

1 [Administrative Code Revision, Chapter 17]
 2 AMENDING CHAPTER 17 OF PART I OF THE SAN FRANCISCO MUNICIPAL CODE
 3 (ADMINISTRATIVE CODE), BY AMENDING SECTION 17.1, TO CORRECT A STATUTORY
 4 REFERENCE, AND AMENDING SECTION 17.14, REGARDING TRIAL AND SPECIAL
 5 EVENT RATES FOR THE USE OF PARKING FACILITIES UNDER THE JURISDICTION OF
 6 THE PARKING AND TRAFFIC COMMISSION.

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8 Note: Additions are underlined; deletions are in ((double parentheses)).

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

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11 Section 1. Chapter 17 of the San Francisco Administrative Code is hereby amended
12 by amending Section 17.1, to read as follows:

13 **SEC. 17.1. NEED FOR PARKING AUTHORITY EXPRESSED.** There is a need for a
14 parking authority to function in the City and County under the provisions of the Parking Law of
15 1949 (codified as California Streets and Highways Code Sections 32500 et seq. ((32655,
16 inclusive))).

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18 Section 2. Chapter 17 of the San Francisco Administrative Code is hereby amended
19 by amending Section 17.14, to read as follows:

20 **SEC. 17.14. RECOMMENDATIONS OF PARKING AND TRAFFIC**
21 **COMMISSION.** Periodically, the Parking and Traffic Commission shall conduct a review of the
22 rates and charges imposed on the public for the use of parking facilities under the jurisdiction
23 of the Parking and Traffic Commission and shall render a written report and recommendations
24 thereon to the Board of Supervisors.

1 The Board shall review the report and the recommendations and shall by resolution
2 adjust the rates and charges and/or make other modifications of the lease or management
3 agreement in order to provide an adequate return to the lessee or operator and to protect the
4 public interest.

5 The Commission and each lessee or operator, through the Commission, shall have the
6 right at all times to apply to the Board for an adjustment of public parking rates and charges or
7 other modifications of the lease or operating agreement for a parking facility. Applications by a
8 lessee or operator shall be by written petition filed with the Parking and Traffic Commission
9 with copies delivered to the Board of Supervisors. The Parking and Traffic Commission shall
10 report thereon to the Board within 30 days of such filing or within such further time as may be
11 allowed by motion of the Board. Parking rates and charges shall at all times be subject to
12 review and revision by the Board, but only after the Parking and Traffic Commission has made
13 a recommendation.

14 Notwithstanding the above, the Parking and Traffic Commission shall have the
15 authority to establish and implement new public parking rates at parking facilities under the
16 jurisdiction of the Parking and Traffic Commission on an 365-day ((180-day)) trial basis. Upon
17 termination of the 365-day ((180-day)) period, the Commission shall either rescind the interim
18 rates or have obtained approval from the Board of Supervisors for an adjustment of the rates.
19 When the Commission requests Board approval for an adjustment of rates after a trial period,
20 the Commission shall provide a report analyzing the impact on City revenues from the parking
21 rates charged during the trial period. The Executive Director of the Department of Parking and
22 Traffic shall have the authority to establish public parking rates for special events not to
23 exceed fourteen ((five)) consecutive days.

24 Notwithstanding the foregoing or any prior action of the Board of Supervisors, the
25 Parking and Traffic ((Authority)) Commission may, on account of a special event and in its

1 discretion, adjust rates and charges for parking at any public off-street parking facility for
2 which the Board of Supervisors ordinarily fixes rates and charges; provided that:

3 (a) The rate adjustment is not in breach of any contractual obligations;

4 (b) The rate adjustment is only in effect on the day(s) and at the time(s) of the
5 special event;

6 (c) When the special event came to the attention of Parking and Traffic ((Authority))
7 staff, there was not sufficient time prior to the special event to obtain the rate adjustment from
8 the Board of Supervisors;

9 (d) If the primary sponsor or organizer of the special event requested the rate
10 adjustment, then, in the opinion of the Parking and Traffic ((Authority)) Commission, that
11 sponsor or organizer acted reasonably in bringing the request and did not delay in order to
12 avoid seeking such an adjustment from the Board of Supervisors;

13 (e) If the adjusted rates and charges are higher than the rates and charges as fixed
14 by the Board of Supervisors, then:

15 (1) In light of anticipated demand for parking on the day(s) and at the time(s) of the
16 special event, the Parking and Traffic ((Authority)) Commission does not expect that higher
17 rates will result in a significant reduction in use of the parking facility, and

18 (2) The adjusted rates are competitive in light of the rates that are likely to be
19 charged at other parking facilities in the area on the day(s) and at the time(s) of the special
20 event; and

21 (f) If the adjusted rates and charges are lower than the rates and charges as fixed
22 by the Board of Supervisors; then:

23 (1) The primary sponsor or organizer of the special event is a not-for-profit,
24 eleemosynary organization or association,
25

1 (2) On the day(s) and at the time(s) of the special event the garage would ordinarily
2 be either closed or open but significantly less than full,

3 (3) In the opinion of the Parking and Traffic ((Authority)) Commission, lower rates
4 are necessary in order to encourage the public to attend the special event,

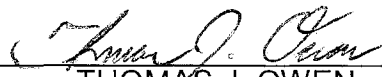
5 (4) The adjusted rates are sufficient to cover the cost of operating the garage during
6 the special event, and

7 (5) The adjusted rates apply only to those users of the garage that present evidence
8 (in a form agreed to between the primary sponsor or organizer of the special event and the
9 Parking and Traffic ((Authority)) Commission) that they are attending the special event.

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13 APPROVED AS TO FORM:

14 LOUISE H. RENNE, City Attorney

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17 By:


THOMAS J. OWEN
Deputy City Attorney

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SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 992044

Date Passed:

Ordinance amending Administrative Code Section 17.1 to correct a statutory reference and amending Section 17.14 regarding trial and special event rates for the use of parking facilities under the jurisdiction of the Parking and Traffic Commission.

December 13, 1999 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

December 20, 1999 Board of Supervisors — FINALLY PASSED

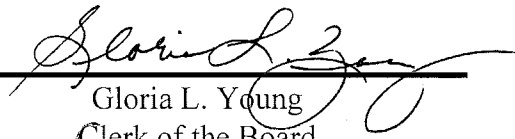
Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

File No. 992044

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on December 20,
1999 by the Board of Supervisors of the City
and County of San Francisco.

DEC 30 1999

Date Approved


Gloria L. Young
Clerk of the Board


Mayor Willie L. Brown Jr.