

File No. 111078

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date January 23, 2012

Board of Supervisors Meeting Date _____

Cmte Board

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OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Planning Commission Resolution No. 18513</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Environmental Review Determination, dtd 12/7/2011</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Human Services Agency Letter, dtd 12/12/2011</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Hearing Notice</u> |
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Completed by: Alisa Miller Date January 20, 2012

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.

1 [Planning Code and Zoning Map Amendments - India Basin Industrial Park]

2
3 **Ordinance amending the San Francisco Planning Code Section 249.42 to: 1) allow**
4 **outpatient medical care clinics; 2) amend Zoning Map Sheet 8 SU of the San Francisco**
5 **Planning Code to add parcels in Block No. 5211, Lot Nos. 29 through 54 to the India**
6 **Basin Special Use District and remove the parcel in Block No. 5211, Lot No. 28 from the**
7 **Design and Development Special Use District and add it to the India Basin Special Use**
8 **District; and 3) make environmental findings and findings of consistency with general**
9 **plan.**

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

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

14 Section 1. Findings.

15 (a) The Planning Department has determined that the actions contemplated in this
16 ordinance are in compliance with the California Environmental Quality Act (California Public
17 Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the
18 Board of Supervisors in File No. 111078 and is incorporated herein by reference.

19 (b) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this
20 ordinance will serve the public necessity, convenience and welfare for the reasons specified in
21 this legislation and in Planning Commission Resolution No. 18513, which is
22 incorporated herein by reference as though fully set forth. A copy of said Resolution is on file
23 with the Clerk of the Board in File No. 111078.

24 (c) This Board finds that these Planning Code amendments are consistent with the
25 General Plan and the Priority Policies of Section 101.1(b) of the Planning Code for the

1 reasons set forth in said Planning Commission Resolution No. 18513, and the Board
2 hereby incorporates such reasons into this ordinance by this reference.

3 Section 2. The San Francisco Planning Code is hereby amended by amending Section
4 249.42 to read as follows:

5 SEC. 249.42. INDIA BASIN INDUSTRIAL PARK SPECIAL USE DISTRICT

6 In order to provide continued enhancement and protection of certain retail, office, and
7 social service uses in the India Basin Industrial Park area, and to generally retain setback
8 requirements previously required under the India Basin Industrial Park Redevelopment Plan,
9 there shall be an India Basin Industrial Park Special Use District, the boundaries of which are
10 shown on Sectional Map 8SU and 10SU of the Zoning Map. The following provisions shall
11 apply within this Special Use District:

12 (a) Parcels in close proximity to Third Street. Parcels numbers 5203/035, 5203/043,
13 5203/083, 5203/084, 5211/028-054, 5235/012, 5235/015, 5242/001, 5242/002, 5242/007 and
14 5242/031, are subject to the provisions of the PDR-2 District except as provided below:

15 1. Office Uses. Office uses within the meaning of Section 219 shall not be subject
16 to the use size limits for office uses in the PDR-2 District set forth in Section 219 and the non-
17 residential use size limits in the PDR-2 District set forth in Section 121.8, however, a new or
18 expanded office use is not permitted if the total amount of office use on one of the parcels
19 designated above would exceed 50,000 gross square feet.

20 2. Retail uses. Retail uses within the meaning of Section 218 shall not be subject
21 to the use size limits for retail uses in the PDR-2 District set forth in Section 218 and the non-
22 residential use size limits for the PDR-2 District set forth in Section 121.8, however, any
23 individual new or expanded retail use that contains a gross floor area greater than 5,999
24 square feet shall require Conditional Use authorization pursuant to Section 303 and must
25 comply with the criteria of Sections 121.2(a)(1) through (3).

1 3. Institutional uses. Social service facilities within the meaning of Section 217(d)
2 shall not be subject to the use-size limit for the PDR-2 District set forth in Section 217(d).
3 Child-care facilities within the meaning of Section 217(e) shall be principally permitted. *Clinics*
4 *primarily providing outpatient care in medical, psychiatric or other healing arts shall be principally*
5 *permitted if the gross floor area of such facility is less than 15,000 square feet. Such clinics may be*
6 *affiliated with a medical institution, which institution has met the applicable provisions of Section*
7 *304.5 of this Code concerning institutional master plans. Clinics primarily providing outpatient care*
8 *in medical, psychiatric or other healing art with a gross floor area equal to or greater than 15,000*
9 *square feet, whether or not affiliated with a medical institution, which institution has met the applicable*
10 *provisions of Section 304.5 of this Code concerning institutional master plans, shall require conditional*
11 *use authorization pursuant to Section 303.*

12 4. Off-Street Parking. The minimum off-street parking requirements set forth in
13 Section 151 shall not apply. However, for the purpose of determining the maximum amount of
14 parking allowed as an accessory use under Section 204.5, the amount of parking required by
15 this Code shall be the amount set forth in Section 151.

16 (b) Front setbacks. All parcels within this Special Use District shall provide
17 landscaped front setbacks at depths and along frontages identified in this Subsection. The
18 intent is to maintain and reinforce existing landscaped front setbacks, including the
19 landscaped berms, India Basin Industrial Park signs, and tree hedges. Such setbacks shall be
20 completely and appropriately landscaped and shall remain unpaved and devoted to plant
21 material, excepting reasonable space necessary for ingress and egress to properties. Except
22 as set forth in this Subsection for corner properties, only those permitted obstructions
23 identified in Section 132(f) shall be permitted within such front setback. Corner properties with
24 frontage along more than one street identified below shall provide the required setback along
25 all applicable frontages with two exceptions: (1) the required setback along each frontage may

1 be reduced to the depth of the front setback of an existing building on an adjacent lot along
 2 the same frontage, provided that the adjacent building occupies at least half of the width of the
 3 adjacent lot, and (2) building elements may extend into portions of the required setback,
 4 resulting in an irregular setback, provided that the total area of the resulting setback along
 5 each frontage is at least equal to the total area of the setback that would otherwise be
 6 required. The required front setbacks are as follows:

- 7 1. Third Street, east side, north of Burke Avenue, 10 feet.
- 8 2. Third Street, east side, south of Burke Avenue, 15 feet.
- 9 3. Evans Avenue, north side, 15 feet.
- 10 4. Evans Avenue, south side between Third Street and Mendell Street, 15 feet.
- 11 5. Cargo Way, south side, 15 feet.

12 Section 3. The San Francisco Planning Code is hereby amended by amending Zoning
 13 Map Sheet SU 8 as follows:

Assessor Block Lot Parcel Number	Use District Hereby Approved
5211029	India Basin Industrial Park Special Use District
5211030	India Basin Industrial Park Special Use District
5211031	India Basin Industrial Park Special Use District
5211032	India Basin Industrial Park Special Use District
5211033	India Basin Industrial Park Special Use District
5211034	India Basin Industrial Park Special Use District
5211035	India Basin Industrial Park Special Use District
5211036	India Basin Industrial Park Special Use District
5211037	India Basin Industrial Park Special Use District

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Assessor Block Lot Parcel Number	Use District Hereby Approved
5211038	India Basin Industrial Park Special Use District
5211039	India Basin Industrial Park Special Use District
5211040	India Basin Industrial Park Special Use District
5211041	India Basin Industrial Park Special Use District
5211042	India Basin Industrial Park Special Use District
5211043	India Basin Industrial Park Special Use District
5211044	India Basin Industrial Park Special Use District
5211045	India Basin Industrial Park Special Use District
5211046	India Basin Industrial Park Special Use District
5211047	India Basin Industrial Park Special Use District
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5211051	India Basin Industrial Park Special Use District
5211052	India Basin Industrial Park Special Use District
5211053	India Basin Industrial Park Special Use District
5211054	India Basin Industrial Park Special Use District

1 Code, including non-substantive changes such as renumbering or relettering, to ensure
2 that the published version of the Planning Code is consistent with the laws that this Board
3 enacts.

4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By: 
7 Elaine C. Warren
8 Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code and Zoning Map Amendments - India Basin Industrial Park]

Ordinance amending the San Francisco Planning Code Section 249.42 to: 1) allow outpatient medical care clinics; 2) amend Zoning Map Sheet 8 SU of the San Francisco Planning Code to add parcels in Block No. 5211, Lot Nos. 29 through 54 to the India Basin Special Use District and remove the parcel in Block No. 5211, Lot No. 28 from the Design and Development Special Use District and add it to the India Basin Special Use District; and 3) make environmental findings and findings of consistency with general plan.

Existing Law

The India Basin Industrial Park Special Use District (IBIP SUD) was established to enhance and protect certain retail, office, and social services uses in the India Basin Industrial Park area, part of a former redevelopment plan area. The IBIP SUD provides that certain parcels in close proximity to Third Street, are subject to PDR-2 District zoning controls except for certain special controls that apply to office, retail institutional and off-street parking controls. In the case of institutional uses pertaining to health care clinics, the IBIP SUD contains no special provisions and thus the underlying PDR-2 zoning controls apply. In the PDR-2 zoning district, health care clinics as defined in Planning Code Section 217(d) that are affiliated with medical institutions that have met the applicable institutional master plan requirements of Planning Code Section 304.5 are not permitted. Under Planning Code Section 217(e), health care clinics not affiliated with medical institutions as defined in Planning Code Section 217(d), are permitted in the PDR-2 zoning district if under 5,000 square feet.

Amendments to Current Law

The ordinance would remove the parcel in Block No. 5211, Lot No. 028 from the Design Development Special Use District and add parcels in Block No. 5211, Lot Nos. 028 through 054 to the IBIP SUD. This area is generally bounded by Third Street, Cargo Way, Quint Street and Custer Avenue. The ordinance would amend the IBIP SUD controls to authorize outpatient health care clinics to be principally permitted use if the gross floor area is less than 15,000 square feet. Such uses may be affiliated with a medical institution that has met the applicable institutional master plan requirements of Planning Code Section 304.5. Outpatient health care clinics of 15,000 square feet or greater, whether or not affiliated with a medical institution would require a conditional use permit.

Background Information

The legislation would allow a child abuse prevention center and center for youth wellness in IBIP SUD.



SAN FRANCISCO PLANNING DEPARTMENT

December 21, 2011

Ms. Angela Calvillo, Clerk
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

**Re: Transmittal of Planning Department Case Number 2011.1209TZ:
India Basin Industrial Park Special Use District (SUD) Amendments**

**BOS File No: 111078
Planning Commission Recommendation: Approval**

Dear Ms. Calvillo,

On December 15, 2011 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance. The proposed Ordinance was introduced by Supervisor Cohen on October 4, 2011 under BOS File No. 111078.

The proposed Ordinances would amend the Planning Code as follows:

1. **Planning Code Zoning Map Amendment:** rezone 3450 Third Street (Assessor's Block 5211 / Lots 028-054), which include approximately 27 commercial condominiums located at the portion northern portion of lot 5211 bounded by Quint Street, Arthur Avenue, and Third Street, to be within the India Basin Industrial Park SUD.
2. **Planning Code Text Amendment:** amend the India Basin Industrial Park Special Use District by allowing medical clinic uses under 15,000 square feet as a principle use, and allowing such uses 15,000 square feet and above through conditional use authorization.

The proposed Amendments were found to be exempt from CEQA review under General Rule Exclusion (State CEQA Guidelines, Section 15061(b)(3)).

At the December 15 hearing, the Commission voted to recommend approval of the proposed Ordinances. Please find attached documents relating to the Commission's action.

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Transmittal Materials

**CASE NO. 2011.1209TZ
India Basin Industrial Park SUD Amendment**

If you have any questions or require further information please do not hesitate to contact me.

Sincerely,



John Rahaim
Director of Planning

cc:

Supervisor Cohen
Supervisor Wiener
Supervisor Mar

Attachments (one copy of the following):

Planning Commission Resolution No. 18513
Planning Commission Executive Summary for Case No. 2011.1209TZ
Exhibit Maps and Aerial Photos
Copy of Draft Ordinance

I:\Citywide\Community Planning\Southeast BVHP\BVHP General\Work Products in progress\BIP Amendment 2011\BIP Amendment - BOS
transmittal.doc



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 18513

HEARING DATE DECEMBER 15, 2011

Date: December 8, 2011
Case No.: 2011.1209TZ
Project Address: 3450 Third Street (Northern portion of the block bounded by Third Street on its east, Arthur Avenue on its north, and Quint Street on its west; and the India Basin Industrial Park Special Use District
Zoning: PDR-2 (Heavy Production, Distribution and Repair)
65-J Height and Bulk
Design and Development SUD
India Basin Industrial Park SUD
Bayview Hunters Point Redevelopment Project Area
Block/Lot: 5211/028-054
Project Sponsor: Supervisor Cohen
Staff Contact: Mat Snyder – (415) 575-6891
mathew.snyder@sfgov.org

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RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE A PROPOSED ORDINANCE TO AMEND THE PLANNING CODE BY AMENDING PLANNING CODE SECTION 249.42 TO ALLOW OUTPATIENT MEDICAL CARE CLINICS UNDER 15,000 AS PRINCIPALLY PERMITTED USES, AND OUTPATIENT MEDICAL CARE CLINICS 15,000 AND GREATER THROUGH CONDITIONAL USE AUTHORIZATION WITHIN THE INDIA BASIN INDUSTRIAL PARK SPECIAL USE DISTRICT AND TO AMEND PLANNING CODE ZONING MAP SHEET 8 SU TO ADD PARCELS IN BLOCK 5211, LOTS 29 THROUGH 54 TO THE INDIA BASIN SPECIAL USE DISTRICT AND REMOVE THE PARCEL IN BLOCK 5211, LOT 28 FROM THE DESIGN AND DEVELOPMENT SPECIAL USE DISTRICT AND ADD IT TO THE INDIA BASIN SPECIAL USE DISTRICT AND TO MAKE AND ADOPT ENVIRONMENTAL FINDINGS AND FINDINGS OF CONSISTENCY WITH THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1 AND THE GENERAL PLAN.

WHEREAS, on October 4, 2011, Supervisor Cohen introduced an Ordinance under Board of Supervisors (hereinafter "Board") File Number 111078 for a map amendment and text change, which would (1) include parcel Assessor Block 5211, Lots 028-054 within the India Basin Industrial Park Special Use District (SUD) (Planning Code Zoning Map 8 SU); and (2) allow outpatient medical care clinics that less than 15,000 square feet as principally permitted uses, and allow such uses 15,000 or greater through Conditional Use authorization within the India Basin Industrial Park SUD.

The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance for Application No. 2011.1209TZ on December 15, 2011; and,

The Commission adopted the resolution on December 15, 2011, to approve the text change and map amendment; and,

An exemption from Environmental Review under the General Rule Exclusion found in the State CEQA Guidelines Section 15061 (b)(3) was issued for the Project on December 7, 2011; and

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented by Department staff and other interested parties; and

The Project Site to be rezoned consists of several commercial condominium lots on a base parcel at 3450 Third Street consisting of the northern portion of Assessor's Block 5211 bounded to its east by Third Street, to its north by Arthur Avenue, and to its east by Quint Street. All parcels were intended to be included within the Design and Development SUD when the area was rezoned from M-2 to PDR-2 in 2008. The Design and Development SUD is intended to allow limited office uses. Because of a technical error, only one of the condominium lots (Lot 028) was included leaving out the rest. Without this legislation, it was staff's intention to correct this error. This legislation would include all lots within the Industrial Basin Industrial Park SUD, no longer requiring the correction as the objectives of the Design and Development SUD and the India Basin Industrial Park SUD are similar.

The proposed map change and text amendment has been found to be consistent with the following relevant Objectives and Policies of the General Plan:

BAYVIEW HUNTERS POINT AREA PLAN

OBJECTIVE 1 STIMULATE BUSINESS, EMPLOYMENT, AND HOUSING GROWTH WITHIN THE EXISTING GENERAL LAND USE PATTERN BY RESOLVING CONFLICTS BETWEEN ADJACENT INDUSTRIAL AND RESIDENTIAL AREAS.

Policy 1.5 Encourage a wider variety of light industrial uses throughout the Bayview by maintaining the newly established Production, Distribution and Repair zoning, by more efficient use of industrial space, and by more attractive building design.

The proposed rezoning including parcels at the subject site within the India Basin Industrial Park SUD will be in keeping with the general character of the area, allowing and encouraging the continuation of PDR activities allowed by the underlying district, while also beginning to allow other community-oriented uses appropriate for parcels facing Third Street.

OBJECTIVE 2 IMPROVE USE OF LAND ON THIRD STREET BY CREATING COMPACT COMMERCIAL AREAS, ESTABLISHING NODES FOR COMPLEMENTARY USES, AND RESTRICTING UNHEALTHY USES.

Policy 2.1 Improve the physical and social character of Third Street to make it a more livable environment.

Policy 7.2 Encourage complementary development adjacent to the Third Street core commercial area.

By placing the subject parcel within the India Basin Industrial Park SUD, a wider variety of uses will be allowed including smaller scale retail, community-uses, childcare, and with the proposed text amendment, health care

facilities. These community-related uses are appropriate for uses facing Third Street, Bayview Hunters Point "Main Street".

OBJECTIVE 8 STRENGTHEN THE ROLE OF BAYVIEW'S INDUSTRIAL SECTOR IN THE ECONOMY OF THE DISTRICT, THE CITY, AND THE REGION.

Policy 8.1 Maintain industrial zones for production, distribution, and repair activities in the Northern Gateway, South Basin, Oakinba, and India Basin Industrial Park subdistricts.

The subject area will continue to be zoned PDR-2, its underlying Use District, which allows and encourages production, distribution and repair activities.

OBJECTIVE 14 ASSURE ADEQUATE NUMBERS, TYPES, AND LOCATIONS, OF COMMUNITY FACILITEIS AND SERVICES TO MEET THE NEEDS OF THE LOCAL COMMUNITY.

Policy 15.1 Increase funding for and achieve closer coordination between health, social, and educational programs, particularly those relating to drug abuse and teenage pregnancies.

OBJECTIVE 16 PROVIDE ADEQUATE, EFFICIENT AND PROPERLY LOCATED POLICE, FIRE, AND HEALTH SERVICES.

Policy 16.3 Support improved health services that are more relevant to social-oriented health problems in Bayview Hunters Point, and promote the expansion of the Southeast Health Center.

The subject rezoning proposal would allow multifaceted social service / healthcare services within the subject parcels and the portions of the India Basin Industrial Park SUD that faces Third Street, a location convenient to public transit.

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 1 MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.3 Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

Policy 4.11 Maintain an adequate supply of space appropriate to the needs of incubator industries.

OBJECTIVE 4 IMPORVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

Policy 4.5 Control encroachment of incompatible land uses on viable industrial activity.

The subject rezoning could possibly lead to some replacement of PDR uses with uses permitted within the India Basin Industrial Park SUD, but the amount of possible displacement would be relatively minor. More competitive uses, such as residential would continue to be disallowed. Also, by opening up possible uses, a wider variety of job-creating incubator uses would be possible, as well community-related uses appropriate for spaces facing Third Street.

COMMUNITY FACILITIES

OBJECTIVE 3 ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

Policy 3.7 Program the centers to fill gaps in needed services, and provide adequate facilities for ill-housed existing services.

OBJECTIVE 4 PROVIDE NEIGHBORHOOD CENTERS THAT ARE RESPONSIVE TO THE COMMUNITY SERVED.

OBJECTIVE 9 ASSURE THAT INSTITUTIONAL USES ARE LOCATED IN A MANNER THAT WILL ENHANCE THEIR EFFICIENT AND EFFECTIVE USE.

The subject rezoning proposal would allow multifaceted social service / healthcare services within the subject parcels and the portions of the India Basin Industrial Park SUD that faces Third Street, a location convenient to public transit.

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed rezoning would not effect existing neighborhood-serving retail but would create additional opportunities for neighborhood-serving retail along Third Street, Bayview Hunters Point's "Main Street".

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposal would not effect existing housing.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposal would not effect existing housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed rezoning in of itself would not significantly impact traffic. No additional parking would be required. Although the proposed amendments could result in additional density, the Subject Property is located on Third Street, which is a major transit corridor.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed rezoning would allow more uses than currently allowed. While it is possible that some replacement of PDR uses could occur, the replacement would be minor, as it would only effect one map parcel. The subject parcels would continue to have PDR-2 as its base zoning.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

Any potential development on the Subject Property must meet current Building Code requirements. The proposed amendments will not alter any such requirements.

7. That the landmarks and historic buildings be preserved;

The proposed amendment would not impact any historic buildings. Demolition of the existing structure would require review under CEQA for impacts to potential historic resources.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The subject rezoning would not effect parks and open space. Any subsequent construction activity would continue to be subject to analysis under Planning Code section 295.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board APPROVE the proposed Ordinance as described in this Resolution No. 18513 to amend Planning Code Zoning Map 8 SU and to amend Planning Code Section 249.42.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on December 15, 2011.

Linda D. Avery
Commission Secretary

AYES: Commissioners Olague, Antonini, Borden, Fong, Miguel, Moore, Sugaya,

NOES:

ABSENT:

ADOPTED: December 15, 2011



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code and Zoning Map Amendments HEARING DATE: DECEMBER 15, 2011

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
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Planning
Information:
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Date: December 8, 2011
Case No.: **2011.1209TZ**
Project Address: 3450 Third Street (Northern portion of the block bounded by Third Street on its east, Arthur Avenue on its north, and Quint Street on its west; and the India Basin Industrial Park Special Use District)
Zoning: PDR-2 (Heavy Production, Distribution and Repair)
65-J Height and Bulk
Design and Development SUD
India Basin Industrial Park SUD
Bayview Hunters Point Redevelopment Project Area
Block/Lot: 5211/028-054
Project Sponsor: Supervisor Cohen
Staff Contact: Mat Snyder – (415) 575-6891
mathew.snyder@sfgov.org

Recommendation: **Approval**

PROJECT DESCRIPTION

The proposed Ordinance would (1) amend the India Basin Industrial Park Special Use District by allowing medical clinic uses under 15,000 square feet as a principle use, and allowing such uses 15,000 square feet and above through conditional use authorization; and (2) rezone 3450 Third Street (approximately 27 commercial condominiums located at the portion northern portion of lot 5211 (bounded by Quint Street, Arthur Avenue, and Third Street) to be within the India Basin Industrial Park SUD.

SITE DESCRIPTION AND PRESENT USE

The Subject Property to be rezoned is located at 3450 Third Street (AKA 101-111 Quint Street), Lots 028-54 of Block 5211. These lots are commercial condominium lots improved within five buildings on a ground lot that is roughly 100,000 square feet. The front two buildings facing Third Street are comprised of office tenant spaces. The rear buildings are comprised of warehouse and workshop spaces featuring roll up garage doors facing either an interior parking lot or Quint Street. A wide variety of commercial tenants occupy the compound including contractors office, warehouse, woodworking shops, printing operations, and distribution activities.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject site is at the northern end of the Bayview Hunters Point neighborhood just south of Islais Creek. It is within the Northern Gateway Activity Node as identified in the Bayview Hunters Point

Redevelopment Plan. The site is zoned PDR-2 with a portion of it within the Design and Development SUD (see below for further discussion). Lots further south along Third Street on the same side of the street (west) are also zoned PDR-2, are within the Design and Development SUD, and the Bayview Hunters Point Redevelopment Project Area. They are characterized by large warehouse structures and distribution facilities. The lot immediately across Third Street is currently vacant with a proposal to develop an office building pending. Further south on Third Street on the east side are commercial PDR and office structures, and *Bayview Plaza*, a retail center. The lots on the east side of Third Street are within the India Basin Industrial Park SUD, which allows limited office uses, limited retail, and other community serving uses for those parcels facing Third Street.

BACKGROUND: THE DESIGN AND DEVELOPMENT SUD AND THE INDIA BASIN INDUSTRIAL PARK SUD

The northern portion of the Bayview Hunters Point neighborhood is largely zoned PDR-2. The portions that face Third Street, however, are also within either the Design and Development SUD (on the west side) or the India Basin Industrial Park SUD (on the east side). The Design and Development SUD was created in 2008 when most of the lots within M-2 Districts were rezoned to PDR-2. The purpose of the Design and Development SUD at this location was to also allow limited office uses along Third Street, where the PDR-2 designation would no longer allow it. The India Basin Industrial Park SUD was created in 2009 when the India Basin Industrial Park Redevelopment Plan lapsed. The intention of the India Basin SUD was to allow uses already in existence in the Industrial Park that would not otherwise be allowed in the PDR-2 zoning, such as limited retail, office, and social service uses. In addition to accommodating these existing uses, staff concluded that the retail, office, and social service uses were appropriate for their location along Third Street.

The parcel(s) to be rezoned are partially within the Design and Development SUD. All parcels were intended to be included within the Design and Development SUD; because of a technical error, only one of the condominium lots (Lot 028) was included leaving out the rest. Without this legislation, it was staff's intention to correct this error. However, staff believes that including the subject parcels in the India Basin Industrial Park SUD would accomplish the similar goal as including them within the Design and Development SUD. Staff believes that allowing additional uses such limited retail, community and medical services are appropriate for 3450 Third Street as well because the character of the subject lot is similar to those within the existing India Basin Industrial Park SUD.

PROPOSED USE

There is a proposal for Center for Youth Wellness and San Francisco Child Abuse Prevention Center to occupy two condominiums in one of the front buildings, equaling roughly 22,000 square feet. No formal applications have been submitted to the Planning Department at this time. The two related organizations would include multiple uses related to the well being of Bayview youth. The organizations would incorporate health clinic, medical health and social services, along with child abuse preventative services. The existing zoning would not allow the use as currently proposed because the underlying PDR-2 District (and Design and Development SUD) do not allow social services greater than 5,000 or medical uses greater than 5,000 square feet.

ENVIRONMENTAL REVIEW

The Project was determined on [date] to exempt from Environmental Review under the General Rule Exclusion [Section 15061(b)(3) of the CEQA Guidelines].

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	November 23, 2011	November 23, 2011	20 days
Posted Notice	[not required]	[not required]	[not required]	[not required]
Mailed Notice	10 days	December 5, 2011	December 5, 2011	10 days

PUBLIC COMMENT

Planning staff received several calls regarding this project. In general the calls were inquisitive in nature and neither registered definitive support or opposition.

ISSUES AND OTHER CONSIDERATIONS

- Staff believes that the proposed amendments are minor. By placing the subject parcels within the India Basin Industrial Park SUD rather than the Design Development SUD similar objectives are met to continue allowing and encouraging PDR uses, while at the same time, allow more community-related uses along Third Street. Attached is a comparison chart of how the land use controls that would change due to the legislation.
- The proposal would also amend the India Basin Industrial Park by allowing medical clinics as principally permitted uses up to 15,000 where they are limited to 5,000 by the underlying PDR-2 zoning. The amendment would also allow such uses greater than 15,000 with conditional use authorization. Staff believes this amendment is keeping with the intent of the India Basin Industrial Park SUD controls to allow community serving uses along Third Street.
- While there are currently no proposed projects before the Planning Department at this time that would take advantage of this rezoning, staff is aware of a desire for Center for Youth Wellness and San Francisco Child Abuse Prevention Center to locate at 3450 Third Street. The existing zoning would not allow the use as currently proposed because the underlying PDR-2 District (and Design and Development SUD) do not allow social services greater than 5,000 or medical uses greater than 5,000 square feet. The rezoning would allow the new use.

REQUIRED COMMISSION ACTION

The Commission may approve, or approve in part, or disapprove the proposed code amendment and map change.

BASIS FOR RECOMMENDATION

- The subject proposal is consistent with the General Plan, including the Bayview Hunters Point Area Plan, and Planning Code Section 101.1 as outlined in the attached draft Commission Resolution.

- The rezoning is appropriate for the Third Street location in that it will allow a wider variety of community-related uses along Third Street while still allowing PDR uses.
- The proposed rezoning will enable the Center for Youth Wellness and Child Advocacy Center to locate at 3450 Third Street.

RECOMMENDATION:	Approval of Text and Map Changes to the Planning Code to allow medical clinics within the India Basin Industrial Park SUD and to rezone Assessor's Block and Lots 5411 /028-054 to be within the India Basin Industrial Park SUD
------------------------	---

Attachment Checklist

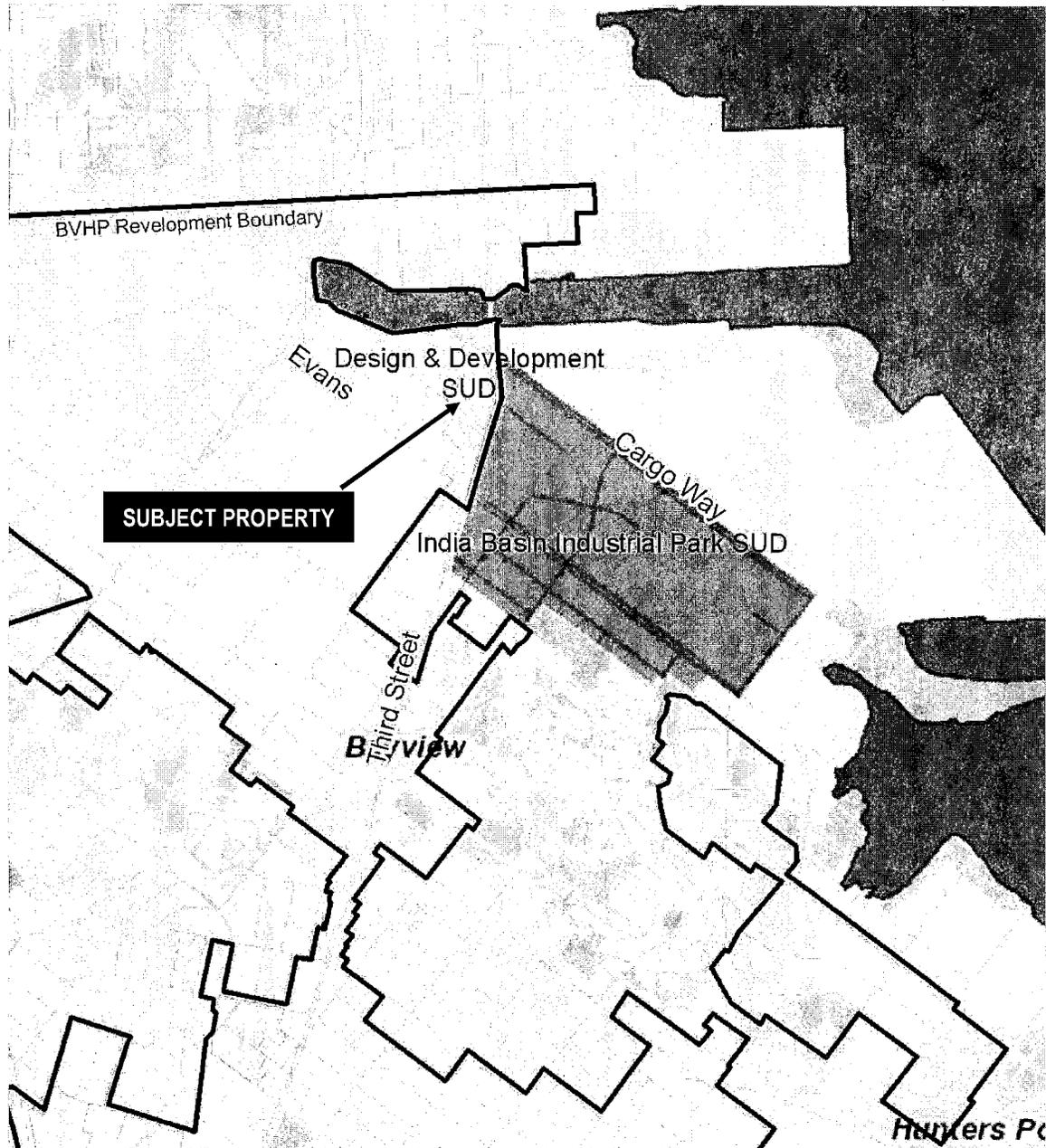
- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Resolution | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Environmental Determination | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input type="checkbox"/> Correspondence |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Draft Legislation |
| <input checked="" type="checkbox"/> Aerial Photo | |
| <input type="checkbox"/> Context Photos | |
| <input type="checkbox"/> Site Photos | |

Exhibits above marked with an "X" are included in this packet

Planner's Initials

EW: G:\Documents\TEXT AND MAP AMMENDMENTS\4550 Mission Street\Executive Summary.doc

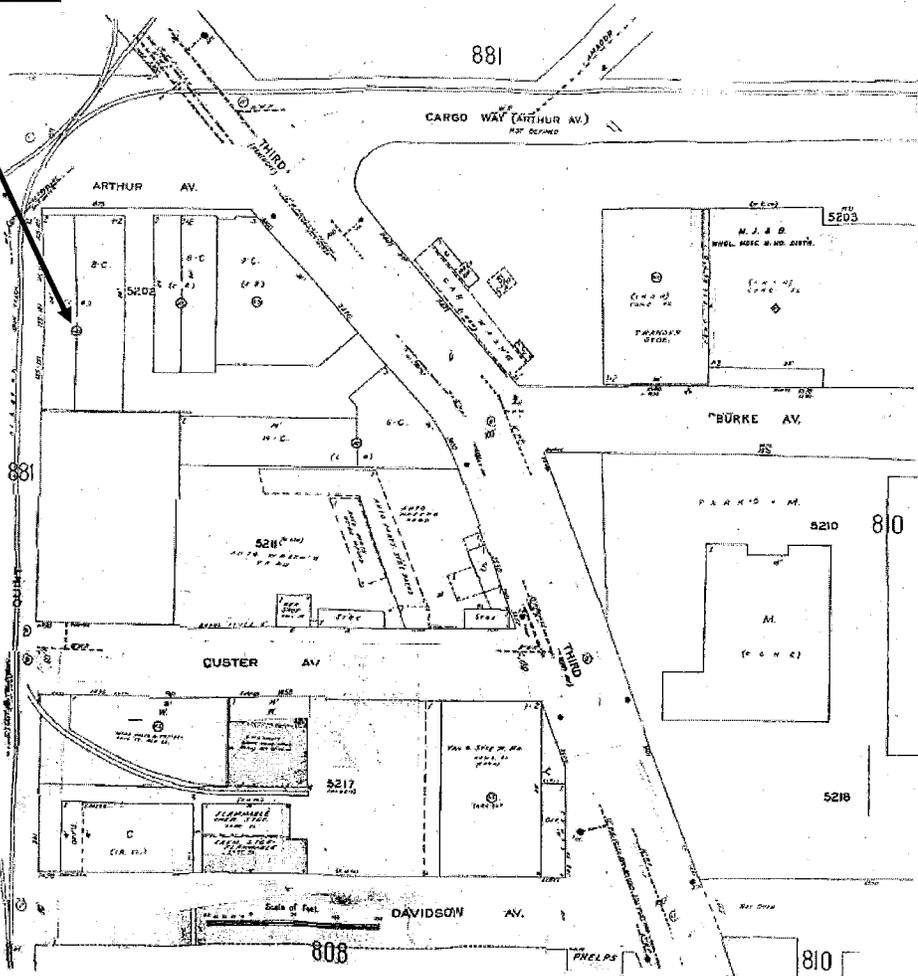
Context Map



Planning Code Text and Map Amendments
Case Number 2011.1209TZ
India Basin Industrial Park SUD

Sanborn Map

SUBJECT PROPERTY



Planning Code Text and Map Amendments
Case Number 2011.1209TZ
India Basin Industrial Park SUD

Aerial Photo



SUBJECT PROPERTY



Planning Code Text and Map Amendments
Case Number 2011.1209TZ
India Basin Industrial Park SUD

Pictometry Aerial Photo



SUBJECT PROPERTY



Planning Code Text and Map Amendments
Case Number 2011.1209TZ
India Basin Industrial Park SUD

Zoning



Planning Code Text and Map Amendments
Case Number 2011.1209TZ
India Basin Industrial Park SUD

Zoning – Height Districts



Planning Code Text and Map Amendments
Case Number 2011.1209TZ
India Basin Industrial Park SUD



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Exemption from Environmental Review

Case No.: 2011.1209E
Project Title: BOS 111078: India Basin Industrial Park Map Amendment
Zoning: PDR-2 (Production, Distribution, and Repair) Use District
40-X Height and Bulk District
Block/Lot: 5211/028-054
Project Sponsor: Supervisor Malia Cohen, District 10
Staff Contact: Chelsea Fordham - (415) 575-9071
Chelsea.Fordham@sfgov.org

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION:

The project is a proposed ordinance (Board File No. 111078) proposed by Supervisor Cohen that would: (1) amend San Francisco Planning Code Section 249.42 (India Basin Industrial Park Special Use District) to allow outpatient medical care clinic as a principally permitted use if the gross floor area is less than 15,000 square feet (sq.ft.) and require Conditional Use authorization where such use would be 15,000 sq.ft or greater; (2) amend Zoning Map Sheet 8 to add parcels in Block No. 5211, Lot No. 28 through 54 to the India Basin Industrial Park Special Use District; and (3) remove the parcel Block 5211, Lot No. 28 through 54 from the Design and Development Special Use District.

[Continued on next page.]

EXEMPT STATUS:

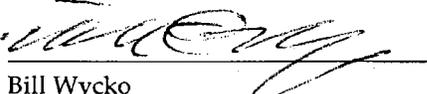
General Rule Exclusion (State CEQA Guidelines, Section 15061(b)(3)).

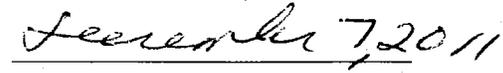
REMARKS:

See next page.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.


Bill Wycko
Environmental Review Officer


Date

cc: Mat Snyder, Neighborhood Planner
Supervisor Malia Cohen, District 10

Virna Byrd, M.D.F
Distribution List

PROJECT DESCRIPTION (continued):

The underlying zoning for the India Basin Industrial Park Special Use District and the parcels listed above would still remain PDR-2. This area is generally bound by Third Street, Cargo Way, Quint Street, and Custer Avenue in the Bayview Hunters Point neighborhood. The proposed ordinance would allow a child abuse prevention center and center for youth wellness to be located in the India Basin Industrial Park Special Use District on the subject property Block 5211, Lot No. 28 through 54. The subject property contains existing commercial buildings improved with five buildings totaling approximately 100,000 square feet. There is a proposal for the child abuse prevention center to occupy two office tenant spaces of one of the front buildings on the subject property, totaling 22,000 square feet. No formal applications have been submitted to the Planning Department for this project, and any proposal for the child abuse prevention center would require further environmental review.

REMARKS:

Land Use: The subject parcels (Block No. 5211, Lot No. 28 through 54) are in the PDR-2 (Production, Distribution, and Repair) Use District. The proposed ordinance would amend San Francisco Planning Code Section 249.42 (India Basin Industrial Park Special Use District) to allow outpatient medical care clinic as a principally permitted use if the gross floor area is less than 15,000 sq.ft. and require Conditional Use authorization where such a use would be 15,000 sq.ft or greater. The project would also add parcels in Block No. 5211, Lot Nos. 28 through 54 to the India Basin Industrial Park Special Use District; and remove the parcel Block 5211, Lot Nos. 28 through 54 from the Design and Development Special Use District. Table 1 compares the permitted uses of the India Basin Industrial Park Special Use District to the Design and Development Special Use District for the subject property.

Table 1: Permitted and Conditional Uses Permitted in the India Basin Industrial Park Special Use District Compared to the Design and Development Special Use District

Use	Subject Lot As Is generally PDR-2 + Design and Development SUD	Subject Lot As Proposed PDR-2 + India Basin Industrial Park SUD as amended
Retail	P under 2,500 for entire lot; NP above 2,500	Permitted up to 5,999 per establishment, CU 6,000 and above
Office	Permitted if meets FAR and other restrictions	Permitted with cap of 50K
Social Services	P under 5,000 per establishment; NP above 5,000	Permitted without square footage limitation
Day Care	Not Permitted	Permitted without square footage limitation
Medical,	P under 5,000 per	Permitted up to 15,000; CU above 15,000

Psychiatric, and other Healing Arts Clinic	establishment	
Parking Provision	No different than PDR-2: parking requirements / minimums apply	Parking not required. Accessory amounts determined by Sec .151.
Development Standards (i.e. height, bulk, etc.)		[no change]

The proposed ordinance would widen the permitted uses in the India Basin Industrial Park Special Use District and on the subject property. However, the underlying zoning of PDR-2 would remain. Therefore, the proposed ordinance would not result in the permanent conversion of industrial lands to other uses or result in land use conflicts. The proposed ordinance would not create a new or substantially more intensive use than what presently exists in the project vicinity, nor substantially alter the development potential or pattern in this area. Therefore, the proposed ordinance would not physically divide an established community or conflict with any land use plan, policy, or regulation, and would not have a substantial impact upon the existing character of the vicinity. For the above reasons, the proposed project would not result in a significant effect on land use.

Because the physical development of the subject property or the India Basin Industrial Park Special Use District would not change as a result of the proposed ordinance, there would be no environmental impacts from this change. The proposed child abuse prevention center would be located within an existing commercial building and would not result in any physical development. Additionally, the child abuse prevention center and any future development proposal for the subject lot would require additional environmental review.

Transportation: The proposed project would allow outpatient medical care clinics in the India Basin Special Use District; and remove the parcel Block 5211, Lot No. 28 through 54 from the Design and Development Special Use District and add it to the India Basin Industrial Park Special Use District. Table 1 compares the permitted uses for the India Basin Industrial Park Special Use District to the Design and Development Special Use District. The proposed project would result in a minimal increase of daily person and vehicle trips because the medical outpatient clinic would result in similar trip generation rates to the existing permitted uses within the PDR-2 and India Special Use District. Additionally, any proposal for development within the India Basin Industrial Park Special Use District or the subject property would be subject to environmental review. Thus, the proposed rezoning would not substantially affect the neighborhood's existing transportation and circulation conditions.

Neighborhood Concerns: A "Notification of Project Receiving Environmental Review" was mailed on November 10, 2011, to community organizations, potentially interested parties, tenants of the affected property and properties adjacent to the subject property, and those persons who

own property within 300 feet of the subject property requesting comments concerning the potential environmental effects of this project. One commenter requested further notification of the proposal. None of these comments address the environmental impacts of the proposed project.

Conclusion: CEQA State Guidelines Section 15061(b)(3) provides an exemption from environmental review where it can be seen with certainty that the proposed project would not have a significant impact on the environment. As discussed above, the project would not result in significant environmental effects. Thus, the proposed project is appropriately exempt from environmental review under the General Rule Exclusion (CEQA Guidelines Section 15061(b)(3)).

City and County of San Francisco



Edwin M. Lee, Mayor

Human Services Agency

Department of Human Services
Department of Aging and Adult Services

Trent Rhorer, Executive Director

December 12, 2011

Board of Supervisors
City & County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Dear Board of Supervisors:

We write today to express our support for the Children's Advocacy Center + Center for Youth Wellness (CAC+CYW).

Leading Child Protective Services for our City, we know first hand the necessity of providing comprehensive support and advocacy services for victims of child trauma. While services for children who have experienced abuse and trauma are available, having services integrated through co location in a child friendly location will allow for additional and needed resources to be available to greater numbers of children.

The CAC and CYW are working to provide a full spectrum of services designed around the whole child under one roof. In a child-friendly facility, the CAC and CYW will support children's health and family, educational, emotional, behavioral, and safety needs. As a long-term partner, we urge you to support the re-zoning of the 3450 3rd Street facility, to ensure we can provide vital services to San Francisco's children.

Thank you for your time and consideration.

Very truly yours,

Trent Rhorer
Executive Director

Debby Jeter
Deputy Director
Family and Children Services Division

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2011 DEC 16 PM 4:50
MLL

File No: 111078



Congress of African-American Organizations

150 Executive Park Blvd., Suite 2800, San Francisco, CA 94134
Telephone (415) 468-5100 Fax (415) 468-5104

December 29, 2011

EXECUTIVE COMMITTEE:

Jimmy Loyce
Black Coalition on AIDS

Jacob Moody
Bayview Hunters Point Foundation
for Community Improvement

Tempi Priestly
Renaissance Parents of Success

Takai Tyler
Hunters Point Family

Shamann Walton
Young Community Developers

MEMBERSHIP ORGANIZATIONS:

Booker T. Washington
Community Service Center

Brothers Against Guns

Economic Opportunity Council

Family Restoration House

Inner City Youth

San Francisco Housing Development
Corp. /Osiris

Sojourner Truth Foundation

Tabernacle Community Development
Corporation

Westside Community Services

Black Coalition on AIDS

Young Community Developers

Renaissance Parents of Success

Hunters Point Family

Bayview Hunters Point Foundation
for Community Improvement

Supervisor Eric Mar, Chairperson Land Use Committee
Supervisor Malia Cohen, Member Land Use Committee
Supervisor Scott Weiner, Member Land Use Committee
City Hall, Room 244,
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Committee Members,

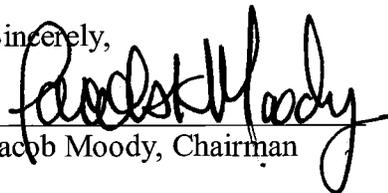
The Congress of African-American Organizations is in total support of the request for a zoning change proposed by the Bayview Child Health Center to rezone their proposed new facility at 4350 Third Street to allow for the delivery of medical services on site. The Congress sees the proposed facility and the co-location of three programs, the health center, the Child Advocacy Center and the Center for Youth Wellness as a great asset to this community and a potentially robust partner in the delivers of services and improvement in the quality of life for all children in this neighborhood and across the city.

Dr. Nadine Burke-Harris as become a significant resource in Bayview Hunters Point and a willing and knowledgeable partner in the relief of suffering for children and families. Her work and the work of her colleagues have helped to change this community for the better.

The Congress understands the need for the PDR-2 designation as it helped guard the unique character of this community. However, in this case, the restrictions it enacts will actually have a detrimental effect on people in need.

Thanks you for your consideration of our support of this project.

Sincerely,


Jacob Moody, Chairman

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JAN -4 PM 3:10
JSM

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE DISTRICT ATTORNEY



George Gascón
District Attorney

MARIANNE L. BARRETT
Assistant District Attorney

DIRECT DIAL: (415) 553-1421

E-MAIL:

MARIANNE.BARRETT@SFGOV.ORG

December 1, 2011

San Francisco Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Dear San Francisco Board of Supervisors:

Speaking from my experience working, as an Assistant District Attorney, I would like to write today to express my support for the Children's Advocacy Center + Center for Youth Wellness (CAC+CYW).

As the District Attorney's office prosecutes child abuse cases in San Francisco, streamlined investigations, communication, and comprehensive treatment for the victims is critical. Being able to house the investigative as well as mental health services for children exposed to violence in a single, child-friendly location is an incredible asset in providing a high quality response for child victims and their families.

The CAC and CYW are working to provide a full spectrum of services designed around the whole child under one roof. In a child-friendly facility, the CAC and CYW will support children's health and family, educational, emotional, behavioral, and safety needs. As a long-term supporter and advocate, I urge you to support the re-zoning of the 3450 3rd Street facility, to ensure we can provide vital services to San Francisco's children.

Thank you for your time and consideration.

Very truly yours,

A handwritten signature in black ink that reads "Marianne L. Barrett".

Marianne L. Barrett
Assistant District Attorney



Sutter Pacific
Medical Foundation

A Sutter Health Affiliate

With You. For Life.

Please Sign to Show Your Support for the Bayview Child Health Center!

Dear Elected Official:

The Bayview Child Health Center provides necessary, high-quality healthcare to children in the Bayview and Hunters Point community. Serving over 1,200 children a year, the clinic's current location is much too small to accommodate all the needs of youth in the community.

The Bayview Child Health Center, in partnership with the Center for Youth Wellness (a new health and wellness organization), has secured a much larger space in a nearby facility (Third Street north of Evans Street). The relocation and expansion, slated for 2012, will allow the clinic to double in size, serve over 2,100 children with medical care and provide children and their families with mental health, case management, holistic wellness, family support and other services, all under one roof. In order to achieve this dream and locate in its new space, the Bayview Child Health Center facility needs to be re-zoned.

I am signing this letter to express my strong support for the relocation and expansion of the Bayview Child Health Center.

The Staff of
The Bayview Child
Health Center

Would you be willing to
show your support for
BCHC at a City hearing?

Hearing dates are Dec. 15th from 2pm-8pm or Jan. 9th from 12:30-5pm at City Hall. If yes, please indicate which date/s work best for you and we'll contact you with more info.

Name	Address and Phone/Email
MONICA NAYAKWADI SINGER	759-A Portola Street 917.273.0623/nayakwadi@gmail.com
SARAH HEMMER	66 Bronte St. 312.953.1094/shemmer73@hotmail.com
Sharon Anderson	16th Mayfair Ave 415.497.6434/sharpeamp@gmail.com
Shannon Holmes	3100 Angler Oakland, CA 94619 (415) 240.2367
Janice Bridges	1721 159th Ave San Leandro CA 94578 (510) 326.1410
Jessica Mumpsey	239 Macdonald Ave 415.424.6950
Julie Polka	775 Albany St. S. SF CA 94117 (415) 682.8411



The Mayor's Hunters Point Shipyard Citizens Advisory Committee



BV Hunters Point Shipyard Phone: 415.822.4622
P. O. Box 882403 Fax: 415.822.4840
San Francisco, CA 94188 Email: info@hpscac.com

December 4, 2011

San Francisco Planning Commission
The Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2414

Dear Planning Commissioners:

I write today to express my strong support for the relocation and expansion of the Bayview Child Health Center in partnership with the Center for Youth Wellness. The Bayview Child Health Center and the Center for Youth Wellness are working to provide comprehensive medical, mental health, educational advocacy and family support services to children and families in the Bayview and Hunters Point communities. As Chair of the Citizen's Advisory Committee of the Hunters Point Shipyard and a long-time advocate for children and families in San Francisco, I know firsthand the critical need for quality health and wellness services like the ones provided by these organizations.

The Bayview Child Health Center and the Center for Youth Wellness, along with its partner the Child Advocacy Center, have secured a facility on Third Street in the Bayview neighborhood and plan to create a child-friendly facility to support children's health, family, educational, emotional, behavioral, and safety needs.

I urge you to support the Bayview Child Health Center and Center for Youth Wellness to ensure vital services are provided for the children of Bayview and Hunters Point.

Please do not hesitate to contact me if you have further questions.

Sincerely,

Dr. Veronica Hunnicutt
Chair, Hunters Point Shipyard
Citizens Advisory Committee

MEMORANDUM OF UNDERSTANDING AND PROTOCOLS
SAN FRANCISCO MULTI-DISCIPLINARY INTERVIEW CENTER

This Memorandum of Understanding ("MOU") is entered into as of September 1, 2010 ("Effective Date") by and among the Office of the City Attorney ("CAO") of San Francisco; Office of the District Attorney of San Francisco; the Human Services Agency ("HSA"); the San Francisco Police Department ("SFPD"); the Department of Public Health ("DPH") via its Child and Adolescent Support Advocacy and Resource Center ("CASARC"); and the San Francisco Child Abuse Prevention Center ("SFCAPC") (collectively, "Signatories" or "MDIC Partners" and individually, "Signatory" or "MDIC Partner"). The term of this MOU shall be three years from the Effective Date. This MOU can be modified or amended based on the written agreement of all Signatories.

Terms specific to this MOU will have the meanings set forth in Article 7 below.

ARTICLE 1: VISION, MISSION AND PURPOSE

1.1 VISION

Drawing on the expertise of its multidisciplinary partners, the San Francisco Multidisciplinary Interview Center ("MDIC") will provide a coordinated forensic investigation and response to children abused or exposed to violence in San Francisco. The ultimate vision of the MDIC is to develop an accredited Child Advocacy Center ("CAC").

1.2 MISSION

The mission of the San Francisco MDIC is to prioritize the needs of children by providing a supportive and collaborative response to child abuse investigations. The MDIC conducts comprehensive forensic interviews with children and persons with developmental disabilities to assess the individual's needs for protective, physical, mental, or advocacy services, and to meet the needs of the collaborating Signatories.

1.3 PURPOSE OF MEMORANDUM OF UNDERSTANDING

The purpose of this document is to delineate the goals and related responsibilities of the Signatories with respect to the MDIC. Driven by the shared vision to develop a CAC in San Francisco, this MOU is intended to govern the current MDIC and the development of a CAC. Notwithstanding the foregoing, this MOU does not intend to restrict the ability of any Signatory to fulfill its own mandate.

This MOU is not intended to cover the scope of the operation of the CAC. The MDIC Partners intend to modify this MOU at such time as they deem it appropriate and/or necessary for the continued development and governance of the CAC.

ARTICLE 2: GENERAL OBLIGATIONS

2.1 GENERAL

Each Signatory hereby commits to the multidisciplinary investigation of child abuse and exposure to violence, as well as the ongoing response to child maltreatment. All Signatories will bring all suspected cases of Severe Physical Abuse and Sexual Abuse of children less than eighteen years of age or of adults with developmental disabilities ("Referral Category A") to the MDIC for a multidisciplinary forensic interview ("MDI") and follow-up services. "Severe Physical Abuse" means any visible injury or trauma, or any injury that requires medical intervention. In addition, Signatories may, at their option, bring cases involving other forms of child maltreatment, including child exploitation, severe neglect, abandonment, kidnapping, witness to injury or violent crime (collectively, "Referral Category B") cases, to the MDIC for services. Signatories commit to further address Referral Category B as the CAC evolves.

2.2 OBJECTIVES

The Signatories will use reasonable efforts to ensure:

- (a) that children and youth are not subjected to the additional trauma of repetitive interviews in the event of abuse or suspected abuse. The Signatories acknowledge that the need for additional interviews is reduced when the Signatories efficiently plan and collectively conduct a MDI.
- (b) that all Referral Category A cases will be brought to the MDIC for additional services, and that the MDIC will provide a services gateway for Referral Category A cases, even when a MDI is not conducted on site;
- (c) the timely exchange of pertinent information among the various agencies providing services for Referral Category A, thus enhancing the prospects for coordinated intervention, reducing delays, and timely and appropriately referring cases for therapeutic, medical, and supportive services.
- (d) the development of a CAC in San Francisco in accordance with the developing business plan for the CAC drafted and approved by the Signatories (attached).

ARTICLE 3: SPECIFIC ROLES AND RESPONSIBILITIES

3.1 OFFICE OF THE CITY ATTORNEY, CHILDREN AND FAMILY SERVICES

The CAO is a member of the current MDIC team and represents the Human Services Agency in all dependency cases. The CAO may also represent or consult with medical and mental health providers regarding these cases.

The CAO will continue to provide the following services:

- (a) Providing legal advice to the Human Services Agency and the Department of Public Health.

- (b) Consulting with the Human Services Agency and, if necessary, observing the MDI, either in person or via videotape, for the purpose of sustaining a Dependency Petition filed in Juvenile Dependency Court.
- (c) Assessing the competency of the child/children as a witness/witnesses in a Juvenile Dependency Court proceeding.
- (d) Determining the necessity of conducting further investigation for a dependency proceeding.
- (e) Collaborating and exchanging information, as necessary and appropriate, with other Signatories.

3.2 OFFICE OF THE DISTRICT ATTORNEY, CHILD ASSAULT UNIT

The District Attorney's Office charges and prosecutes criminal cases. If the District Attorney's Office deems the evidence gathered (from a child's interview or otherwise) sufficient to support criminal charge, a case will be filed.

The District Attorney's Office, Child Assault Unit will continue to provide the following services:

- (a) Observation of interview conducted by the forensic interviewer at the MDIC ("Interviewer") to obtain filing information and to assess the competency of the children as witnesses in court.
- (b) Consultation with law enforcement officers, protective service workers and/or CASARC staff to determine the nature and extent of, and need for, any supplemental investigation.
- (c) Collaborating with police inspectors, protective service workers and CASARC medical staff to determine whether a medical/evidentiary examination is indicated.
- (d) Assisting law enforcement officers with search and arrest warrants.
- (e) Making filing decisions on criminal child abuse cases based on the MDI, the law enforcement and protective service worker investigation, and any findings from medical/evidentiary examinations.
- (f) Maintaining appropriate records of investigations conducted at the MDIC.
- (g) Providing supervision of the MDIC Coordinator (see Article 4.4 of the MOU for further roles and responsibilities of the MDIC Coordinator).
- (h) Collaborating and exchanging information, as necessary and appropriate, with other Signatories.

3.3 OFFICE OF THE DISTRICT ATTORNEY, VICTIM SERVICES DIVISION

The Victim Services Division will provide comprehensive advocacy and support to victims of crime and their families, including:

- (a) As resources permit, victim advocates will attend each MDI to meet with the child's family and to offer services, referrals, and support. If an advocate is

unavailable to attend a MDI, the advocate will set up an appointment with the family to offer services. Other Signatories should refer clients directly to Victim Services if an advocate from Victim Services does not attend the MDI.

- (b) Victim advocates will provide the following services to victims of crime: victims' rights information, crisis intervention, orientation to the criminal justice system, emotional support, attending interviews (law enforcement or ADA), court support, referrals to outside agencies, victim impact statements, assistance obtaining restitution, relocation assistance, safety planning, and assistance applying to the Victim Compensation Program. The Victim Compensation Program provides the following crime-related reimbursements: medical, dental, mental health support, wage loss, and relocation.
- (c) Collaborating and exchanging information, as necessary and appropriate, with other Signatories.

3.4 HUMAN SERVICES AGENCY, CHILDREN AND FAMILY SERVICES

The Welfare and Institutions Code in the State of California tasks the Human Services Agency with responding to child abuse allegations, assessing the risk to the child and siblings, and ensuring the protection of the children.

The Human Services Agency, Family and Children's Services will provide the following services:

- (a) Receiving referrals of allegations of abuse of a child; provided, however, that the San Francisco Police Department, Juvenile Division must also be included in all allegations of Severe Physical Abuse. HSA will notify the Juvenile Division when responding to an allegation of Severe Physical Abuse. After receiving a referral, but before interviewing the child, the HSA worker will 1) review the CPS history, 2) interview the reporter, 3) if the referral requires an immediate response, contact the Juvenile Department or Operations Center according to the HSA Handbook, 4) fax a copy of the referral to the Juvenile Division per the Handbook, 5) respond within the two-hour response window even if the Juvenile Division Inspector is unable to respond, and 6) reconnect with the Juvenile Division Inspector if circumstances are more severe than originally anticipated. The HSA worker will contact the Juvenile Division from the field in order to relay the newly discovered details of the case and will not rely on the cross report of a new CPS report for the Juvenile Division notification. Finally, the HSA worker will defer to the judgment of the Juvenile Division on matters pertaining to interviewing the alleged perpetrator. SF Police Department may request that the HSA worker not interview the perpetrator.
- (b) Performing HSA record checks to determine any prior or current HSA Family and Children's Services involvement. The HSA worker may also check for an open case with CASARC.
- (c) Requesting a criminal record check by the SFPD on the alleged suspect and family members with access to the child/ren.

- (d) Conducting an *initial screening and field contact* in person with the child and sibling. The HSA worker will immediately contact the MDIC Coordinator and will arrange for the child/ren to be interviewed at the MDIC. A referral to the San Francisco MDIC is mandatory for all allegations of Severe Physical Abuse.
- (e) Sending necessary documents and information to the MDIC Coordinator via telephone, fax or email so the MDI can be scheduled and completed.
- (f) Working with the MDIC Coordinator to ensure the MDI is scheduled and completed.
- (g) Observing the MDI or conducting the MDI if trained as an Interviewer.
- (h) Collaborating with other MDIC Partners to determine if a medical examination is indicated.
- (i) Assessing the family's need for mental health services and referrals for individual and/or family counseling, parenting classes, or other services.
- (j) Filing a Dependency Petition when it is apparent from the investigation that a parent or legal guardian cannot protect the minor. The other MDIC Partners will assist the HSA worker with the Dependency Petition by providing recommendations.
- (k) Consulting with the MDIC Partners when appropriate.
- (l) Participating in the MDIC Case Review is required for all cases assigned to HSA, and encouraged for all other cases.
- (m) Participating in peer review procedures for training Interviewers.

3.5 **SAN FRANCISCO POLICE DEPARTMENT, SPECIAL VICTIMS DIVISION**
 SFPD investigates crimes against children and adolescents. SFPD will provide the following services:

- (a) Using SFPD criteria, assigning the appropriate investigator to alleged cases of felony child abuse, neglect, or molestation when notified by the CPS Hotline, patrol officers, a responding HSA worker, CASARC, and/or the MDIC Coordinator (after making a CPS report to the CPS hotline). Some cases will merit an immediate response by the on-call investigator.
- (b) Reporting any allegations to the CPS Hotline (using the SCAR form).
- (c) Coordinating with the MDIC Coordinator to schedule the MDI and sharing necessary information in advance of the MDI.
- (d) Collecting and preserving evidence.
- (e) Determining when there may be exigent circumstances that require an immediate in depth interview by the SFPD investigator, although the investigator will use best efforts to ensure a full MDI is conducted, versus a separate interview process. In rare cases where a separate interview is necessary, the recording of the interview will be provided to the appropriate

Signatories. After the interview, the child will be immediately referred to the MDIC for further services and support, and the investigator will work to ensure the child is brought to the MDIC.

- (f) Consulting with the DA and collaboration with other Signatories.

3.6 DEPARTMENT OF PUBLIC HEALTH, CHILD AND ADOLESCENT SUPPORT ADVOCACY AND RESOURCE CENTER, CASARC
DPH, CASARC will continue to provide the following services:

- (a) Space for the MDIC, including a conference room, waiting room for families, restroom, interview room, and observation room.
- (b) Interviewers for participation on the MDIC Team.
- (c) Scheduling and coordinating MDIC appointments in the absence of the MDIC Coordinator.
- (d) Supervision of Interviewers, in consultations with the MDIC Coordinator. This supervision, provided by the CASARC manager, will ensure that Interviewers receive appropriate training, certifications (CPR) and yearly review.
- (e) An examination room and services at San Francisco General Hospital, allocated for child sexual abuse examinations 24 hours a day/7 days per week, and compliant with SFGH and Joint Commission requirements.
- (f) Forensic medical services, provided 24 hours a day/7 days per week in conjunction with the Rape Treatment Center at SFGH, for sexual assault victims who are under eighteen years of age.
- (g) Consultations by the Medical Director with the medical team when a second opinion is needed regarding findings in abused children, sexual transmission of infections, and current medical guidelines and recommendations from national professional organizations.
- (h) Assurance that medical providers meet SFGH Medical Staff and Joint Commission requirements.
- (i) Assurance that mental health services are available for acute psychiatric issues that occur during or following a MDI.
- (j) Weekly review of all MDIC cases to ensure that each child has been assessed for mental health services. The CASARC mental health team will either provide the mental health services or make appropriate referrals.
- (k) DPH will consider providing additional services at the CAC after its launch.

3.7 SAN FRANCISCO CHILD ABUSE PREVENTION CENTER
SFCAPC, responding to the request of the MDIC Partners, and as recommended by the Western Region of CACs and the California Chapter of CACs, will endeavor to develop a fully-accredited, co-located CAC with comprehensive support services for children and families in two stages as follows:

- (a) Supporting the ongoing work of the current MDIC, SFCAPC will continue to convene meetings, advocate for needed changes in policy and procedure of the MDIC, and fundraise for agreed-upon training costs associated with operating the MDIC, with the goal of improving coordination among MDIC Partners to increase use of the current MDIC.
- (b) SFCAPC will act as Lead Agency toward the development and oversight of a fully accredited CAC, and will coordinate the work of the CAC after it opens. SFCAPC will collaborate with other Signatories to deliver CAC services. In leading the development of the CAC, SFCAPC has developed a business plan with support from Signatories for potential funders of the CAC and will have the following additional responsibilities:
- Work with MDIC Partners to develop a shared vision and decision-making process for the CAC.
 - Seek a new facility appropriate for CAC programs and accreditation.
 - Develop and implement, with help from other Signatories, a revenue generation plan in support of a CAC.
 - Oversee the development of and compliance with the CAC protocols and this MOU, with the help of the MDIC Coordinator and other MDIC Partners.
 - Provide planning staff and other necessary staffing to advance the services of the accredited CAC.

After the opening of the planned CAC, SFCAPC intends to:

- Provide oversight and ensure full accreditation of the CAC.
- Ensure ongoing compliance with the CAC protocols and this MOU.
- Seek appropriate staffing, in collaboration with MDIC Partners, for mental health, victim support/case management, childcare, administration and fund development services for the CAC.
- Educate and advocate with policy makers and opinion leaders regarding the evolution of the CAC.

ARTICLE 4: GOVERNANCE, STRUCTURE AND STAFF

4.1 MDIC ADVISORY COMMITTEE

The MDIC Advisory Committee ("MDIC Advisory Committee") (formerly the Service Delivery Team and the MDIC Policy/Oversight Committee) includes MDIC Partner representatives who will represent the MDIC to their respective agency's management. The group establishes and revises MDIC policy and ensures that the MDIC MOU and guidelines are followed, and discusses ways to improve the efficacy of the MDIC. This group meets monthly on the second Tuesday of the every month from 12:30 p.m.-2:00 p.m., unless otherwise specified by the MDIC Coordinator. At least one participant from

each Signatory agency shall attend these meetings. The MDIC Coordinator is responsible for scheduling and convening these meetings. Any MDIC Partner may request an urgent MDIC Advisory Committee meeting by contacting the MDIC Coordinator.

4.2 MAYOR'S CHILD SEXUAL TRAUMA ADVISORY COMMITTEE

The Mayor's Child Sexual Trauma Advisory Committee ("MCSTAC") includes representatives from organizations that serve children and families in San Francisco and that focus on trauma issues. MCSTAC meets quarterly (January, April, July, October on the fourth Tuesday of every month from 12:30p.m.-2:00 p.m. unless otherwise designated by SFCAPC) to discuss interventions and programs that benefit our community. The committee supports the work of the MDIC by providing cross training, sharing information regarding relevant services, and providing input to the MDIC Advisory Committee. SFCAPC will continue to schedule and convene these meetings and to communicate with MCSTAC members to develop the committee's agenda.

4.3 MDIC TEAM

For each case, the MDIC Team consists of the SFPD Inspector, the CPS Worker, the Assistant District Attorney, the Victim Advocate, the Medical Provider, the MDIC Coordinator/ Interviewer, and the Mental Health Provider ("MDIC Team"). The MDIC Team is responsible for the investigation of suspected child abuse and the provision of referrals for appropriate medical, safety and mental health services in compliance with Article 3 of the MOU

4.4 MDIC COORDINATOR

The MDIC Coordinator will plan, organize, and coordinate the daily operations of the MDIC, including:

- (a) Monitoring the participation of agencies to ensure maintenance of and adherence to negotiated protocols.
- (b) Planning and facilitating the MDIC Team meetings.
- (c) Accepting and acting upon complaints regarding MDIC services.
- (d) Disseminating information to the community and agencies regarding the goals and activities of the MDIC.
- (e) Recommending policies to the MDIC Advisory Committee and its members.
- (f) Serving as a liaison and promoting working relationships among MDIC Partners.
- (g) Ensuring that MDIs are completed with sensitivity to children's developmental and emotional needs and the investigative and assessment needs of the MDIC Partners.
- (h) Facilitating both peer review and case review meetings and attending other meetings, as requested.
- (i) Establishing and following procedures for managing daily operations.

- (j) Scheduling the use of the interview room and ensuring the necessary equipment is functional (and if necessary, operating equipment during MDIs).
- (k) Providing MDIC reporting data to the City and County administrators and the MDIC Advisory Committee, MSTAC, and funding agencies.

4.5 FORENSIC INTERVIEWERS

Interviewers, with appropriate training compliant with the NCA accreditation standards, will conduct all MDIs at the MDIC.

ARTICLE 5: OPERATIONS AND PROCEDURES

5.1 FACILITY AND LOCATION

The MDIC is currently housed at the CASARC Offices located at 995 Potrero Avenue (San Francisco General Hospital) in Building 80 between 21st and 22nd Streets. The MDIC itself is located in the basement of Building 80. The offices, interview room, observation room, storage room, restroom, kitchen, waiting/play area, conference room and clerical workspace are housed within the basement area and shared with other services. MDIC Partners provide digital and recording equipment at this location. The interview room is designed so that third parties can observe the interview of the child unobtrusively.

Directions to MDIC

The MDIC is currently house at the CASARC Offices which are located at 995 Potrero Avenue (San Francisco General Hospital) in Building 80 between 21st and 22nd Streets. The MDIC itself is located in the Basement of Building 80.

5.2 REFERRAL TO THE MDIC

Only individuals under the age of 18 or an adult with a developmental disability may be referred to the MDIC. The alleged incident must have occurred in San Francisco, except as set forth in Section 5.4 below. All MDIC Partners agree to refer all Referral Category A cases to the MDIC for a MDI. In cases of other forms of child maltreatment, including Referral Category B cases, individuals may be referred to MDIC for services. Signatories are committed to further addressing Referral Category B through the multidisciplinary process as the Child Advocacy Center evolves.

5.3 INTERVIEW PROCEDURES FOR IN-COUNTY CASES

- (a) HSA (Child Protective Services), CASARC, or SFPD will initiate MDIC referrals. The MDIC Coordinator determines whether a MDI is appropriate pursuant to the requirements of this MOU, and schedules the MDI. With the goal of maximizing the number of cases treated with a MDI, each MDIC Partner agrees to contact the MDIC Coordinator with any questions or concerns regarding whether a case meets the MDI criteria.
- (b) Any MDIC partner may consult with the Assistant District Attorney prior to scheduling the MDI.

- (c) If a MDI is indicated, an initial screening interview to assess language capability and obtain an initial limited disclosure shall be completed by HSA, the police, or CASARC, and continued for a MDI. Children or adults with limited language ability may be referred for a MDI. The team will resolve any capacity issues on a case-by-case basis.
- (d) The MDI process prioritizes a multidisciplinary response. To that end, the MDIC Coordinator shall use best efforts to schedule the MDI appointment at a time that each representative from each agency on the case team is present.
- (e) The MDIC Coordinator shall promptly notify all MDIC Partners of MDIC appointments
- (f) Outside regular business hours:
 - If a child was just victimized, SFPD will decide whether the interview will occur immediately or the next business day (See SFPD responsibilities above for further direction). HSA shall consult with SFPD prior to scheduling after-hours interviews.
 - SFPD shall call the CPS hotline with the referral as soon as possible, and will fax over the report. Non-offending parents should be informed of services available at CASARC and the MDIC by SFPD. In the case of urgent mental health concerns, outside of regular business hours, SFPD and HSA shall follow their respective agency protocols.
 - CASARC shall evaluate the urgency and need for a forensic medical examination based on best-practice standards and will schedule it as appropriate.

5.4 INTERVIEW PROCEDURES FOR OUT-OF-COUNTY CASES

If requested and authorized by the SFPD and observed by SFPD, the MDIC may provide a MDI for out of county cases as follows:

- (a) If the alleged abuse occurred outside of San Francisco, SFPD and/or CPS shall send the referral to the other jurisdiction's police and or/CPS agency. The other jurisdiction's police agency may decide to handle the case itself, send a police official and/or CPS representative to participate in a San Francisco MDI, and/or ask SFPD to conduct the MDI as a courtesy.
- (b) Responsibilities of MDIC Partners in out-of-county cases are as follows:
 - SFPD shall participate in a MDI on a matter outside of its jurisdiction if the remote law enforcement agency so requests, or if SFPD is the lead agency in a multiple jurisdictional matter.
 - HSA shall coordinate the MDI with SFPD. CPS may observe the MDI in either jurisdiction, or may request the MDIC videotape for viewing and use in Dependency Court action.
 - If SFPD conducts a MDI for an out-of-county case, CASARC shall conduct a medical exam, as appropriate based on best-practice standards.

- San Francisco's Office of the District Attorney shall observe the MDI if the out-of-county jurisdiction fails to send its own District Attorney representative.
- All collected evidence shall be provided to SFPD, who shall promptly book it for safekeeping. A law enforcement representative from the jurisdiction from where the crime is being prosecuted shall be responsible for picking up and transporting said evidence to their home jurisdiction.

5.5 CASE REVIEW

Case Review meetings will be held every third Wednesday of the month, from 10:30a.m.-12:30p.m., for team collaboration, treatment planning, and informal cross training. Case review meetings will occur unless specifically cancelled by the MDIC Coordinator.

The MDIC Coordinator will select cases for review, including very difficult cases, cases with significant collaborative issues, or cases where ongoing treatment planning is particularly important or difficult. Any staff person may present a case for review by requesting the MDIC Coordinator to include the case on the agenda.

The MDIC Coordinator will send out a notice regarding which cases or issues will be reviewed at the upcoming meeting, and will maintain a record of each meeting.

The MDIC Team shall attend case review meetings when their own cases are on the agenda. Representatives from other MDIC Partners are encouraged to attend all meetings.

5.6 PEER REVIEW

The MDIC will provide opportunities, for those who conduct medical evaluations and MDIs, for peer review and ongoing training in compliance with NCA standards and as follows:

- (a) *Medical Exams – Continuous Quality Assurance:* The Medical Director will consult with the medical team when a second opinion is needed regarding findings in abused children, sexual transmission of infections and current medical guidelines and recommendations from national professional organizations.

All medical evaluations will be subject to ongoing monthly peer review under the direction of the Medical Director. The medical team will review the CalEma medical evaluation form and the photo documentation on each case that receives a medical examination, and will complete a photo review form.

Each medical provider will receive ongoing education in the field of child physical and sexual abuse consisting of a minimum of 33 hours per every 2 years of Continuing Education Unit/CME credits.

- (b) *Forensic Interviews:* All Interviewers conducting MDIs shall meet the first Wednesday of every month from 10:30a.m.-12:30a.m. with the Assistant District Attorney to review a MDI and provide feedback and suggestions for improved interviewing technique. Criteria for selection of MDIs to be

reviewed include difficult cases, suggestions by Interviewers/ Assistant District Attorney, or rotation if no other case takes precedence.

5.7 FISCAL MANAGEMENT

SFCAPC shall be the fiscal agent for all funds granted directly to or for the purposes of the MDIC except in such cases where the funder/grantor entity requires a government applicant. SFCAPC's status as fiscal agent shall not impact Signatories' own internal budgetary decisions. Fiscal management shall be reviewed at such time as a new MOU is developed for the CAC.

5.8 CONFIDENTIALITY

Protection of children's confidentiality is centrally important to the work of the MDIC. As such, all Signatories will abide by HIPAA requirements, as appropriate, and their own agency and professional confidentiality requirements.

Collaboration is also critical to a successful MDIC. Signatories will communicate whenever possible on MDIC cases. Signatories are allowed to share information based on California Welfare and Institutions Code and California Evidence Code that govern the meetings of multidisciplinary teams (California Evidence Code §1157.6 and California Welfare and Institutions Code §4070, 4071, and 5328).

Confidentiality will be of particular importance to the future CAC. Guided by the principles of protecting confidentiality while promoting collaboration, confidentiality guidelines will be revisited when a new MOU is created to develop and/or govern the CAC.

5.9 CULTURAL COMPETENCY

San Francisco has a diverse population. The City and County of San Francisco has strict policies that require Signatories to ensure that all clients are treated with respect and dignity. The Signatories will consider culture, language, and other forms of diversity during investigations, the provision of services, and outside referrals.

The MDIC not only respects each Signatory's policies, practices and procedures related to cultural competency; MDIC Partners will comply with the MDIC's own guidelines for cultural competency and diversity, including:

- (a) No person shall be denied MDIC services on the basis of ethnicity, religion, ability, sexual orientation, or gender identification.
- (b) The MDIC Partners will use reasonable efforts to interview individuals in their native or strongest language. The MDIC utilizes member agency bilingual staff or interpreters from San Francisco General Hospital and other agencies to provide translation services for MDIs.
- (c) MDIC Team members shall receive ongoing training in diversity sponsored by an individual agency, the MDIC, a state funded training center, other recognized programs, or Signatories.
- (d) The MDIC Partners agree to consider diversity issues in each case.

- (e) Development of cultural competency and increased diversity among MDIC Team members will continue to be of central importance in the development of a future CAC.

5.10 TRAINING AND OUTREACH

The MDIC Partners agree to provide training for new law enforcement officers, social workers, nursing staff, and mental health clinicians.

Professionals operating in the MDIC and future CAC will comply with the training requirements of their own agencies and the NCA accreditation standards.

ARTICLE 6: CONFLICT RESOLUTION, TERM, AND MISCELLANEOUS

6.1 MANAGING

The Signatories agree that any decisions that significantly impact the function of the MDIC shall be brought to the MDIC Advisory Committee for discussion.

6.2 TERM AND TERMINATION

This MOU will have an initial term of three (3) years from the Effective Date. After the initial term, the MOU will automatically renew for additional twelve (12) month periods unless any Signatory provides notice of termination to all the other Signatories at least sixty (60) days prior to the termination of the initial term or any renewal term, as applicable. This MOU can be modified or amended based on the written agreement of all Signatories.

6.3 MISCELLANEOUS

This MOU may not be amended or modified except by a written instrument signed by the Signatories. The validity and performance and construction of the terms and conditions of this MOU shall be governed by the laws of the State of California, without reference to conflict of law provisions. This MOU constitutes the entire and exclusive agreement among the Signatories hereto with respect to the subject matter hereof and supersedes and cancels all previous registrations, agreements, commitments and writings among the Signatories in respect thereof. Nothing in this MOU will be construed to create a partnership, joint venture, franchise, fiduciary, employment or agency relationship between the Signatories. No Signatory has any express or implied authority to assume or create any obligations on behalf of any other Signatory or to bind any other Signatory to any contract, agreement or undertaking with any third party. This MOU is not intended to confer any right or benefit on any third party (including, but not limited to, any employee or beneficiary of any party), and no action may be commenced or prosecuted against a party by any third party claiming as a third-party beneficiary of this MOU or any of the transactions contemplated by this MOU. No oral explanation or oral information by either party hereto will alter the meaning or interpretation of this MOU.

ARTICLE 7: DEFINITIONS

“CAC” means a Child Advocacy Center accredited by the NCA.

“CAO” means the Office of the City Attorney of San Francisco.

“CASARC” means the Child and Adolescent Support Advocacy and Resource Center, a department of the DPH.

“CEU” means Continuing Education Unit.

“Dependency Petition” means a petition filed pursuant to Welfare and Institution Code 300.

“CME” means Continuing Medical Education.

“Effective Date” means September 1, 2010.

“HIPAA” means the Health and Insurance Portability and Accountability Act of 1996 Privacy and Security Rules.

“HSA Handbook” means the handbook that guides HSA workers in their investigation. Please request a copy from HSA for further details.

“Interviewer” means the person, trained in accordance with NCA accreditation standards, who conducts the MDI.

“MCSTAC” means the Mayor’s Child Sexual Trauma Advisory Committee.

“MDI” means a multidisciplinary forensic interview.

“MDIC” means the San Francisco Multidisciplinary Interview Center.

“MDIC Advisory Committee”, formerly known as the Service Delivery Team and the MDIC Policy/Oversight Committee, means the committee comprising representatives from each of the Signatories and responsible for overseeing the MDIC.

“MDIC Coordinator” means the individual primarily responsible for planning, organizing and coordinating the daily operations of the MDIC.

“MDIC Team” means, for each case referred to the MDIC, the inspector, the CPS worker, the assistant district attorney, the victim advocate, the person who performed the medical exam, the MDIC Coordinator/ Interviewer, and the mental health provider.

OFFICE OF THE CITY ATTORNEY OF SAN FRANCISCO

By: _____
Name: _____
Title: _____
Date: _____

DEPARTMENT OF PUBLIC HEALTH

By:  _____
Name: **Mitchell H. Katz, MD**
Title: **Director of Health**
Date: **17 August 2010**

OFFICE OF THE DISTRICT ATTORNEY OF SAN FRANCISCO

By: _____
Name: _____
Title: _____
Date: _____

OFFICE OF THE CITY ATTORNEY OF SAN FRANCISCO

By: _____

Name: _____

Title: _____

Date: _____

DEPARTMENT OF PUBLIC HEALTH

By: _____

Name: _____

Title: _____

Date: _____

OFFICE OF THE DISTRICT ATTORNEY OF SAN FRANCISCO

By:  _____

Name: Kamala D. Harris

Title: District Attorney

Date: August 20, 2010

HUMAN SERVICES AGENCY OF SAN FRANCISCO

By: Trent E. Rhorer
Name: TRENT E. RHORER
Title: Executive Director
Date: 9-17-08

SAN FRANCISCO CHILD ABUSE PREVENTION CENTER

By: _____
Name: _____
Title: _____
Date: _____

SAN FRANCISCO POLICE DEPARTMENT

By: _____
Name: _____
Title: _____
Date: _____

HUMAN SERVICES AGENCY OF SAN FRANCISCO

By: _____

Name: _____

Title: _____

Date: _____

SAN FRANCISCO CHILD ABUSE PREVENTION CENTER

By: [Signature] _____

Name: Katie Avalos _____

Title: PROCURVE DIRECTOR _____

Date: 8/30/10 _____

SAN FRANCISCO POLICE DEPARTMENT

By: _____

Name: _____

Title: _____

Date: _____

HUMAN SERVICES AGENCY OF SAN FRANCISCO

By: _____

Name: _____

Title: _____

Date: _____

SAN FRANCISCO CHILD ABUSE PREVENTION CENTER

By: _____

Name: _____

Title: _____

Date: _____

SAN FRANCISCO POLICE DEPARTMENT

By: _____

Name: George Gascon

Title: Chief of Police

Date: 10-28-10

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

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE & ECONOMIC DEVELOPMENT COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

- Date:** Monday, January 23, 2012
- Time:** 1:00 p.m.
- Location:** Committee Room 263 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** File No. 111078. Ordinance amending the San Francisco Planning Code Section 249.42 to: 1) allow outpatient medical care clinics; 2) amend Zoning Map Sheet 8 SU of the San Francisco Planning Code to add parcels in Block No. 5211, Lot Nos. 29 through 54 to the India Basin Special Use District and remove the parcel in Block No. 5211, Lot No. 28 from the Design and Development Special Use District and add it to the India Basin Special Use District; and 3) make environmental findings and findings of consistency with general plan.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Friday, January 20, 2012.

A handwritten signature in black ink, appearing to read "Angela Calvillo".

Angela Calvillo, Clerk of the Board

DATED: January 11, 2012
POSTED/MAILED: January 12, 2012