

File No. 101246

Committee Item No. 1  
Board Item No. 17

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Rules

Date October 21, 2010

Board of Supervisors Meeting

Date 11/09/10

**Cmte Board**

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form (for hearings)             |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

**OTHER**

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Completed by: Linda Wong  
Completed by: L. w.

Date October 18, 2010  
Date 10/27/10

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

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1 [Medical Cannabis Task Force Membership, Powers, and Duties]

2  
3 **Ordinance amending San Francisco Administrative Code by amending Sections 5.2-3**  
4 **and 5.2-5 to: (1) increase the number of members of the San Francisco Medical**  
5 **Cannabis Task Force ("Task Force") from 13 to 15; (2) establish qualifications for the**  
6 **two members added to the Task Force; and (3) expand powers and duties of the Task**  
7 **Force to include developing and making recommendations to the Board of Supervisors**  
8 **about local regulation of medical cannabis in the event that State Proposition 19 is**  
9 **approved by the voters in the election held on November 2, 2010.**

10 Note: Additions are single-underline italics Times New Roman;  
11 deletions are ~~strikethrough italics Times New Roman~~.  
12 Board amendment additions are double underlined.  
13 Board amendment deletions are ~~strikethrough normal~~.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. The San Francisco Administrative Code is hereby amended by amending  
16 Sections 5.2-3, 5.2-4 and 5.2-5, to read as follows:

17 **SEC. 5.2-3. MEMBERSHIP.**

18 (a) The Task Force shall consist of 15 ~~13~~ members, appointed by the Board of  
19 Supervisors as follows:

20 (1) Seat 1: A community organizer representative with a background in  
21 organizing neighbors, businesses or organizations around social justice and quality of  
22 life issues. This representative should also have a background working on medical  
23 cannabis related issues;

24 (2) Seat 2: A representative of a local patient advocacy organization with a  
25 background in working to protect the interests of medical cannabis patients;

(3) Seat 3: A representative of a local patient advocacy organization with a

1 background in working to protect the interests of medical cannabis patients;

2 (4) Seat 4: A representative of a hospice or a residential care facility with a  
3 background as an employee or volunteer in direct services working with medical  
4 cannabis patients or as a nurse or physician with a background in working with or  
5 treating of medical cannabis patients;

6 (5) Seat 5: A person with a background in the management of a medical  
7 cannabis dispensary;

8 (6) Seat 6: A person with a background in the management of a medical  
9 cannabis dispensary;

10 (7) Seat 7: A person with a background in the management of a medical  
11 cannabis dispensary whose primary mode of operation is delivery;

12 (8) Seat 8: A representative of a drug policy organization working specifically  
13 on medical cannabis issues;

14 (9) Seat 9: A licensed California attorney with a background working with San  
15 Francisco medical cannabis dispensaries and experience with the City's medical  
16 cannabis dispensary permitting and regulatory process;

17 (10) Seat 10: A person with a background in providing medical cannabis to low-  
18 income patients;

19 (11) Seat 11: A person with a background in providing medical cannabis to  
20 permitted medical cannabis dispensaries located in the City and County;

21 (12) Seat 12: A person with at least fifteen years of experience working on  
22 medical cannabis issues in the City and County; *and*

23 (13) Seat 13: A representative of a recognized neighborhood organization that  
24 has a medical cannabis dispensary within its boundaries.  
25

1                   (14) Seat 14: A person with a background in providing medical cannabis to permitted  
2 medical cannabis dispensaries located in the City and County; and

3                   (15) Seat 15: A licensed or accredited health care practitioner practicing in the City  
4 and County with a background in medical cannabis and familiarity with the laws and regulation  
5 governing medical cannabis.

6           (b) All members of the Task Force shall be residents of the City and County, in  
7 accordance with Section 4.101 of the Charter. A waiver of the residency requirement may be  
8 granted by the Board of Supervisors upon a finding that a resident of the City and County with  
9 specific experience, skills or qualifications willing to serve could not be located within the City  
10 and County.

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12           **SEC. 5.2-5. POWERS AND DUTIES OF THE MEDICAL CANNABIS TASK FORCE.**

13           (a) The Task Force shall have the power and duty to:

14           (1) Hold hearings and take testimony regarding medical cannabis issues and related  
15 matters;

16           (2) Create subcommittees as necessary;

17           (3) Review local medical cannabis related laws, and make recommendations for  
18 changes;

19           (4) Develop and make recommendations for a mediation process to be used by  
20 operators of medical dispensaries, patients and neighbors of dispensaries to address  
21 community concerns and resolve conflicts and disputes;

22           (5) Develop and make recommendations regarding medical cannabis cultivation,  
23 production and baking guidelines for medical cannabis dispensaries;

1 (6) Develop and make recommendations regarding cultivation and distribution of  
2 medical cannabis by individual patients, caregivers or small collectives that may fall outside  
3 the definition of a medical cannabis dispensary under the City's Health Code;

4 (7) Develop and make recommendations regarding the cultivation of medical cannabis,  
5 particularly in residential dwellings, that may violate the City's Planning Code or applicable  
6 San Francisco or California Building Code requirements; *and*

7 (8) Develop and make recommendations regarding the taxation of medical cannabis  
8 lawfully dispensed or cultivated in the City and County; *and*

9 (9) Develop and make recommendations regarding the local regulation of medical cannabis in  
10 the event that State Proposition 19 is approved by the voters in the election held on November 2, 2010.

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12 APPROVED AS TO FORM:

13 DENNIS J. HERRERA, City Attorney

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15 By:

  
16 Terence Howzell  
17 Deputy City Attorney  
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[Medical Cannabis Task Force Membership, Powers and Duties.]

### LEGISLATIVE DIGEST

**Ordinance amending San Francisco Administrative Code by amending sections 5.2-3 and 5.2-5 to: (1) increase the number of members of the San Francisco Medical Cannabis Task Force ("Task Force") from 13 to 15; (2) establish qualifications for the two members added to the Task Force; and (3) expand powers and duties of the Task Force to include developing and making recommendations to the Board of Supervisors about local regulation of medical cannabis in the event that State Proposition 19 is approved by the voters in the election held on November 2, 2010.**

#### Existing Law

The City has a Medical Cannabis Task Force to advise the Board of Supervisors on matters relating to medical cannabis. Each seat on the Task Force has specified qualifications.

#### Amendments to Current Law

The proposed amendments would increase the number of members of the Task Force from 13 to 15. The proposed amendments would specify the qualifications for the two members added to the Task Force. The proposed amendments would expand the powers and duties of the Task Force to include developing and making recommendations about local regulation of medical cannabis in the event that State Proposition 19 is approved by the voters in the election held on November 2, 2010.

