

BOARD of SUPERVISORS



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June 10, 2019

File No. 190629

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

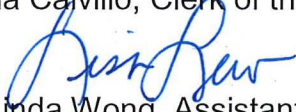
On June 4, 2019, Mayor Breed introduced the following proposed legislation:

File No. 190629

Ordinance amending the Park Code to permit the Recreation and Park Department General Manager to set non-resident adult admission fees for the Japanese Tea Garden, the Coit Tower Elevator, the Conservatory Of Flowers, and the San Francisco Botanical Garden by flexible pricing based on certain factors; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

for By:  Linda Wong, Assistant Clerk
Budget and Finance Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

1 [Park Code - Non-Resident Fees at Certain Specialty Attractions]

2
3 **Ordinance amending the Park Code to permit the Recreation and Park Department**
4 **General Manager to set non-resident adult admission fees for the Japanese Tea**
5 **Garden, the Coit Tower Elevator, the Conservatory Of Flowers, and the San Francisco**
6 **Botanical Garden by flexible pricing based on certain factors; and affirming the**
7 **Planning Department's determination under the California Environmental Quality Act.**

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

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

16 Section 1.

17 The Planning Department has determined that the actions contemplated in this
18 ordinance comply with the California Environmental Quality Act (California Public Resources
19 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
20 Supervisors in File No. _____, and is incorporated herein by reference. The Board
21 affirms this determination.

22 Section 2. Article 12 of the Park Code is hereby amended by revising Sections 12.05,
23 12.06, 12.34, and 12.46, to read as follows:

24 **SEC. 12.05. JAPANESE TEA GARDEN.**

25 (a) The following fees shall be charged for admission to the Japanese Tea Garden:

Age/Category	S.F. Residents	Non-Residents
Adult	\$5.00	\$7.00
Senior (65+)	\$3.00	\$5.00
Youth (12—17 years)	\$3.00	\$5.00
Child (5—11 years)	\$1.50	\$2.00
Child (4 years and under)	\$0.00	\$0.00

The Department General Manager or the General Manager's designee may approve temporary increases of up to 50% and/or decreases of up to 25% to the non-resident Adult fees from time to time, based on one or more of the following factors: fluctuations in customer demand at particular times or on particular days or dates, rates at comparable facilities, weather conditions, and facility conditions.

* * * *

SEC. 12.06. COIT TOWER.

(a) The following fees shall be charged for admission to Coit Tower:

Age Category	Admission Fee	Elevator Fee Non-San Francisco Residents
Adult	\$5.00	\$7.00
Senior (65+)	\$3.00	\$5.00
Youth (12—17 years)	\$3.00	\$5.00
Child (5—11 years)	\$1.50	\$2.00
Child (4 years and under)	\$0.00	\$0.00

The Department General Manager or the General Manager's designee may approve temporary increases of up to 50% and/or decreases of up to 25% to the non-resident Adult fees from time to time,

1 based on one or more of the following factors: fluctuations in customer demand at particular times or
2 on particular days or dates, rates at comparable facilities, weather conditions, and facility conditions.

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5 **SEC. 12.34. CONSERVATORY OF FLOWERS FEES.**

6 (a) **Admission Fees.** The following fees shall be charged for admission to the
7 Conservatory of Flowers:

Age/Category	S.F.Residents	Non-Residents
Adults	\$5.00	\$7.00
Youth 12-17 and Seniors 65 and over	\$3.00	\$5.00
Children 5-11	\$1.50	\$2.00
Children 4 and under	No fee	No fee
San Francisco school groups K-12 with prior scheduling	No fee	<u>No fee</u>

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15 The Department General Manager or the General Manager's designee may approve temporary
16 increases of up to 50% and/or decreases of up to 25% to the non-resident Adult fees from time to time,
17 based on one or more of the following factors: fluctuations in customer demand at particular times or
18 on particular days or dates, rates at comparable facilities, weather conditions, and facility conditions.

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21 **SEC. 12.46. COUNTY FAIR BUILDING AND BOTANICAL GARDEN ~~FACILITY~~**
22 **~~RENTAL FEES.~~**

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24 (d) The Department shall charge the following fees for entrance to the Botanical
25 Garden:

Age/Category	Non-San Francisco Residents
Adults	\$7.00
Youth 12-17 and Seniors 65 and over	\$5.00
Children 5-11	\$2.00
Children 4 and under	No charge
Families (2 adults and all children 17 years and under residing in the same household)	\$15.00

The Department General Manager or the General Manager's designee may approve temporary increases of up to 50% and/or decreases of up to 25% to the non-resident Adult fees from time to time, based on one or more of the following factors: fluctuations in customer demand at particular times or on particular days or dates, rates at comparable facilities, weather conditions, and facility conditions.

The Department shall provide annual reports to the Budget and Finance Committee on the collection of the non-resident fee for entrance to the Botanical Gardens, such reports shall include the following information: 1. Attendance figures for San Francisco residents, Members of San Francisco Botanical Garden Society, and Non-San Francisco residents; 2. Capital improvements and operating costs of the Botanical Gardens; 3. Capital improvements and operating costs incurred by the Department and the Botanical Garden Society associated with the collection of all fees; 4. Revenue from the new non-resident fee, separated into (a) point of sale gate tickets and (b) actual attendance from packaged sales with other Park sites, and revenue from all other fees; 5. The numbers of San Francisco Botanical Garden Society members; and 6. Gifts, donations and services-in-kind received by the Department and the Botanical Garden Society for the Botanical Garden.

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

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4 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
5 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
6 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
7 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
8 additions, and Board amendment deletions in accordance with the "Note" that appears under
9 the official title of the ordinance.

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11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

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14 By: 
15 MANU PRADHAN
16 Deputy City Attorney

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LEGISLATIVE DIGEST

[Park Code - Non-Resident Fees at Certain Specialty Attractions]

Ordinance amending the Park Code to permit the Recreation and Park Department General Manager to set non-resident adult admission fees for the Japanese Tea Garden, the Coit Tower Elevator, the Conservatory Of Flowers, and the San Francisco Botanical Garden by flexible pricing based on certain factors; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

The Park Code allows the Recreation and Park Department (RPD) to charge admission fees for visitors to the Japanese Tea Garden, Coit Tower Elevator, the Conservatory Of Flowers, and the San Francisco Botanical Garden. The rates vary depending on the age of the visitor, and whether the visitor is a San Francisco resident.

Amendments to Current Law

The proposed ordinance would let the RPD general manager increase the non-resident adult rates at the above facilities by up to 50%, and/or decrease those rates by up to 25%, from time to time based on one or more of the following factors: fluctuations in customer demand at particular times or on particular days or dates, rates at comparable facilities, weather conditions, and facility conditions. The ordinance would not change rates for San Francisco residents (regardless of age), non-resident minors (under the age of 18), or non-resident seniors (65 and older).

Background Information

The rates codified in the Park Code are subject to annual cost-of-living adjustments by the Controller. This ordinance shows the codified rates and is not intended to invalidate any cost-of-living adjustments that the Controller has previously approved. The Recreation and Park Department maintains a list of the current rates. The current rate for non-resident adults at each of the four facilities is \$9.

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