

File No. 101203

Committee Item No. _____

Board Item No. 35

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Board of Supervisors Meeting

Date September 28, 2010

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input 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

(Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Andrea Ausberry Date 9/23/10

Completed by: _____ Date _____

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

1 [Ensuring Safe, Affordable, and Quality Patient Care]

2
3 **Resolution urging all relevant City agencies to uphold and strengthen current medical**
4 **cannabis laws, and regulatory procedures that ensures quality care of patients,**
5 **protects residents, and provides a true benefit to the community, and discourages**
6 **business practices that threaten local permitted medical cannabis dispensary**
7 **operators.**

8
9 WHEREAS, San Francisco and the Bay Area are the birthplace of compassionate use
10 and have fought hard to develop a system that cares for patients, protects residents and
11 provides a true benefit to the community; and,

12 WHEREAS, In 2005, the San Francisco Board of Supervisors adopted Article 33 of the
13 SF Health Code which established regulatory procedures for patient collectives and
14 cooperatives to obtain operating permits from the Health Department; and,

15 WHEREAS, The process for becoming a new dispensing collective operator in San
16 Francisco involves review and oversight by the City's Planning, Building Inspection, Public
17 Works, and Health, Fire and Police Departments along with the Public Utilities Commission,
18 Board of Appeals and the Mayor's Office on Disability; and,

19 WHEREAS, Every licensed dispensing collective operator in San Francisco has been
20 vetted by various City agencies to ensure that they will comply with all the requirements of the
21 Health and Planning Codes, and operators submit themselves to hearings before the Planning
22 Commission and Health Department to allow the City and residents to judge whether each
23 operator will maintain the level of excellence and patient service expected in San Francisco;
24 and,

25

1 cities turned a blind eye to the issue, leading to a proliferation of problems in places like Los
2 Angeles; and,

3 WHEREAS, Cities like Los Angeles that have become overrun with unregulated
4 dispensaries are now rushing to close them in an effort led by LA District Attorney Steve
5 Cooley (also a candidate for Attorney General) who, according to a Nov. 18, 2009 article in
6 the Los Angeles Times, believes that "dispensaries are breaking the law by accepting money
7 in exchange for marijuana and promised to step up felony prosecutions"; and,

8 WHEREAS, DA Cooley's war on dispensaries in Los Angeles is creating a rush by that
9 City's dispensary owners who are looking North to purchase buildings occupied by San
10 Francisco collective or cooperative operators and force them out; and,

11 WHEREAS, On April 6, 2009, San Francisco's Zoning Administrator issued a letter of
12 determination for 1933 Mission Street declaring that a "change in ownership' [of a medical
13 cannabis dispensary] will not trigger further review from the Planning Department or public
14 hearings before the Planning Commission," though change in ownership applications must
15 still be reviewed by the Health Department; and,

16 WHEREAS, In 2007, the San Francisco Board of Supervisors passed Resolution No.
17 623-07 (File #07-1505), urging medical cannabis dispensaries to implement compassionate
18 care programs to serve low and no-income patients, cementing the City's reputation as a
19 leader for providing care programs to relieve the suffering of qualified, income-challenged
20 patients and; and,

21 WHEREAS, The Medical Cannabis Act of 2005 was intended to protect patients and
22 neighboring residents by allowing the City to evaluate dispensary operator applicants to
23 ensure that they share the City's vision of compassionate care; now, therefore, be it,

24 RESOLVED, That the Board of Supervisors hereby urges all relevant City departments,
25 including the Public Health, City Planning, Public Works, Fire and Police Departments along

1 with the Public Utilities Commission, Board of Appeals and the Mayor's Office on Disability,
2 uphold and strengthen current medical cannabis laws and regulatory procedures that ensures
3 quality care of patients, protects residents and provides a true benefit to the community and
4 discourages business practices that threaten local permitted medical cannabis dispensary
5 operators.

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INTRODUCTION FORM
By a member of the Board of Supervisors or the Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2010 SEP 21 PM 1:02

Time Stamp or
BY Meeting Date

PC

I hereby submit the following item for introduction:

- 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee
- 3. Request for Committee hearing on a subject matter.
- 4. Request for letter beginning "Supervisor _____ inquires..."
- 5. City Attorney request.
- 6. Call file from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

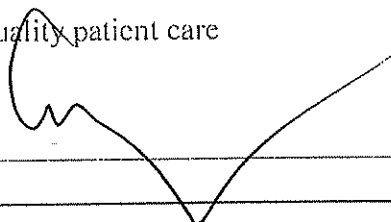
- | | |
|---|--|
| <input type="checkbox"/> Small Business Commission | <input type="checkbox"/> Youth Commission |
| <input type="checkbox"/> Ethics Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Inspection Commission | |

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

Sponsor(s): Supervisor Chris Daly

SUBJECT: Ensuring safe, affordable and quality patient care

Signature of Sponsoring Supervisor: _____



For Clerk's Use Only: