.

Special Requirements

Required Application Documents

Please submit the following items with your application. Applicants who do not submit the required items timely may not be considered for this job:

State Examination/Employment Application (STD.678)

Statement of Qualification - Up to 3 pages. Please answer the following questions:

- · What interests you about this position?
- Please explain your experience designing/creating systems and processes within government systems?

- Please explain your experience in crafting policy/programs where stakeholder input is considered to result in the most equitable result?
- Please explain your experience working with a board or committee?
- Please explain your experience with policies that are mandated by statue?
- Please explain your experience working managing multiple projects simultaneously?

Resume is required and must be included.

Application Instructions

Completed applications and all required documents must be received or postmarked by the Final Filing Date in order to be considered. Dates printed on Mobile Bar Codes, such as the Quick Response (QR) Codes available at the USPS, are not considered Postmark dates for the purpose of determining timely filing of an application.

Final Filing Date: 7/19/2018

Who May Apply

This is a non-testing Classification, therefore, anyone meeting the Minimum Qualifications listed on the Classification Specification may apply for this position. Individuals in specific programs, such as the Welfare to Work Program, are encouraged to apply and will be given priority according to the applicable Laws and Rules. Please note on your application your current participation in these programs. Individuals who are eligible to be appointed to this Exempt Position by the State of California.

Applications will be screened and only the most qualified applicants will be selected to move forward in the selection process.

Applicants must meet the Minimum Qualifications stated in the Classification Specification(s).

How To Apply

Complete Application Packages (including your Examination/Employment Application (STD 678) and applicable or required documents) must be submitted to apply for this Job Posting. Application Packages may be submitted electronically through your CalCareer Account at www.jobs.ca.gov. When submitting your application in hard copy, a completed copy of the Application Package listing must be included. If you choose to not apply electronically, a hard copy application package may be submitted through an alternative method listed below:

Address for Mailing Application Packages

You may submit your application and any applicable or required documents to:

Cannabis Control Appeals Panel Attn: Anna Pozdyn 915 Capitol Mall, Suite 350-A Sacramento, CA 95814

Address for Drop-Off Application Packages

You may drop off your application and any applicable or required documents at:

Anna Pozdyn 915 Capitol Mall, Suite 350-A Sacramento, CA 95814 08:00 AM - 05:00 PM

Required Application Package Documents

The following items are required to be submitted with your application. Applicants who do not submit the required items timely may not be considered for this job:

- Current version of the State Examination/Employment Application STD Form 678
 (when not applying electronically), or the Electronic State Employment Application
 through your Applicant Account at www.jobs.ca.gov. All Experience and Education
 relating to the Minimum Qualifications listed on the Classification Specification should
 be included to demonstrate how you meet the Minimum Qualifications for the position.
- · Statement of Qualifications -

The **SOQ** is a narrative description of how an applicant's education, experience, knowledge, skills and abilities meet the qualifications for this position. Applications without the SOQ may not be considered for the position. **Please see SPECIAL REQUIREMENTS** for details and instructions.

• Resume is required and must be included.

Applicants requiring reasonable accommodations for the hiring interview process must request the necessary accommodations if scheduled for a hiring interview. The request should be made at the time of contact to schedule the interview. Questions regarding reasonable accommodations may be directed to the EEO contact listed on this job posting.

Contact Information

The Hiring Unit Contact is available to answer questions regarding the position or application process.

Hiring Unit Contact:

Anna Pozdyn (916) 657-2539 anna.pozdyn@bcsh.ca.gov

Please direct requests for Reasonable Accommodations to the interview scheduler at the time the interview is being scheduled. You may direct any additional questions regarding Reasonable Accommodations or Equal Employment Opportunity for this position(s) to the Department's EEO Office.

EEO Contact:

Michelle Armitage (916) 376-5127 Michelle.Armitage@dgs.ca.gov

California Relay Service: 1-800-735-2929 (TTY), 1-800-735-2922 (Voice) TTY is a Telecommunications Device for the Deaf, and is reachable only from phones equipped with a TTY Device.

Mailing and Reporting Location

Mailing Address:

Cannabis Control Appeals Panel ATTN: Ana Pozdyn 915 Capitol Mall, Suite 350-A Sacramento, CA 95814

Please specify RPA- 17/18-002 CCAP and JC-105656 on your state application.

Reporting Location:

Cannabis Control Appeals Panel 801 Capitol Mall, Suite 601 Sacramento, CA 95814

Equal Opportunity Employer

The State of California is an equal opportunity employer to all, regardless of age, ancestry, color, disability (mental and physical), exercising the right to family care and medical leave, gender, gender expression, gender identity, genetic information, marital status, medical condition, military or veteran status, national origin, political affiliation, race, religious creed, sex (includes pregnancy, childbirth, breastfeeding and related medical conditions), and sexual orientation.

It is an objective of the State of California to achieve a drug-free work place. Any applicant for state employment will be expected to behave in accordance with this objective because the use of illegal drugs is inconsistent with the law of the State, the rules governing Civil Service, and the special trust placed in public servants.

AGENDA ITEM 7

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

NO MATERIALS FOR ITEM 7

AGENDA ITEM 8 FUTURE AGENDA ITEMS NO MATERIALS FOR ITEM 8

AGENDA ITEM 9 ADJOURNMENT NO MATERIALS FOR ITEM 9