

File No. 150436

Committee Item No. 4

Board Item No. \_\_\_\_\_

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date June 11, 2015

Board of Supervisors Meeting

Date \_\_\_\_\_

### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution                                   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | Memorandum of Understanding (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"/> | Form 126 - Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 700                                     |
| <input type="checkbox"/>            | <input type="checkbox"/> | Vacancy Notice                               |
| <input type="checkbox"/>            | <input type="checkbox"/> | Information Sheet                            |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

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Completed by: Alisa Somera Date June 5, 2015

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

1 [Administrative Code - Establishing Cannabis State Legalization Task Force]

2  
3 **Ordinance amending the Administrative Code to establish the Cannabis State**  
4 **Legalization Task Force to advise the Board of Supervisors, the Mayor, and City**  
5 **departments regarding the local impacts of possible state legislation legalizing adult**  
6 **use of cannabis; and setting forth the membership and duties of the Task Force.**

7  
8 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.  
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
10 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.  
11 **Board amendment additions** are in Arial font.  
12 **Board amendment deletions** are in ~~Arial font~~.  
13 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
14 subsections or parts of tables.

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

16 The Administrative Code is hereby amended by adding Article II, Sections 5.2-1  
17 through 5.2-7, to Chapter 5, to read as follows:

18 **ARTICLE II:**

19 **CANNABIS STATE LEGALIZATION TASK FORCE**

20 Sec. 5.2-1. Creation of Task Force.

21 Sec. 5.2-2. Purpose.

22 Sec. 5.2-3. Membership.

23 Sec. 5.2-4. Organization and Terms of Office.

24 Sec. 5.2-5. Powers and Duties.

25 Sec. 5.2-6. Meetings and Procedures.

Sec. 5.2-7. Sunset.

1                   **SEC. 5.2-1. CREATION OF TASK FORCE.**

2                   The Board of Supervisors hereby establishes the Cannabis State Legalization Task Force (the  
3 “Task Force”) of the City and County of San Francisco.

4  
5                   **SEC. 5.2-2. PURPOSE.**

6                   The Board of Supervisors anticipates that the State of California may consider legalizing and  
7 regulating adult use and possession of cannabis as soon as 2016. If the State legalizes adult use and  
8 possession of cannabis, the City will face a number of policy questions about the local implementation  
9 and enforcement of the new State law. These policy questions, and their answers, will depend on the  
10 content of the State law. As proposals develop in the State Legislature and through the ballot measure  
11 process, the City should follow and study them in order to be prepared for eventual legalization. The  
12 purpose of the Task Force shall be to advise the Board of Supervisors, the Mayor, and other City  
13 departments on matters relating to the potential legalization of cannabis so that the City’s  
14 policymakers are fully prepared to address the policy questions, through legislation, administrative  
15 actions, and otherwise, following the adoption of a State law.

16  
17                   **SEC. 5.2-3. MEMBERSHIP.**

18                   The Task Force shall consist of 22 members, of which seats 1 through 7 shall be non-voting  
19 members, appointed as follows:

20                   (a) Seat 1 shall be held by the Director of the Department of Public Health or his or  
21 her designee.

22                   (b) Seat 2 shall be held by the Chief of the Fire Department or his or her designee.

23                   (c) Seat 3 shall be held by the Chief of the Police Department or his or her designee.

24                   (d) Seat 4 shall be held by the Director of the Department of Building Inspection or  
25 his or her designee.

1                   (e) Seat 5 shall be held by the Director of Planning or his or her designee.

2                   (f) Seat 6 shall be held by the Executive Director of the Entertainment Commission  
3 or his or her designee.

4                   (g) Seat 7 shall be held by the Executive Director of the California Board of  
5 Equalization or his or her designee. If at any time the Executive Director declines to serve or appoint a  
6 designee and leaves the seat vacant for 60 days or longer, the Board of Supervisors may appoint a  
7 member of the public to fill the seat until such time as the Executive Director designates a member.

8                   (h) Seat 8 shall be held by the Superintendent of the San Francisco Unified School  
9 District or his or her designee which may include a Member of the Board of Education. If at any time  
10 the Superintendent declines to serve or appoint a designee and leaves the seat vacant for 60 days or  
11 longer, the Board of Supervisors may appoint a member of the public to fill the seat until such time as  
12 the Superintendent designates a member.

13                   (i) Seat 9 shall be held by an individual with at least two years of experience  
14 working in the cannabis industry, appointed by the Board of Supervisors.

15                   (j) Seat 10 shall be held by an owner or operator of a medical cannabis dispensary,  
16 appointed by the Board of Supervisors.

17                   (k) Seat 11 shall be held by an individual who uses cannabis for medicinal purposes,  
18 appointed by the Board of Supervisors.

19                   (l) Seat 12 shall be held by an individual who uses cannabis, appointed by the  
20 Board of Supervisors.

21                   (m) Seat 13 shall be held by the owner of a small business in San Francisco,  
22 appointed by the Board of Supervisors.

23                   (n) Seat 14 shall be held by an individual with experience working for or on behalf  
24 of the interests of businesses in San Francisco, appointed by the Board of Supervisors.

1           (o) Seat 15 shall be held by an individual with experience working to advance the  
2 tourism or hospitality industry in San Francisco, appointed by the Board of Supervisors.

3           (p) Seats 16 and 17 shall be held by individuals who represent neighborhood  
4 associations, appointed by the Board of Supervisors.

5           (q) Seat 18 shall be held by an individual with experience in public health advocacy  
6 focusing on drug policy, appointed by the Board of Supervisors.

7           (r) Seat 19 shall be held by an individual working in the entertainment or nightlife  
8 industry, appointed by the Board of Supervisors.

9           (s) Seat 20 shall be held by a representative of a labor union that represents  
10 employees working in the cannabis industry, appointed by the Board of Supervisors.

11           (t) Seat 21 shall be held by a public policy expert working for an organization  
12 focused on the formulation of good public policy, appointed by the Board of Supervisors.

13           (u) Seat 22 shall be held by an individual between the ages of 21 and 30 at the time  
14 of appointment.

15  
16           **SEC. 5.2-4. ORGANIZATION AND TERMS OF OFFICE.**

17           (a) Each member in Seats 7 through 19 shall serve for a term of one year. The initial term  
18 for each seat shall begin on August 31, 2015. At the end of the one-year term, the Board of Supervisors  
19 may in its discretion reappoint the member by written motion without soliciting applications from  
20 additional applicants. Each of these members shall serve at the pleasure of the Board of Supervisors  
21 and may be removed by the Board of Supervisors at any time.

22           (b) If a vacancy occurs in Seats 6 through 19 on the Task Force, the appointing authority  
23 for the vacated seat shall appoint a successor to that seat.

24           (c) Service on the Task Force shall be voluntary and members shall receive no  
25 compensation, except that the members in Seats 1 through 6 may receive their regular salaries for time

1 spent on the Task Force if they are serving in an official capacity as representatives of their  
2 departments or, in the case of Seat 6, as a representative of the San Francisco Unified School District.

3 (d) Any member in Seats 7 through 19 who misses three regular meetings of the Task Force  
4 within a six-month period without the express approval of the Task Force at or before each missed  
5 meeting shall be deemed to have resigned from the Task Force ten days after the third unapproved  
6 absence. The Task Force shall inform the Clerk of the Board of each such resignation.

7 (e) The Department of Public Health shall provide clerical and administrative support and  
8 staffing for the Task Force.

9  
10 **SEC. 5.2-5. POWERS AND DUTIES.**

11 (a) The general purpose of the Task Force shall be to provide advice to the Board of  
12 Supervisors, the Mayor, and other City departments regarding the eventual implementation and  
13 enforcement of a possible State law legalizing adult use of cannabis.

14 (b) No later than one year after its inaugural meeting and at least once in the 12 months  
15 thereafter, the Task Force shall submit to the Board of Supervisors a report describing legislative  
16 activity in the State Legislature regarding possible legalization of cannabis; the Task Force's findings  
17 regarding legal, social, land use, and enforcement issues that are likely to arise in San Francisco if the  
18 State adopts proposed legislation through the legislative or electoral process; and recommendations  
19 regarding local implementation and enforcement of that potential legislation.

20 (c) All City departments, commissions, boards, and agencies shall cooperate with the Task  
21 Force in conducting its business.

22 (d) The Task Force shall have no authority to exercise the sovereign powers of the City, and  
23 shall serve purely as an advisory body. Additionally, the Task Force shall take no formal position on  
24

1 the merits of proposed ballot measures regarding cannabis legalization once those measures have been  
2 submitted to the voters in an initiative petition or on the ballot.

3  
4 **SEC. 5.2-6. MEETINGS AND PROCEDURES.**

5 (a) The Task Force shall hold its inaugural meeting not more than 30 days after a quorum  
6 of the Task Force, defined as a majority of seats, has been appointed. There shall be at least ten days'  
7 notice of the inaugural meeting. Following the inaugural meeting, the Task Force shall hold a regular  
8 meeting not less than five times per year.

9 (b) The Task Force shall elect its own officers and may establish rules for its own  
10 organization and procedures.

11  
12 **SEC. 5.2-7. SUNSET.**

13 Unless the Board of Supervisors by ordinance extends the term of the Task Force, this Article II  
14 shall expire by operation of law, and the Task Force shall terminate, two years after the effective date  
15 of Ordinance No. \_\_\_\_\_ establishing the Task Force. After that date, the City Attorney shall cause  
16 this Article to be removed from the Administrative Code.

17  
18 Section 2. Effective Date. This ordinance shall become effective 30 days after  
19 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
20 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
21 of Supervisors overrides the Mayor's veto of the ordinance.

22 APPROVED AS TO FORM:  
23 DENNIS J. HERRERA, City Attorney

24 By:

25   
JON GIVNER  
Deputy City Attorney

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**REVISED LEGISLATIVE DIGEST**

(6/2/2015, Substituted)

[Administrative Code - Establishing Cannabis State Legalization Task Force]

**Ordinance amending the Administrative Code to establish the Cannabis State Legalization Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding the local impacts of possible state legislation legalizing adult use of cannabis; and setting forth the membership and duties of the Task Force.**

Existing Law

Personal use of cannabis for non-medicinal purposes is not legal in California. The State of California may consider legalizing and regulating adult use and possession of cannabis as soon as 2016. If the State legalizes adult use and possession of cannabis, the City will face policy questions about the local implementation and enforcement of the new State law. The City currently has no advisory body that makes recommendations to the Board of Supervisors, the Mayor, or City departments regarding such questions.

Amendments to Current Law

The proposed ordinance would create a Cannabis State Legalization Task Force to advise the Board of Supervisors, the Mayor, and other City departments on matters relating to the potential legalization of cannabis so that the City's policymakers are fully prepared to address the policy questions, through legislation, administrative actions, and otherwise, following the adoption of a State law.

The Task Force would terminate two years after the effective date of the ordinance unless the Board re-authorizes it in a subsequent ordinance. During those two years, the Task Force would submit at least two reports to the Board of Supervisors.

The Task Force would have 22 members, including 15 voting members and 7 non-voting members. The non-voting members would be:

- The Director of the Department of Public Health, Fire Chief, Police Chief, Director of the Department of Building Inspection, Director of Planning, Superintendent of the San Francisco Unified School District, Executive Director of the Entertainment Commission, and Executive Director of the California Board of Equalization, or their designees.

The 15 voting members would be:

- A person with at least two years of experience working in the cannabis industry;



- The owner or operator of a medical cannabis dispensary;
- Two people who use cannabis, at least one of whom uses cannabis for medicinal purposes;
- The owner of a small business in San Francisco;
- A person with experience working for or on behalf of the interests of businesses in San Francisco;
- A person with experience working to advance the tourism or hospitality industry in San Francisco;
- Two people who represent neighborhood associations;
- A person with experience in public health advocacy focusing on drug policy;
- A person working in the entertainment or nightlife industry;
- A representative of a labor union that represents employees working in the cannabis industry;
- A public policy expert; and
- A person between age 21 and 30 at the time of appointment.

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BOARD of SUPERVISORS



City Hall  
Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Regina Dick-Endrizzi, Director  
Brian Poole, Policy Analyst and Commission Secretary  
**Small Business Commission, City Hall, Room 448**

FROM: Alisa Somera, Clerk, Rules Committee  
Board of Supervisors

DATE: June 5, 2015

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS  
Rules Committee

The Board of Supervisors' Rules Committee has received the following **substitute** legislation, which is being referred to the Small Business Commission for comment and recommendation.

**File No. 150436-2**

Ordinance amending the Administrative Code to establish the Cannabis State Legalization Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding the local impacts of possible state legislation legalizing adult use of cannabis; and setting forth the membership and duties of the Task Force.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

\*\*\*\*\*

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: \_\_\_\_\_

\_\_\_\_\_ No Comment

\_\_\_\_\_ Recommendation Attached

\_\_\_\_\_  
Chairperson, Small Business Commission

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Barbara Garcia, Director, Department of Public Health  
Chief Joanne Hayes-White, Fire Department  
Chief Greg Suhr, Police Department  
Tom Hui, Director, Department of Building Inspection  
John Rahaim, Director, Planning Department  
Richard Carranza, Superintendent, San Francisco Unified School District

FROM: Alisa Somera, Clerk, Rules Committee  
Board of Supervisors

DATE: May 5, 2015

SUBJECT: SUBSTITUTE LEGISLATION INTRODUCED

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The Board of Supervisors' Rules Committee has received the following **substitute** legislation, introduced by Supervisor Wiener on June 2, 2015. This matter is being referred to you for informational purposes since it affects your department.

### File No. 150436-2

Ordinance amending the Administrative Code to establish the Cannabis State Legalization Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding the local impacts of possible state legislation legalizing adult use of cannabis; and setting forth the membership and duties of the Task Force.

If you wish to submit any reports or documentation to be considered with the legislation, please send those to me at the Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

c: Greg Wagner, Department of Public Health  
Colleen Chawla, Department of Public Health  
Kelly Alves, Fire Department  
Christine Fountain, Police Department  
William Strawn, Department of Building Inspection  
Carolyn Jayin, Department of Building Inspection  
AnMarie Rodgers, Planning Department  
Aaron Starr, Planning Department  
Chris Armentrout, San Francisco Unified School District  
Jamila Brooks, San Francisco Unified School District

BOARD of SUPERVISORS



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# MEMORANDUM

TO: Regina Dick-Endrizzi, Director  
Brian Poole, Policy Analyst and Commission Secretary  
**Small Business Commission, City Hall, Room 448**

FROM: Alisa Somera, Clerk, Rules Committee  
Board of Supervisors

DATE: May 5, 2015

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS  
Rules Committee

The Board of Supervisors' Rules Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

**File No. 150436**

Ordinance amending the Administrative Code to establish the Cannabis State Legalization Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding the local impacts of possible state legislation legalizing adult use of cannabis; and setting forth the membership and duties of the Task Force.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

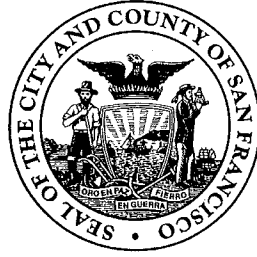
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RESPONSE FROM SMALL BUSINESS COMMISSION - Date: \_\_\_\_\_

- No Comment
- Recommendation Attached

\_\_\_\_\_  
Chairperson, Small Business Commission

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
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## MEMORANDUM

TO: Barbara Garcia, Director, Department of Public Health  
Chief Joanne Hayes-White, Fire Department  
Chief Greg Suhr, Police Department  
Tom Hui, Director, Department of Building Inspection  
John Rahaim, Director, Planning Department  
Richard Carranza, Superintendent, San Francisco Unified School District

FROM: Alisa Somera, Clerk, Rules Committee  
Board of Supervisors

DATE: May 5, 2015

SUBJECT: LEGISLATION INTRODUCED

---

The Board of Supervisors' Rules Committee has received the following proposed legislation, introduced by Supervisor Wiener on April 28, 2015. This matter is being referred to you for informational purposes since it affects your department.

### **File No. 150436**

Ordinance amending the Administrative Code to establish the Cannabis State Legalization Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding the local impacts of possible state legislation legalizing adult use of cannabis; and setting forth the membership and duties of the Task Force.

If you wish to submit any reports or documentation to be considered with the legislation, please send those to me at the Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

c: Greg Wagner, Department of Public Health  
Colleen Chawla, Department of Public Health  
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Carolyn Jayin, Department of Building Inspection  
AnMarie Rodgers, Planning Department  
Aaron Starr, Planning Department  
Chris Armentrout, San Francisco Unified School District  
Jamila Brooks, San Francisco Unified School District

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 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 hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

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

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

Wiener, Kim, Mar

**Subject:**

Administrative Code - Establishing Cannabis State Legalization Task Force

**The text is listed below or attached:**

Ordinance amending the Administrative Code to establish the Cannabis State Legalization Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding the local impacts of possible state legislation legalizing adult use of cannabis; and setting forth the membership and duties of the Task Force.

Signature of Sponsoring Supervisor: Scott Wiener

For Clerk's Use Only:

150936

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 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 hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [150436]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

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

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

Wiener; Kim, Mar

**Subject:**

Administrative Code - Establishing Cannabis State Legalization Task Force

**The text is listed below or attached:**

Ordinance amending the Administrative Code to establish the Cannabis State Legalization Task Force to advise the Board of Supervisors, the Mayor, and City departments regarding the local impacts of possible state legislation legalizing adult use of cannabis; and setting forth the membership and duties of the Task Force.

Signature of Sponsoring Supervisor: Scott Wiener

For Clerk's Use Only: