

File No. 091402

Committee Item No. 4

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Date January 7, 2010

Board of Supervisors Meeting Date _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <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 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"/> | 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"/> | 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"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Alisa Somera Date December 31, 2009

Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file and the online version.

1 [Medical Cannabis Task Force.]

2
3 **Ordinance amending the San Francisco Administrative Code by adding Sections 5.2-1**
4 **through 5.2-6, to establish a Medical Cannabis Task Force to advise the Board of**
5 **Supervisors on medical cannabis issues.**

6 Note: Additions are *single-underline italics Times New Roman*;
7 deletions are *strikethrough italics Times New Roman*.
8 Board amendment additions are double underlined.
9 Board amendment deletions are ~~strikethrough-normal~~.

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

10 Section 1. The San Francisco Administrative Code is hereby amended by adding
11 Sections 5.2-1 through 5.2-6, to read as follows:

12
13 Chapter 5: Committees

14 Article II: Medical Cannabis Task Force

15
16 **SEC. 5.2-1. CREATION OF TASK FORCE.**

17 The Board of Supervisors hereby establishes a Medical Cannabis Task Force ("the Task
18 Force") for the City and County of San Francisco.

19
20 **SEC. 5.2-2. PURPOSE.**

21 The Task Force shall advise the Board of Supervisors on matters relating to medical cannabis.

22
23 / / /

24 / / /

25 / / /

1 **SEC. 5.2-3. MEMBERSHIP.**

2 (a) The Task Force shall consist of 13 members, appointed by the Board of Supervisors as
3 follows:

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

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

9 (3) Seat 3: A representative of a local patient advocacy organization with a
10 background in working to protect the interests of medical cannabis patients;

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

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

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

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

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

23 (9) Seat 9: A licensed California attorney with a background working with San
24 Francisco medical cannabis dispensaries and experience with the City's medical cannabis
25

1 dispensary permitting and regulatory process;

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

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

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

8 (13) Seat 13: A person with at least fifteen years of experience working on medical
9 cannabis issues.

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

14
15 **SEC. 5.2-4. ORGANIZATION AND TERMS OF OFFICE.**

16 (a) The term of each member of the Task Force shall be two years; provided, however, that the
17 members first appointed to the even-numbered seats shall serve a one-year term. On the expiration of
18 these and successive terms, their successors shall be appointed for a two-year term. Members may
19 serve multiple terms.

20 (b) The Board of Supervisors may remove any member of the Task Force for cause at any time.

21 (c) In the event a vacancy occurs during the term of office of any member, the Board of
22 Supervisors shall appoint a successor for the unexpired term of the office vacated.

23 (d) At the initial meeting of the Task Force, and annually thereafter, the members of the Task
24 Force shall select two co-chairpersons, and any other officers as deemed necessary by the Task Force.

1 One co-chairperson selected by Task Force members in seats 2, 3, 4, 12 and 13 shall have at least
2 three years of experience working on medical cannabis patient advocacy issues. One co-chairperson
3 selected by Task Force members in seats 1, 5, 6, 7, 8, 9, 10 and 11 shall have at least three years of
4 experience representating a permitted medical cannabis dispensary in the City and County that has
5 been in operation for at least three years. The co-chairpersons shall fairly chair and facilitate Task
6 Force meetings, coordinate with Task Force members to set the agenda of Task Force meetings, and
7 serve as Task Force's liaisons to the City Attorney and the Board of Supervisors. All Task Force
8 members may submit Task Force meeting agenda items to the Task Force co-chairpersons.

9 (e) Services of the members of the Task Force shall be voluntary and members will serve
10 without compensation. Any member who misses four regularly scheduled meetings of the Task Force
11 during each two-year term without the express approval of the Task Force at a regularly scheduled
12 meeting will be deemed to have resigned from the Task Force.

13 (f) The Office of the City Administrator shall provide administrative support to the Task Force.

14 (g) The Task Force shall establish rules for its own organization and procedures and shall
15 meet when necessary as determined by the Task Force; provided, however that the Task Force shall
16 hold a regular meeting not less than once every month. All meetings shall, except as provided by law,
17 be open to the public.

18 (h) All City departments, commissions, boards and agencies shall cooperate with the Task
19 Force in conducting its business.

20
21 **SEC. 5.2-5. POWERS AND DUTIES OF THE MEDICAL CANNABIS TASK FORCE.**

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

23 (1) Hold hearings and take testimony regarding medical cannabis issues and related
24 matters;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(2) Create subcommittees as necessary;

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

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

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

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

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

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


(b) During each year of its operation the Task Force shall submit to the Board of Supervisors an annual report summarizing its recommendations.

/ / /
/ / /
/ / /
/ / /
/ / /
/ / /

1 **SEC. 5.2-6. SUNSET PROVISION.**

2 The Medical Cannabis Task Force shall terminate by operation of law on December 31, 2012,
3 and after that date the City Attorney shall cause this Article to be removed from the Administrative
4 Code.

5
6
7 APPROVED AS TO FORM:
8 DENNIS J. HERRERA, City Attorney

9 By: 
10 Terence Howzell
11 Deputy City Attorney

[Medical Cannabis Task Force.]

LEGISLATIVE DIGEST

[Ordinance amending the San Francisco Administrative Code by adding Sections 5.2-1 through 5.2-6, to establish a Medical Cannabis Task Force to advise the Board of Supervisors on medical cannabis issues.]

Existing Law

The City does not have a specific body to advise the Board of Supervisors on medical cannabis issues.

Amendments to Current Law

The proposed amendments would create a Medical Cannabis Task Force to advise the Board of Supervisors. The Task Force would consist of 13 members appointed by the Board of Supervisors, with specified areas of experience and expertise. The members would serve for two-year terms. The Task Force would develop and make recommendations in specified areas. The Task Force would submit to the Board of Supervisors an annual report summarizing its recommendations. The Task Force would terminate by operation of law on December 31, 2012.