

File No. 130766

Committee Item No. 1

Board Item No. 43

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date October 7, 2013

Board of Supervisors Meeting Date October 20, 2013

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Completed by: Alisa Miller Date October 4, 2013
 Completed by: Alisa Miller Date October 24, 2013

1 [Park Code - Hours of Operation for City Parks]

2
3 **Ordinance amending the Park Code to establish hours of operation for City parks from**
4 **5:00 a.m. to midnight, with certain exceptions; and making environmental findings.**

5 NOTE: Additions are single-underline italics Times New Roman;
6 deletions are ~~strike-through italics Times New Roman~~.
7 Board amendment additions are double-underlined;
8 Board amendment deletions are ~~strike-through-normal~~.

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

10 Section 1. The Planning Department has determined that the actions contemplated in
11 this ordinance comply with the California Environmental Quality Act (California Public
12 Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the
13 Board of Supervisors in File No. 130766 and is incorporated herein by reference.

14
15 Section 2. The San Francisco Park Code is hereby amended by adding Section 3.21,
16 to read as follows:

17 **SEC. 3.21. HOURS OF OPERATION.**

18 (a) Persons may enter and use any park from 5:00 a.m. to midnight daily, provided that (1) the
19 Department may set different hours in a permit, contract or lease, and (2) whenever a threat to public
20 health or safety exists in any park resulting from any natural cause, explosion, accident or any other
21 cause, or by riot or unlawful assembly or activity, the General Manager may close the park or any part
22 thereof to the public for such duration as he or she deems necessary to ensure the safety and well-being
23 of the public. This subsection shall not apply to buildings, such as recreation centers, restrooms and
24 clubhouses, or to athletic fields, which may have different hours of operation, as determined by the
25 General Manager or the Commission, as the case may be.

1 (b) Notwithstanding the provisions of subsection (a), the Commission may by resolution and at
2 any time set different hours of operation for any park or part thereof, based on operational
3 requirements or neighborhood impacts.

4 (c) No person shall enter or remain in any park without the permission of the Department
5 outside of the hours open to the public as set in subsection (a) or under subsection (b), except that:

6 (1) In the case of Balboa Park, Golden Gate Park, Lincoln Park, and McLaren Park,
7 persons may use a vehicle (including but not limited to a car, truck, bicycle and motorcycle) on the
8 roadway(s) in those parks or walk on paved sidewalks immediately adjacent to such roadways, at any
9 time for purposes of transversing the park only:

10 (2) In the case of the Panhandle, persons may walk or ride a bicycle on the bike paths
11 at any time for purposes of transversing the park only: and.

12 (3) In the case of Union Square, Civic Center Plaza, and Justin Herman Plaza, persons
13 may walk on the paved portions of those plazas at any time for purposes of transversing the plaza only.


14 (d) A violation of subsection (c) shall be subject to the penalties set forth in Park Code
15 Article 10.

16 (e) The Department shall post the hours for each park (1) at the park in a location designed to
17 provide notice to members of the public, and (2) on the Department's website.

18
19 Section 3. Effective Date. This ordinance shall become effective 30 days after
20 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
21 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
22 of Supervisors overrides the Mayor's veto of the ordinance.

23
24 / / /
25 / / /

1 APPROVED AS TO FORM:
2 DENNIS J. HERRERA, City Attorney

3
4 By: 
5 THOMAS J. OWEN
6 Deputy City Attorney

7
8 n:\vegana\as2013\1300343\00876409.doc

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REVISED LEGISLATIVE DIGEST

(10/1/2013, Substituted)

[Park Code - Hours of Operation for City Parks]

Ordinance amending the Park Code to establish hours of operation for City parks from 5:00 a.m. to midnight, with certain exceptions; and making environmental findings.

Existing Law

The Recreation and Park Commission sets by resolution the hours that parks are open to the public.

Amendments to Current Law

The proposal is an ordinance that would amend the Park Code to provide that City parks would be open to the public from 5:00 a.m. to midnight daily, and prohibit any person from being in a City park outside of those hours. The Recreation and Park Commission could also set different hours of operation for any park by resolution based on operational needs or neighborhood impacts.

The proposal would not apply to buildings on park property, such as recreation centers and clubhouses, or to athletic fields. The Department would continue to set the hours of operations for those facilities. The proposal also would not apply in the following situations:

- Where someone is using a roadway or adjacent sidewalk to cross Balboa Park, Golden Gate Park, Lincoln Park, or McLaren Park;
- Where someone is using a bike path to cross the Panhandle;
- Where someone is using the paved areas to cross Union Square, Civic Center Plaza, or Justin Herman Plaza;
- Where the Department has set different hours in a permit, contract, or lease; or,
- Where the General Manager has temporarily closed a park to protect the safety and well-being of the public.

Violations of the proposal could be punished as a misdemeanor or an infraction.

BOARD of SUPERVISORS



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

July 30, 2013

File No. 130766

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones:

On July 23, 2013, Supervisor Wiener introduced the following proposed legislation:

File No. 130766

Ordinance amending the Park Code to establish hours of operation for City parks from 5:00 a.m. to midnight, with certain exceptions; and making environmental findings.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

Handwritten signature of Alisa Miller in cursive.

By: Alisa Miller, Committee Clerk

Land Use & Economic Development Committee

Attachment

c: Monica Pereira, Environmental Planning
Joy Navarrete, Environmental Planning

Non-Physical Exemption
CEQA Section 15060 (c)(2)

J. Wiener Aug. 9, 2013
BY NAVARRETE

2013.1101E

Miller, Alisa

From: Board of Supervisors
Sent: Monday, October 21, 2013 2:31 PM
To: BOS-Supervisors; Miller, Alisa
Subject: File 130766: Communication in Opposition to File 130766 [Park Code - Hours of Operation for City Parks] for BOS 10/29/13 meeting
Attachments: homeless_bill_of_rights.docx

From: carpihole@aol.com [mailto:carpihole@aol.com]
Sent: Thursday, October 17, 2013 12:31 PM
To: Board of Supervisors
Subject: Communication in Opposition to File 130766 [Park Code - Hours of Operation for City Parks] for BOS 10/29/13 meeting

Dear Supervisors;

This letter is to express a great concern about the proposed Park Hours Legislation introduced first in December 14, 2010 by the Mayor to the City Operations and Neighborhood Services Committee, and more recently on July 23, 2013 by Supervisor Weiner assigned to the Land Use and Economic Development Committee.

As stated at the Land Use and Economic Development Committee meeting on October 7, 2013, I strongly oppose this legislation. I understand this legislation has been forwarded without recommendation to the Board of Supervisors to be heard on October 29, 2013. This legislation is discriminatory and only serves to convolute and skirt enforcement responsibility for crimes that occur in City parks and to continue diminishing the rights of all San Franciscan's – especially those who rely on public parks as their one last place of respite.

This proposed legislation and other laws and ordinances that have been enacted over the years directly contradict and conflict with upcoming legislation...specifically CA AB 5, The Homeless bill of rights (Attached hereto for your convenience) which supports the constitutional rights of the poor and indigent. **San Francisco must evaluate many current laws, systems, and accepted practices in all City Departments, that conflict with this new law.**

Let's talk about obvious common sense concerns should the proposed legislation governing Park Hours reintroduced by Supervisor Weiner be enacted:

- The burden of knowing whether park hours apply to any given park lies on every single US citizen and tourist;
- Inconsistencies (carve outs) in the law would add fear (and stress) to all citizens of being targeted simply for being in the wrong place at the wrong time;
- In effect, imposes a curfew on the City subjecting anyone out after midnight to police scrutiny;
- The homeless would crowd the parks with exemptions to the law (thereby making attacks on homeless more efficient and profiling practices increased with zero citizen recourse); and,
- Dumping/Graffiti/Vandalism will still occur.

Prior to introducing any legislation relating to limiting civil rights under the guise of curbing crime are unacceptable without first providing the public common sense analysis' and reports that exhibit at bare minimum a modicum of need and alternate efforts taken to mitigate an issue (evidence of increased security parks during those hours, specific numbers of incidents per park, enlisting assistance from homeless for reporting, evaluation of City Department practices, etc) prior to proposing to impose more rules and laws on the citizens of San Francisco. Without these efforts, submitting legislation that blatantly limit civil and human

rights to be in public places and accord police/rangers the ability to indiscriminately target any occupant of any public space can be construed as an abuse of power and conflict of interest, and should be investigated as discriminatory and/or as crimes against humanity.

Bare minimum Analysis/Reports for this legislation should be mandatory prior to assuming that closing the parks for certain hours will allay the basis of this legislation:

- 1) # of incidents (dumping; vandalism; graffiti; underage drinking) per park per month from 1/1/2013 – 9/30/2013; how they would be prevented with this new legislation?
- 2) Parks & Rec costs for security at parks per year for 2010, 2011, & 2012 per park;
- 3) Vandalism & Graffiti costs with allocations per salary/vandalism/graffiti for 2010, 2011, & 2011 per park;
- 4) # of Park Rangers assigned per park per month during the hours of proposed closure from 1/1/13 – 9/30/13;
- 5) # of police reports/calls for any crime park per month from 1/1/13 – 9/30/13;
- 6) # of citations issued at parks, times of issuance per park per month from 1/1/13 – 9/30/13;
- 7) # of arrests (description of crime charged – including 5150s and Aggressive Solicitation which are not technically arrests) in parks from 1/1/13 – 9/30/13;
- 8) Are the Roles/responsibilities including enforcement of all parties clear and uniform;
- 9) A list of current laws that overlap with proposed legislation;
- 10) Alternate mitigation efforts and/or resolutions to a given issue;
- 11) A summary of all prior analysis performed on quality of life issues in San Francisco since 1990; and,
- 12) Proposed reporting requirements if enacted. (ie – updated # of incidents, costs, arrests of homeless as a result, impacts on legal system and hospitals, etc.)
- 13) Blocking Public rights of way – look at citations issued to individuals versus trucks/advertising boards
- 14) Public urination/excrement – Report on public restroom maintenance/availability; accessibility of public restroom – hours/locations

Penalizing the general public for City deficiencies in providing facilities for basic human care under the guise of random crime is not acceptable and will lead to a militarized city that specifically targets the homeless, poor, and indigent and allows for individual (potentially renegade) discretion of authority – leaving little to no remedy or defense against false and discriminatory actions of officers/rangers as a result of this legislation. Additionally, costs to litigate the impacts of the legislation would surely cost tax payers more than adding security cameras or other measures that should reasonably be taken prior to even introducing such legislation. Let's not forget about the impact on the individuals who have been subject to the existing laws.

Some of the current laws that serve target the poor and indigent population and warrant analysis are:

012-08 – prohibits camping/sleeping in parks 8pm-8am (3.12;3.13) 1/24/08 Newsom

MPC 120.2 – Aggressive Solicitation Ban/ Substance Abuse and Mental Health Diversion Program (Formerly Aggressive Panhandling –MPC 120.1. This has been repealed due to law suits and civil rights issues) it is curious that this does not apply to healthcare professionals; businesses spamming; restaurants leaving door hangers weekly who are able to repeatedly violate this law)

File # 120124 Large Vehicle Parking Restrictions 9/28/12 Chu/Cohen – Should look at studies of the prior proposed legislation (report on costs applied to fixing roads/contractors/ assessment)

Prop L - Sit/Lie 11/2010 (absolutely used against the homeless– should evaluate # of people with homes that have been cited (ages/disability/construction workers)

File # 120191 Building Code amending definition of Efficiency Unit 2/25/12 Weiner which reduces the size of affordable housing units living spaces by 70 square feet (from 220sqft to 150sqft).

0015-12 – Public Guardian/Public Administrator Gift Fund - Financial Management with “Voluntary” Informed Consent – the catch is, if a person is referred to a program in SF from drug court vs. jail, they are required to sign a document that gives authority to a person to collect their GA check and charge them a monthly fee for management – with zero oversight. This program must be audited and evaluated for legal issues.

5150 (CIT) – Individual rights, Patient rights and due process violations are all accepted practices in San Francisco

In summary, I urge this Board to focus on legislation that will provide incentive for our City’s Board of Supervisors; Mayor, and Department Heads to center their legislative focus on holding all bad actors (including corporations) accountable for crimes against the public – not promoting the restriction of basic civil and human rights based on random acts of a few bad actors who have violated **criminal laws** - which the City failed to investigate or enforce.

City leaders who choose to waste the public’s time and money attempting to target the neediest in our city should be personally fined for the costs of litigation associated with a discriminatory law, the public’s time and effort in having to divert focus from their own pursuit of happiness, and costs to non-profit and other organizations that are forced to divert their focus from helping individuals to fighting discriminatory legislation from becoming law. Repeat offenders should be subject to a three strikes provision.

Thank you for your consideration of this letter in opposition of the proposed park closure ordinance.

Sincerely,

Diane Carpio

This land is your land, this land is my land.....this land was made for you and me.

A Homeless Bill of Rights



March 30, 2013

California Homeless Bill of Rights Fact Sheet

Laws that segregate, that make criminals of people based on their status rather than their behavior, or that prohibit certain people's right to be in public spaces are not just sad relics from the past: Today, numerous laws infringe on poor people's ability to exist in public space, to acquire housing, employment, and basic services, and to equal protection under the law. The California Homeless Bill of Rights is a response that can help alleviate poverty and homelessness while protecting homeless people from discrimination and ensuring their right to privacy and to their personal property.

Assemblymember Tom Ammiano (D, San Francisco) is the author of AB 5, the "California Homeless Person's Bill of Rights and Fairness Act". The bill is co-sponsored by, Western Regional Advocacy Project, Western Center on Law and Poverty, JERICHO: A Voice for Justice, and the East Bay Community law Center.

The following rights of homeless people are enumerated in the bill:

The right to

- move freely in public spaces
- rest and sleep in public spaces
- have personal property in public space, and restitution for any property taken or destroyed
- share food in public spaces
- protection by law enforcement
- seek an income, including through recycling
- pray in public
- turn down offers of services based on one's own judgment
- sleep in one's car
- equal access to education for homeless schoolchildren and youth
- confidentiality in social service records.

The bill creates a right to sufficient **health and hygiene centers available 24 hours**, including bathrooms and showers.

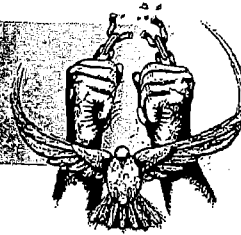
The bill forbids law enforcement from enforcing laws that prohibit sleeping, sitting, lying down, standing, eating, panhandling, or sharing food in public spaces (or in one's car in a public space) *unless* that area:

- offers General Assistance for twelve months out of the year
- *and* has an unemployment rate *below* 120% the Federal average
- *and* has a public housing waitlist of fewer than 50 people.

The bill gives people the right to counsel—provided by the county—whenever the District Attorney is present in court to prosecute. (*Currently, this does not happen with infraction cases.*)

The bill protects public employees from retaliation by their employer if they offer public resources to a homeless person.

A Homeless Bill of Rights



March 30, 2013

The bill requires law enforcement agencies to compile every year the number of citations and arrests for laws that prohibit:

- obstructing sidewalks
- loitering
- sitting
- lying
- camping
- "lodging" in public
- sleeping in public
- asking for donations
- bathing in public
- sharing or receiving food
- sleeping or living in a vehicle
- violating park closure laws
- jaywalking
- trespassing
- other local or state laws as requested by the Attorney General, city attorney, or any non-profit that assists, reaches out to, or advocates for poor and homeless people.

The following rights are aspirational in the bill:

- Right to **shelter**.
- Right to **basic services, housing, income, and medical care**.
- The right of **homeless schoolchildren** to be provided the supplies necessary for academic success (backpacks, textbooks, notebooks, pencils, pens, and appropriate academic technology).

Definition of Homelessness:

For the purposes of this bill, "homeless" means lacking a fixed, regular, and adequate nighttime residence, or having a primary nighttime residence in a shelter, on the street, in a vehicle, in an enclosure or structure that is not authorized or fit for human habitation, substandard apartments, dwellings, doubled up temporarily with friends or families, staying in transitional housing programs, staying anywhere without tenancy rights, or staying with one or more children of whom they are the parent or legal guardian in a residential hotel whether or not they have tenancy rights.

Regional Contact

Western Regional Advocacy Project
Paul Boden
(415) 621-2533
pboden@wraphome.org

Local Contact

October 18, 2013

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

Re: Support for Park Hours Legislation

Dear Supervisor supervisors,

I am a long time elected official at the Auburn Area Park and Recreation District (aka ARD) here in the Sierra Foothills. I want to send my full support for the proposed Park Hours Legislation.

While I do not live in San Francisco, I do utilize your parks on a regular basis, be it for a day under the trees in my favorite destination, or perhaps a live music event or festival. Alas I must admit as a visitor the results of jerks and the damage they cause has become much more apparent, and a bit of a deterrent at some locations.

I also know the costs associated. Unfortunately we are not immune to the ill effects of Vandals, Delinquents, Transients and others who do not show respect for our facilities. The cost to our district is high. We are in the process of working with local law enforcement agencies (we do not have Rangers and work with the Auburn Police & Placer Sheriffs Department). To facilitate enforcement the need for Ordinances / Codes has to be in place, allowing for law enforcement to better protect our resources.

I thank you for all you do to make San Francisco such a wonderful place & your hopeful support of the changes to the Park Hours, I know while it will not fix all problems, it is a necessary step in the right direction.

Sincerely,

Scott Holbrook
Past President and Member – Auburn Recreation District (For ID Purposes Only)
3698 Country Meadow Ct
Auburn, CA 95602
530-906-7441
auburnscott@netscape.net

**Parks
Make
Life
Better!** SM



SAN FRANCISCO CHAMBER OF COMMERCE

Our City. Your Business.

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BOARD OF SUPERVISORS
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October 10, 2013

The Honorable David Chiu, President
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, #244
San Francisco, CA 94102

RE: Support File #130766; Hours of Operation for City Parks

Dear President Chiu:

The San Francisco Chamber of Commerce, representing over 1500 local businesses, strongly supports Supervisor Scott Wiener's proposed ordinance to close San Francisco city parks between midnight and 5:00 a.m. daily.

Most vandalism of our parks happens at night, under cover of darkness. The Recreation and Park Department spends over \$1 million each year repairing the extensive damage of our parks, recreation centers, play fields, trees and grass. These funds could be used to hire more gardeners and recreation center staff if the constant vandalism that plagues our parks each night is prevented. Establishing and enforcing consistent overnight closing hours is a vital step in curbing this activity and keeping our parks safe, healthy and usable for everyone.

Many cities in the Bay Area and across the U.S. close their parks at night, including Berkeley, Portland, New York and Boston. This policy is long overdue in San Francisco and should be implemented as soon as possible.

The San Francisco Chamber of Commerce urges the Board of Supervisors to support this important piece of legislation that will protect our city's precious parks and preserve them for everyone to enjoy.

Sincerely,

Jim Lazarus
Senior Vice President for Public Policy

cc: Clerk of the Board (to be distributed to all members of the Board of Supervisors); Sup. Scott Wiener; Phil Ginsburg, General Manager, Recreation and Park Department; Mark Buell, President, Recreation and Park Commission; Mayor Ed Lee

From: Board of Supervisors
To: BOS-Supervisors
Subject: Support for City Park Hours, File No. 130766

From: David Burke [mailto:burkenet@yahoo.com]
Sent: Monday, October 07, 2013 9:07 AM
To: Wiener, Scott; Chiu, David; Kim, Jane; Board of Supervisors
Cc: Taylor, Adam; Rauschuber, Catherine; Veneracion, April; Farrell, Mark; Breed, London; Miller, Alisa; Corrales, Greg; Ballard, Sarah; Randolph, Alex; BVNA@ix.netcom.com
Subject: Support for City Park Hours, File No. 130766

Honorable Supervisors,

I wanted to let you know that as a resident and home owner in the Buena Vista neighborhood, you have my full support to establish consistent San Francisco park hours of operation as covered in File No. 130766 - Park Code-Hours of Operation for City Parks. Over the last year it seems the park and adjoining neighborhood vandalism has increased partly due to late night use of the Buena Vista park. It's my understanding that establishing consistent park hours of operation will assist the SFPD and SFRPD Park Patrol with all they are doing to keep our parks safe and healthy.

Thank you for your consideration and ongoing support,
David Burke

545-547 Buena Vista Ave. West
San Francisco, CA 94117
415-990-4456
burkenet@yahoo.com

From: Board of Supervisors
To: BOS-Supervisors
Subject: File 130766: This Monday Hearing - SUPPORT for Park Hours proposal - No. 130766

-----Original Message-----

From: Karen Crommie [mailto:kcrommie@aol.com]
Sent: Sunday, October 06, 2013 12:15 PM
To: Wiener, Scott; Chiu, David; Kim, Jane; Board of Supervisors
Subject: This Monday Hearing - SUPPORT for Park Hours proposal - No. 130766

Dear Supervisors,

As a longtime panelist on the Park/Northern Neighborhood Court, I can't stress enough the problem of adjudicating cases of park camping when each park has different opening and closing hours.

Apart from the opportunity for vandalism, destruction of established plants, concealing runaway minors, the nighttime activity in the parks includes illegal drug use, stashing of stolen bicycles and the building of dangerous campfires. So long as the parks exude an atmosphere of jeopardy, their use by the general public will diminish. Having uniformed open/closing hours will be a first step in protecting the parks for everyone.

Karen Crommie
Haight Ashbury

From: Board of Supervisors
To: BOS-Supervisors
Subject: File 130766: SUPPORT Park Code-Hours of Operation for City Parks

From: Joan Downey [mailto:jdowney324@outlook.com]
Sent: Friday, October 04, 2013 10:19 PM
To: Wiener, Scott; Chiu, David; Kim, Jane; Board of Supervisors; Breed, London
Subject: SUPPORT Park Code-Hours of Operation for City Parks

Honorable Supervisors,

Please SUPPORT Park Code-Hours of Operation for City Parks legislation (File No. 130766) to clarify the operating hours of all City parks.

Currently-legislated Park hours are inconsistent and unclear confusing the public and hampering enforcement. To effectively combat vandalism, we need clear and consistent Citywide park operating hours. This legislation provides needed support for SFPD and SFRPD Park Patrol efforts to help keep our parks safe and healthy.

Regards,

Joan Downey
324 Carl Street

Miller, Alisa

From: Alisa Cordesius [alisa@sfparksalliance.org]
Sent: Monday, October 07, 2013 4:51 PM
To: Miller, Alisa
Cc: Ana Vasudeo; Matthew O'Grady; Rachel Norton
Subject: SFPA Petition Letters of Support
Attachments: Petition Letter Support_Park Hours_SFPA_10.07.2013.pdf

Hello Alisa,

Please find attached a PDF document that compiles all of the support letters we've received in favor of Supervisor Weiner's Park Hours legislation over the past two weeks. Feel free to reach out with any questions. Thank you!

Best,

--

Alisa Cordesius
San Francisco Parks Alliance
T: 415.621.3260
www.sfparksalliance.org



P.O. Box 170160
San Francisco, CA 94117-0160
415.621.3260
www.sfparksalliance.org

October 7, 2013

Members of the Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, Ca 94102-4689

Re: Letter of Support for Park Hours Legislation

Dear Supervisor:

I am writing to ask for your support for the proposed Park Hours legislation, which would amend the city's Park Code to close the city's parks between 12:00 am and 5:00 am, with certain exceptions.

As a parks advocacy organization, the San Francisco Parks Alliance (SFPA) is deeply concerned about safety issues in our parks. We are constantly approached by neighborhood groups asking us to help them lobby for cameras, increased park patrol, security and flood lighting, as well as other safety measures in their parks. My organization supports this legislation because it will play a vital role in decreasing the amount of vandalism and illegal dumping that occurs in our city's parks. Currently, half of the maintenance work orders for the Recreation and Parks Department (RPD) relate to vandalism, most of which occurs between 12:00am to 5:00am.

Furthermore, this legislation will help save the city nearly \$1 million that it currently spends annually to address late night vandalism and dumping in our parks. Our parks have historically been underfunded and we know the money that the Recreation and Parks Department (RPD) is using to address late night vandalism should be used for more pressing maintenance issues, such as playground repairs - according to RPD estimates, \$1 million could fund 10 more gardeners, or 13 more afterschool sites.

San Francisco is the 14th largest city in the country and yet it is the only major city without uniform park hours. Cities both larger and smaller have set reasonable park hours (New York: 6 a.m. to 1 a.m.; Seattle: 4:30 a.m. to 11 p.m.; Austin, TX: 5 a.m. to 10 p.m.). What's more, over the years individual parks in San Francisco have been assigned conflicting and confusing operating hours - rendering posted closures all but unenforceable.

Supervisor, I am concerned that this legislation is being perceived by some as an anti-homeless; Section 3.13 of the Parks Code already addresses illegal camping/sleeping in the parks. Homeless residents have also been victims of serious attacks while they sleep in parks late at night. Limited overnight park closures will enhance everyone's safety and provide police and park patrols with an additional tool to deter vandalism in parks. I urge you to help us carry this reasonable, commonsense legislation forward and to help us create safer parks for all San Franciscans.

Sincerely,

A handwritten signature in black ink that reads 'Matt O'Grady'. The signature is written in a cursive, slightly slanted style.

Matt O'Grady
Executive Director

September 30, 2013

Supervisor Mark Farrell
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, Ca 94102-4689

Re: Support for Park Hours Legislation

Dear Supervisor Farrell,

Thank you for your continued support of our parks, we truly appreciate your leadership and vision on park issues. I am writing today to ask for your support for the proposed Park Hours legislation, which would amend the city's Park Code to close the city's parks between 12:00 am and 5:00 am, with certain exceptions.

I support this legislation for a number of reasons. First, this legislation will play a vital role in decreasing the amount of vandalism and illegal dumping that occurs in our city's parks. Currently, half of the maintenance work orders for the Recreation and Parks Department relate to vandalism that occurs between 12:00am to 5:00am. Secondly, this legislation will save the city nearly \$1 million that it currently spends annually to address late night vandalism and dumping in our parks. These funds could be used for more pressing maintenance issues, such as playground repairs. Lastly, this legislation would not restrict the use of Golden Gate Park, McLaren Park, Balboa Park, or Lincoln Park for commuting purposes.

Furthermore, I am concerned that this legislation is being perceived as an anti-homeless. It is already illegal to sleep or camp in the parks between 8:00 pm and 8:00 am pursuant to Section 3.13 of the Park Code – passage or failure of this legislation will not change this. Moreover, as a San Francisco resident, I am also concerned that there is not enough proper housing for our homeless population – everyone deserves a warm, safe, and humane place to sleep, something that cannot be offered by a poorly lit park. Homeless residents have also been victims of serious attacks while they sleep in parks late at night. Limited overnight parks closures will enhance everyone's safety.

Supervisor Farrell, I urge you to help us carry this legislation forward and to help us create safer parks for all San Franciscans.

Sincerely,

Kelly Nice
Green Street resident
President – San Francisco Parks Alliance



Parks Advocate <advocacy@sfparksalliance.org>

Support for Park Hours Legislation

1 message

Joel Susal <joelsusal@gmail.com>
To: eric.l.mar@sfgov.org
Cc: advocacy@sfparksalliance.org

Fri, Oct 4, 2013 at 3:43 PM

October 4, 2013

Supervisor Eric Mar

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, Ca 94102-4689

Re: Support for Park Hours Legislation

Dear Supervisor Mar,

As a concerned park user – and someone who lives across the street from Golden Gate Park – I am writing to ask for your support for the proposed Park Hours legislation, which would amend the city's Park Code to close the city's parks between 12:00 am and 5:00 am, with certain exceptions.

I support this legislation for a number of reasons. First, this legislation will play a vital role in decreasing the amount of vandalism and illegal dumping that occurs in our city's parks. Currently, half of the maintenance work orders for the Recreation and Parks Department relate to vandalism that occurs between 12:00am to 5:00am. Secondly, this legislation will save the city nearly \$1 million that it currently spends annually to address late night vandalism and dumping in our parks. These funds could be used for more pressing maintenance issues, such as playground repairs. Lastly, this legislation would not restrict the use of Golden Gate Park, McLaren Park, Balboa Park, or Lincoln Park for commuting purposes.

Furthermore, I am concerned that this legislation is being perceived as anti-homeless. However, Section 3.13 of the Parks Code already addresses illegal camping/sleeping in the parks. Rather, I believe that limited overnight parks closures will enhance everyone's safety and provide police and park patrols with an additional tool to better deter vandalism in parks. Supervisor Mar, I urge you to help us carry this legislation forward and to help us create safer parks for all San Franciscans.

Sincerely,

10/7/13

n Francisco Parks Alliance Mail - Support for Park Hours Station

Joel Susal

2638 Fulton St. (between 2nd and 3rd Aves)



Parks Advocate <advocacy@sfparksalliance.org>

Support for Park Hours Legislation

1 message

Geoffrey R. Smith <grsmithz@pacbell.net>

Thu, Oct 3, 2013 at 8:52 PM

Reply-To: "Geoffrey R. Smith" <grsmithz@pacbell.net>

To: "Scott.Wiener@sfgov.org" <Scott.Wiener@sfgov.org>

Cc: "advocacy@sfparksalliance.org" <advocacy@sfparksalliance.org>

October 3, 2013

Supervisor Scott Wiener
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, Ca 94102-4689

Re: Support for Park Hours Legislation

Dear Scott,

As a concerned park user and one who walks daily through Buena Vista Park, I am writing to ask for your support for the proposed Park Hours legislation, which would amend the city's Park Code to close the city's parks between 12:00 am and 5:00 am, with certain exceptions.

I support this legislation for a number of reasons. First, this legislation will play a vital role in decreasing the amount of vandalism and illegal dumping that occurs in our city's parks. Currently, half of the maintenance work orders for the Recreation and Parks Department relate to vandalism that occurs between 12:00am to 5:00am. Second, this legislation will save the city nearly \$1 million that it currently spends annually to address late night vandalism and dumping in our parks. These funds could be used for more pressing maintenance issues, such as playground repairs. Third, this legislation would not restrict the use of Golden Gate Park, McLaren Park, Balboa Park, or Lincoln Park for commuting purposes.

Section 3.13 of the Parks Code already addresses illegal camping/sleeping in the parks, but limited overnight parks closures mandated by the Park Hours legislation will enhance everyone's safety and provide police and park patrols with an additional tool to deter vandalism in parks.

Scott, I urge you to help carry this legislation forward and to help create safer parks for all San Franciscans.

Sincerely,

Geoffrey R. Smith
1482 Masonic Avenue
San Francisco, CA 94117



Parks Advocate <advocacy@sfparksalliance.org>

Support for Park Hours Legislation

3 messages

Alisa Cordesius <alisacord@gmail.com>

To: London.Breed@sfgov.org, advocacy@sfparksalliance.org

Thu, Oct 3, 2013 at 4:11 PM

10/3/2013

Supervisor Breed

City Hall

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, Ca 94102-4689

Re: Support for Park Hours Legislation

Dear Supervisor Breed,

As a concerned park user, I am writing to ask for your support for the proposed Park Hours legislation, which would amend the city's Park Code to close the city's parks between 12:00 am and 5:00 am, with certain exceptions.

I support this legislation for a number of reasons. First, this legislation will play a vital role in decreasing the amount of vandalism and illegal dumping that occurs in our city's parks. Currently, half of the maintenance work orders for the Recreation and Parks Department relate to vandalism that occurs between 12:00am to 5:00am. Secondly, this legislation will save the city nearly \$1 million that it currently spends annually to address late night vandalism and dumping in our parks. These funds could be used for more pressing maintenance issues, such as playground repairs. Lastly, this legislation would not restrict the use of Golden Gate Park, McLaren Park, Balboa Park, or Lincoln Park for commuting purposes.

Furthermore, I am concerned that this legislation is being perceived as an anti-homeless, since Section 3.13 of the Parks Code already addresses illegal camping/sleeping in the parks. In fact, limited overnight parks closures will enhance everyone's safety and provide police and park patrols with an additional tool to deter vandalism in parks. Supervisor Breed, I urge you to help us carry this legislation forward and to help us create safer parks for all San Franciscans.

Sincerely,

Alisa Cordesius

886 Greenwich Street



Parks Advocate <advocacy@sfparksalliance.org>

Park Hours Legislation

1 message

Sonia Suresh <soniansuresh@gmail.com>

Thu, Oct 3, 2013 at 3:24 PM

To: London.Breed@sfgov.org

Cc: advocacy@sfparksalliance.org

Dear Supervisor Breed

As a concerned park user and resident of District 5, I am writing to ask for your support for the proposed Park Hours legislation, which would amend the city's Park Code to close the city's parks between 12:00 am and 5:00 am, with certain exceptions.

I support this legislation for a number of reasons. First, this legislation will play a vital role in decreasing the amount of vandalism and illegal dumping that occurs in our city's parks. Currently, half of the maintenance work orders for the Recreation and Parks Department relate to vandalism that occurs between 12:00am to 5:00am. Secondly, this legislation will save the city nearly \$1 million that it currently spends annually to address late night vandalism and dumping in our parks. These funds could be used for more pressing maintenance issues, such as playground repairs. Lastly, this legislation would not restrict the use of Golden Gate Park, McLaren Park, Balboa Park, or Lincoln Park for commuting purposes.

Furthermore, I am concerned that this legislation is being perceived as an anti-homeless, since Section 3.13 of the Parks Code already addresses illegal camping/sleeping in the parks. In fact, limited overnight parks closures will enhance everyone's safety and provide police and park patrols with an additional tool to deter vandalism in parks. Supervisor Breed, I urge you to help us carry this legislation forward and to help us create safer parks for all San Franciscans.

Sincerely,

Sonia Suresh



Parks Advocate <advocacy@sfparksalliance.org>

Park Hours Legislation

1 message

Jack Barber <jdbarber@sbcglobal.net>
Reply-To: Jack Barber <jdbarber@sbcglobal.net>
To: "Norman.Yee@sfgov.org" <Norman.Yee@sfgov.org>
Cc: "advocacy@sfparksalliance.org" <advocacy@sfparksalliance.org>

Thu, Oct 3, 2013 at 2:49 PM

October 3, 2013

Supervisor Norman Yee
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, Ca 94102-4689

Re: Support for Park Hours Legislation

Dear Supervisor Yee,

As a concerned park user, I am writing to ask for your support for the proposed Park Hours legislation, which would amend the city's Park Code to close the city's parks between 12:00 am and 5:00 am, with certain exceptions.

I support this legislation for a number of reasons. First, this legislation will play a vital role in decreasing the amount of vandalism and illegal dumping that occurs in our city's parks. Currently, half of the maintenance work orders for the Recreation and Parks Department relate to vandalism that occurs between 12:00am to 5:00am. Secondly, this legislation will save the city nearly \$1 million that it currently spends annually to address late night vandalism and dumping in our parks. These funds could be used for more pressing maintenance issues, such as playground repairs. Lastly, this legislation would not restrict the use of Golden Gate Park, McLaren Park, Balboa Park, or Lincoln Park for commuting purposes.

Furthermore, I am concerned that this legislation is being perceived as an anti-homeless, since Section 3.13 of the Parks Code already addresses illegal camping/sleeping in the parks. In fact, limited overnight parks closures will enhance everyone's safety and provide police and park patrols with an additional tool to deter vandalism in parks. Supervisor Yee, I urge you to help us carry this legislation forward and to help us create safer parks for all San Franciscans.

Sincerely,

Jack Barber
420 Moraga Street

10/7/13

San Francisco Parks Alliance Mail - Park Hours Legis

San Francisco, CA 94122
jdbarber@sbcglobal.net
(415) 759-1281 Home
(415) 609-6087 Cell



Parks Advocate <advocacy@sfparksalliance.org>

Support Parks Hours legislation

Pat Kenealy <pkenealy1@yahoo.com>

Thu, Oct 3, 2013 at 2:03 PM

Reply-To: Pat Kenealy <pkenealy1@yahoo.com>

To: "Mark.Farrell@sfgov.org" <Mark.Farrell@sfgov.org>

Cc: "advocacy@sfparksalliance.org" <advocacy@sfparksalliance.org>

Supervisor Mark Farrell

City Hall

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, Ca 94102-4689

Dear Supervisor Farrell:

As a 20-year resident of your district, and a concerned park user, I am writing to ask for your support for the proposed Park Hours legislation, which would amend the city's Park Code to close the city's parks between 12:00 am and 5:00 am, with certain exceptions.

The legislation will cut vandalism and illegal dumping that occurs in our city's parks, and set uniform expectations for kids and others who use the City's parks. It will leave the parks "clear" for normal overnight maintenance and give police a reason to stop those in the parks late at night.

I urge you to help us carry this legislation forward and to help us create safer parks for all San Franciscans.

Sincerely,

Patrick Kenealy

2464 Broadway

San Francisco, CA 94115



Parks Advocate <advocacy@sfparksalliance.org>

Support for Park Hours Legislation

Vivian Anthony <vivian.anth@yahoo.com>
To: Jane.Kim@sfgov.org
Cc: advocacy@sfparksalliance.org

Thu, Oct 3, 2013 at 2:01 PM

10/03/13.

Supervisor Jane Kim

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

Re: Support for Park Hours Legislation

Dear Supervisor Ms. Kim,

As a concerned park user, I am writing to ask for your support for the proposed Park Hours legislation, which would amend the city's Park Code to close the city's parks between 12:00 am and 5:00 am, with certain exceptions.

I support this legislation for a number of reasons. First, this legislation will play a vital role in decreasing the amount of vandalism and illegal dumping that occurs in our city's parks. Currently, half of the maintenance work orders for the Recreation and Parks Department relate to vandalism that occurs between 12:00am to 5:00am. Secondly, this legislation will save the city nearly \$1 million that it currently spends annually to address late night vandalism and dumping in our parks. These funds could be used for more pressing maintenance issues, such as playground repairs. Lastly, this legislation would not restrict the use of Golden Gate Park, McLaren Park, Balboa Park, or Lincoln Park for commuting purposes.

Furthermore, I am concerned that this legislation is being perceived as an anti-homeless, since Section 3.13 of the Parks Code already addresses illegal camping/sleeping in the parks. In fact, limited overnight parks closures will enhance everyone's safety and provide police and park patrols with an additional tool to deter vandalism in parks. I urge you to help us carry this legislation forward and to help us create safer parks for all San Franciscans.

Sincerely,

Vivian Anthony

10/7/13

San Francisco Parks Alliance Mail - Support for Park Hours

ation

88 King Street

San Francisco, CA 94107



Parks Advocate <advocacy@sfparksalliance.org>

Fwd: Urging your support of regular park hours legislation

1 message

Rachel Norton <racheln@sfparksalliance.org>
 To: advocacy@sfparksalliance.org

Thu, Oct 3, 2013 at 1:23 PM

----- Forwarded message -----

From: **Teri Olle** <teriolle@gmail.com>
 Date: Thu, Oct 3, 2013 at 1:06 PM
 Subject: Fwd: Urging your support of regular park hours legislation
 To: Rachel Norton <rpnoton@gmail.com>

what i sent

i also sent around to a few other d5ers

----- Forwarded message -----

From: **Teri Olle** <teriolle@gmail.com>
 Date: Thu, Oct 3, 2013 at 1:01 PM
 Subject: Urging your support of regular park hours legislation
 To: London Breed <londonbreed@yahoo.com>, "Brown, Vallie" <Vallie.Brown@sfgov.org>, london.breed@sfgov.org

Dear Supervisor Breed,

I write to urge you to support the park hours legislation carried by Supervisor Weiner. I considered this carefully, as I generally do not like to support legislation when there are already enough tools in the toolbox that could be used – more tools don't help. At first I thought, well, vandalism and theft are already illegal, as is sleeping in the park, so why do we need a new law? In this case, however, I was swayed by the need for consistency and public notice. I think that this benefits everyone – the public, the parks department and law enforcement. If it's the same everywhere, people start to adjust their behavior. There are many analogies in other areas of city living, like cleaning up dog waste, for example: the law is the same everywhere, and there are signs posted in enough places that everyone really is on notice that that's the law no matter where you go. As well, if the parks are closed in the middle of the night, law enforcement doesn't have to wait for someone to vandalize or steal to act.

I also find it compelling that similarly situated cities have a park hours law in place already. It strikes me as a reasonable and common sense measure to have consistent open/close hours in all of our public spaces.

I urge you to support this proposed legislation. Thank you for consideration of my views.

Best,

Teri Olle
 574 Belvedere Street

-

Teri Olle
 415.377.4698

Teri Olle
415.377.4698

Rachel Norton
Director of Communications
SF Parks Alliance
racheln@sfparksalliance.org
P.O. Box 170160
San Francisco, CA 94117-0160



Parks Advocate <advocacy@sfparksalliance.org>

Park Hours Legislation - comments from ' Friends of Oak Woodlands GG Park '

Robert Bakewell <rcbakewell@gmail.com>

Mon, Sep 30, 2013 at 10:52 PM

To: Supervisor Eric Mar <Eric.L.Mar@sfgov.org>

Cc: "Scott Wiener, Supervisor District 8" <Scott.Wiener@sfgov.org>, London Breed <London.Breed@sfgov.org>, Peter Zepponi <peter@zepponi-architects.com>, Peter Zepponi <peter@sfhorseshoepitching.com>, Advocacy Cordesius <advocacy@sfparksalliance.org>

Supervisor Eric Mar
 City Hall
 1 Dr. Carlton B. Goodlett Place, Room 244
 San Francisco, Ca 94102-4689

Re: Support for Park Hours Legislation

Dear Eric,

I am emailing you to ask for your support for the proposed Park Hours legislation, which would amend the city's Park Code to close the city's parks between 12:00 am and 5:00 am, with certain exceptions.

I appreciate your ongoing support for our Oak Woodlands Natural Area restoration and stewardship that is continuing to bring increased value to our remnant indigenous environment, Golden Gate Park and to our Richmond community.

I support this legislation for a number of reasons.

First, this legislation will play a vital role in decreasing the amount of vandalism and illegal dumping that occurs in our city's parks. Currently, half of the maintenance work orders for the Recreation and Parks Department relate to vandalism that occurs between 12:00am to 5:00am.

Secondly, this legislation will save the city nearly \$1 million that it currently spends annually to address late night vandalism and dumping in our parks. These funds could be used for more pressing maintenance issues, such as playground repairs.

Lastly, this legislation would not restrict the use of Golden Gate Park, McLaren Park, Balboa Park, or Lincoln Park for commuting purposes.

Today while visiting McLaren Lodge and passing by the Conservatory of Flowers entry station I was witness to the replacement by City workers of several windows and doors that were shattered overnight by vandals.

Recently, we have had to contend with the vandalizing of our indigenous and historic coast live oaks including breakage, cutting and graffiti painting and continuing trash

deposition in the Horseshoe Courts.

I am concerned that this legislation is being perceived as an anti-homeless. It is already illegal to sleep or camp in the parks between 8:00 pm and 8:00 am pursuant to Section 3.13 of the Park Code - passage or failure of this legislation will not change this.

Of course, I am also concerned that there is not enough suitable housing for the various groups of transients and homeless population.

Everyone deserves a warm, safe, and humane place to sleep, something that cannot be offered in a park at night..

Homeless residents have been victims of serious attacks while they sleep in parks late at night.

Furthermore, a large number of overnight residents in Golden Gate Park are opportunistic young transients - many of them suffering from various drug addictions, including methamphetamine use.

Warehousing this population in any park, including GG Park, is not acceptable public health policy !

Limited overnight parks closures will enhance everyone's health and safety.

I also recommend that law enforcement in our City's parks be applied diligently !

There is too much anecdotal evidence that park security is low priority, such as in regard to Section 3.13 of the Park Code.

I encourage you to support this legislation and would be pleased to offer you specifics as to how this will help us in the Oak Woodlands Golden Gate Park.

Yours sincerely,

Robert Bakewell
Co-founder of 'Friends of Oak Woodlands Golden Gate Park'
SFPA Park Partner
863 Arguello Blvd. # 5
SF, CA 94118
415-710-9617



Parks Advocate <advocacy@sfparksalliance.org>

Support for Park Hours Legislation

1 message

Leah Pimentel <leah.pimentel@yahoo.com>

Mon, Sep 30, 2013 at 2:55 PM

Reply-To: Leah Pimentel <leah.pimentel@yahoo.com>

To: "Malia.Cohen@sfgov.org" <Malia.Cohen@sfgov.org>

Cc: "advocacy@sfparksalliance.org" <advocacy@sfparksalliance.org>, "Andrea.Bruss@sfgov.org" <Andrea.Bruss@sfgov.org>, "Yoyo.Chan@sfgov.org" <Yoyo.Chan@sfgov.org>, "Mawuli.Tugbenyoh@sfgov.org" <Mawuli.Tugbenyoh@sfgov.org>

September 30, 2013

Supervisor Malia Cohen

City Hall

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, Ca 94102-4689

Re: Support for Park Hours Legislation

Dear Supervisor Malia Cohen,

As a concerned park user, I am writing to ask for your support for the proposed Park Hours legislation, which would amend the city's Park Code to close the city's parks between 12:00 am and 5:00 am, with certain exceptions.

I support this legislation for a number of reasons. First, this legislation will play a vital role in decreasing the amount of vandalism and illegal dumping that occurs in our city's parks. Currently, half of the maintenance work orders for the Recreation and Parks Department relate to vandalism that occurs between 12:00am to 5:00am. Secondly, this legislation will save the city nearly \$1 million that it currently spends annually to address late night vandalism and dumping in our parks. These funds could be used for more pressing maintenance issues, such as playground repairs. Lastly, this legislation would not restrict the use of Golden Gate Park, McLaren Park, Balboa Park, or Lincoln Park for commuting purposes.

Furthermore, I am concerned that this legislation is being perceived as an anti-homeless. It is already illegal to sleep or camp in the parks between 8:00 pm and 8:00 am pursuant to Section 3.13 of the Park Code – passage or failure of this legislation will not change this. Moreover, as a San Francisco resident, I am also concerned that there is not enough proper housing for our homeless population – everyone deserves a warm, safe, and humane place to sleep, something that cannot be offered by a poorly lit park. Homeless residents have also been victims of serious attacks while they sleep in parks late at night. Limited overnight parks closures will enhance everyone's safety.

Supervisor Malia Cohen, I urge you to help us carry this legislation forward and to help us create safer parks for all San Franciscans.

Sincerely,

10/7/13

San Francisco Parks Alliance Mail - Support for Park Hours

ation

Leah Pimentel
1795 Silver Avenue
San Francisco, CA 94124

Leah Pimentel
Vice Chair, San Francisco Democratic County Central Committee
San Francisco Park Alliance, Board of Directors
Commissioner, Local Agency Formation Commission
Emerge California Class of 2011

Park Closure FACT SHEET

Coalition On Homelessness, SF

File No. 130766
10/7/13 Received in
Committee

San Francisco Supervisor Scott Wiener has introduced legislation to *close all of SF's Public Parks from 12 midnight until 5am*. This proposed law will further criminalize people sleeping in parks and negatively impact the entire city of San Francisco.

This law would:

- fine and jail people who are living/resting in public parks because they have nowhere else to go;
- waste precious city funds on signs, fences, and costs of enforcement;
- result in a greater police presence in the parks.

Park Closures Force People Onto Streets

- We have 1,339 shelter beds for single adults in San Francisco and over 7,350 people experiencing homelessness on any given night. There is no where for the unsheltered homeless people to go: We already have a crisis – further homeless sweeps will only increase the crisis on our streets.

- Los Angeles adopted uniform park closures and as a result forced park dwellers in to the city's downtown Skid Row neighborhood. As a result, the city was forced to legalize sleeping on public sidewalks in Skid Row to respond to the mass displacement post-park closure implementation. Park closures in San Francisco will also displace homeless people from parks to the neighborhood sidewalks.

- Arresting people for being in the park creates and perpetuates a homeless person's "criminal" status, preventing a person from ever being able to access housing, financial assistance, and employment – all necessary to transition out of homelessness.

- Displacing park dwellers to the city streets will have overall negative impacts for our city, including concentrating more poverty to certain neighborhoods already carrying the social burden of providing basic needs services.

Park Closure As An LGBT Issue

- We know that the 29% of the City's homeless population that is LGBT are targets for hate crimes – moving LGBT folks away from their communities will only make them more vulnerable.

- Park dwelling provides necessary shelter for LGBT people and people living with HIV, especially youth and seniors.

- While 24% of LGBT seniors need housing assistance, the majority of LGBT seniors report having been discriminated against in social services.

- 20.4% of people living with HIV/AIDS were displaced from SF from 2006 – 2011 and housing support and resources continues to dwindle.

- Wiener's district has the highest rate of no-fault evictions in the City and LGBT folks are 258% as likely to be homeless as the general population – *why is Wiener attacking the LGBT community?*

Park Closure Is A Waste of City Funds

- This legislation is redundant and has been explored in our past. The City already bans criminal acts in parks, already has hours of operations for parks, and already has signs showing hours. Additionally, SF has already determined that uniformly closing parks would have disastrous repercussions and has voted this down before.

- Increased policing of parks diverts police resources away from criminal activity and increases workload and billed hours of police labor. Funds spent on law enforcement would be much better used

to create housing.

- Increased policing of parks means tax dollars will be used for fences, signs, barriers, and on-going maintenance of these new materials – funds that would be much better used to create housing.
- The city already spends millions of dollars criminalizing sleeping and sitting in public. This strategy has been tried and failed, proven too costly and an ineffective response to homelessness.

Homelessness is not a lifestyle choice—it is the result of extreme poverty

- Since 1976, the Housing and Urban Development (HUD) department's total budget has reduced by more than \$45 billion per year, with the biggest drop occurring between 1980 and 1983 (National Low Income Housing Coalition, 2001).
- The average rent in San Francisco for a two-bedroom apartment is \$3,425 or \$1,668 for a studio, far exceeding a service sector employee's paycheck (\$10.55/hour gross or \$1,495 /month net) and more than three times a monthly public assistance check (\$723 for family of three).
- People are sleeping in the parks because there is no affordable housing. In San Francisco, there are 40,000 people on the combined waitlist for public housing and Section 8. The waitlist for Section 8 was last open for one month in 2001. The waitlist for public housing closed February 1, 2010.
- Thousands of San Franciscans have been displaced over the past three years, as rents have risen dramatically and real estate speculators take advantage of low-income tenants.
- There is 1 shelter bed in San Francisco for every 5.4 homeless individuals. The wait for family shelter in San Francisco exceeds 6 months.

Our Demands

- As the elected representative of the Castro, the community demands that Supervisor Wiener create an accountable and actionable plan to reduce LGBT homelessness by 50% in 5 years.
- We demand an end to criminalization efforts as the response to larger societal problems. In the past dozen years in San Francisco, more than 167,074 citations were given out for sleeping and sitting in public (San Francisco Municipal Court). We need permanent solutions to homelessness: affordable housing and increased supportive services, specifically in the Haight, where many park dwellers seek support.
- We demand a NO vote on this legislation and seek to build solutions to our city's collective problems that include the voices of those most impacted by homelessness and poverty.

*This fact sheet brought to you by the Coalition on Homelessness, San Francisco
The Coalition on Homelessness is committed to ending homelessness through organizing homeless people while protecting
the human rights of those forced to remain on the streets.*

415-346-3740 • 468 Turk Street, SF, CA 94102 • <http://www.cohsf.org>

Park Closure Talking Points

Coalition On Homelessness, SF

San Francisco Supervisor Scott Wiener has proposed legislation to *close all of SF's Public Parks from 12 midnight until 5am.*

This law would:

- fine and jail people who are living/resting in public parks because they have nowhere else to go;
- waste precious city funds on signs, fences, and costs of enforcement;
- result in duplicative laws that don't offer real solutions.

Park Closure is Waste of City Resources

- The intention of the park closure legislation is to address vandalism and theft in our city's parks. There are already laws that make it illegal to vandalize or steal from the parks. Making a duplicative law will do nothing to address the problem.
- The city already spends millions of dollars criminalizing sleeping and sitting in public. New laws targeting poor people have proven too costly and have increased hate and targeting of poor and homeless people.
- Hundreds of thousands of dollars would be wasted on signage alone. Resources would be better spent on expanding affordable housing, basic needs services, and increased gardeners and beautification of the parks.

Park Closures Limit Public Space

- San Francisco's access to public space is quickly diminishing. The onslaught of laws like Sit/Lie show a city-wide move to criminalize the use of public space. This proposed legislation follows that path, a path that paves the way for gentrification, elimination of a working class in San Francisco, and an increase of poor people in prison and jail.
- San Francisco's parks are a critical amenity for all San Francisco residents. Limiting and enforcing park hours limits access for all.

Park Closures Force People Onto Streets

- With over 6,000 homeless individuals in San Francisco and only 1,339 shelter beds, thousands of people are forced to sleep outside every night. The city's parks offer necessary safety from the conditions on the streets, including violence and exploitation.
- Increased police and patrol presence, including increased ticketing and incarceration of people sleeping in parks, will only push people to our neighborhood streets and doorsteps and further entrench poor people in the criminal justice system.
- With 29% of SF's homeless population identifying as LGBTQ, the park closures would have detrimental impacts on the safety of LGBTQ homeless individuals. Not only are they highly vulnerable to violence and exploitation but they are often elders, youth, living with HIV, and victims of no-fault evictions from the Castro neighborhood.

This fact sheet brought to you by the Coalition on Homelessness, San Francisco

The Coalition on Homelessness is committed to ending homelessness through organizing homeless people while protecting the human rights of those forced to remain on the streets.

415-346-3740 • 468 Turk Street, SF, CA 94102 • <http://www.cohsf.org>

Press Release

FOR IMMEDIATE RELEASE

October 4, 2013

CONTACT: Lisa Marie Alatorre
Coalition on Homelessness, SF
Cell: (510) 982-9275

Community Outrage Over Controversial Park Closure Legislation

What: Land use and Economic Development Committee Hearing.

When: Monday, October 7, 2013, 1:30pm.

Where: City Hall Room #236.

San Francisco, CA - On Monday, October 7, 2013 at 1:30pm, the San Francisco Land Use and Economic Development Committee of San Francisco's Board of Supervisors will review proposed legislation from Supervisor Scott Wiener to enforce and uniform closing hours at all of San Francisco parks. Members of the community will be present at the hearing to show broad-based opposition and community concern regarding this legislation.

"We have over 5,000 homeless people sleeping outside on any given night," says Jennifer Friedenbach, Executive Director of the Coalition on Homelessness. "With only 1,339 shelter beds available, the parks offer necessary safety from the streets for many people, including a large community of LGBTQ homeless folks and homeless youth. Increasing criminalization and duplicative laws will simply increase our homeless crisis and drain city resources."

The proposed legislation would make park closing hours uniform and limit access to the city's parks for all San Francisco residents. The stated intention of the legislation is to address vandalism and theft that happens in our city parks, however opponents of the legislation point out that there are already laws on the books outlawing vandalism and theft. New laws targeting homeless people have raised the level of hate and targeting of the homeless population in the past. Resources would be better spent on expanding affordable housing, basic needs services, and increased gardeners and beautification of the parks.

"When we can't sleep in the parks of our city, we have no choice but to sleep on the streets," says one houseless citizen, currently residing in one of SF's city parks. "If I have any hopes of coming up out of this temporary situation, tickets and fine are nothing but another barrier between me and getting and holding a job in hopes of getting housing. This legislation won't push people out of our city. It will only make life more difficult."

Park dwellers and their supporters will be available for interviews and will be making public comment during the hearing.

###

Miller, Alisa

From: David Burke [burkenet@yahoo.com]
Sent: Monday, October 07, 2013 9:07 AM
To: Wiener, Scott; Chiu, David; Kim, Jane; Board of Supervisors
Cc: Taylor, Adam; Rauschuber, Catherine; Veneracion, April; Farrell, Mark; Breed, London; Miller, Alisa; Corrales, Greg; Ballard, Sarah; Randolph, Alex; BVNA@ix.netcom.com
Subject: Support for City Park Hours, File No. 130766

Honorable Supervisors,

I wanted to let you know that as a resident and home owner in the Buena Vista neighborhood, you have my full support to establish consistent San Francisco park hours of operation as covered in File No. 130766 - Park Code-Hours of Operation for City Parks. Over the last year it seems the park and adjoining neighborhood vandalism has increased partly due to late night use of the Buena Vista park. It's my understanding that establishing consistent park hours of operation will assist the SFPD and SFRPD Park Patrol with all they are doing to keep our parks safe and healthy.

Thank you for your consideration and ongoing support,
David Burke

545-547 Buena Vista Ave. West
San Francisco, CA 94117
415-990-4456
burkenet@yahoo.com

Miller, Alisa

From: Karen Crommie [kcrommie@aol.com]
Sent: Sunday, October 06, 2013 12:15 PM
To: Wiener, Scott; Chiu, David; Kim, Jane; Board of Supervisors
Subject: This Monday Hearing - SUPPORT for Park Hours proposal - No. 130766

Dear Supervisors,

As a longtime panelist on the Park/Northern Neighborhood Court, I can't stress enough the problem of adjudicating cases of park camping when each park has different opening and closing hours.

Apart from the opportunity for vandalism, destruction of established plants, concealing runaway minors, the nighttime activity in the parks includes illegal drug use, stashing of stolen bicycles and the building of dangerous campfires. So long as the parks exude an atmosphere of jeopardy, their use by the general public will diminish. Having uniformed open/closing hours will be a first step in protecting the parks for everyone.

Karen Crommie
Haight Ashbury



File 130766

Land Use Clerk, Members page

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

LOCAL UNION NO. 261

October 1, 2013

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2013 OCT -3 PM 3:39

RAMON HERNANDEZ
Business Manager

DAVID DE LA TORRE
Secretary-Treasurer

JESUS VILLALOBOS
President

JAVIER FLORES
Vice President

VINCE COURTNEY
Recording Secretary

OSCAR DE LA TORRE
Executive Board

JOSE DE LA MORA
Executive Board

- ✓ Honorable Supervisor Scott Wiener
 - ✓ Honorable Supervisor Jane Kim
 - ✓ Honorable Supervisor David Chiu
- Land Use & Economic Development Committee
San Francisco Board of Supervisors
City Hall, Room 244
San Francisco, California 94102

Re: Ordinance Amending Park Code – Hours of Operation for City Parks

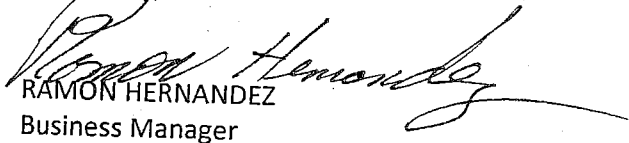
Dear Supervisors:

On behalf of Laborers Local 261 and especially our members who are employed in the parks and open spaces of San Francisco, I am writing in support of the ordinance which will amend the Park Code to establish hours of operation for City parks from 5:00 AM to midnight.

This legislation will promote the health and safety of the citizens of San Francisco through the setting of reasonable hours and restrictions for access to the parks. The restrictions are not onerous and do not substantially limit the public's access. On the other hand, the legislation will help us preserve and maintain the parks in good condition, protect the City's assets and minimize the risks to public safety associated with allowing unrestricted and unnecessary access all night.

This legislation will be of benefit to our members, to all of the citizens of San Francisco and to the many visitors who use and enjoy our valuable recreational and open space.

Yours truly,


RAMON HERNANDEZ
Business Manager

SAN FRANCISCO
3271 18th Street
San Francisco, CA 94110
Phone: (415) 826-4550
Fax: (415) 826-1948

SAN MATEO COUNTY
300 7th Avenue
San Mateo, CA 94401
Phone: (650) 344-7168
Fax: (650) 344-5357

MARIN COUNTY
4174 Redwood Highway
San Rafael, CA 94903
Mail P.O. Box 4250
San Rafael, CA 94913
Phone: (415) 492-0936
Fax: (415) 492-8233

Miller, Alisa

From: Jarie Bolander [jarie.bolander@gmail.com]
Sent: Friday, October 04, 2013 11:31 AM
To: Wiener, Scott; Chiu, David; Kim, Jane; Board of Supervisors
Cc: Taylor, Adam; Rauschuber, Catherine; Veneracion, April; Farrell, Mark; Breed, London; Miller, Alisa; Corrales, Greg; Ballard, Sarah; Randolph, Alex
Subject: Please SUPPORT File No. 130766 – Park Code-Hours of Operation for City Parks

Honorable Supervisors-

I urge all of you to support Supervisor Wiener and Farrell's legislation to clarify the operating hours of all City parks.

As a new resident of the Haight-Asbury who lives a block away from Buena Vista Park, I feel that this legislation will aid SFPD and SFRPD in their Park Patrol efforts to help keep our parks clean, safe and vandalism free.

Thanks in advance for your time and consideration.

Jarie Bolander

Interim Chair of the District 5 Neighborhood Action Committee (D5NAC) *
Past President of the North Panhandle Neighborhood Association *

* For identification purposes only.



BUENA VISTA NEIGHBORHOOD ASSOCIATION

555 Buena Vista West #601
San Francisco CA 94117-4143

Phone/Voicemail 415/431-2359

Email Info@BVNASF.com

www.BVNASF.com

BVNA is a *San Francisco Parks Alliance* Park Partner

October 4, 2013

San Francisco Board of Supervisors
Land Use and Economic Development Committee
Supervisors Wiener, Kim, Chiu
City Hall – 1 Dr. Carleton B. Goodlett Place, Room 244
San Francisco CA 94102-4689

Re: Hearing Scheduled for October 7, 2013
File No. 130766 – Park Code-Hours of Operation for City Parks

Honorable Supervisors,

The Buena Vista Neighborhood Association (BVNA) strongly SUPPORTS the above-referenced legislation proposed by Supervisors Wiener and Farrell, to clarify the operating hours of all City parks.

Currently-legislated Park hours are inconsistent and unclear in many instances, confusing the public and hampering enforcement. To effectively combat vandalism (including costly metal theft, graffiti, illegal dumping, etc.), we need clear and consistent Citywide park operating hours. That provides needed support for SFPD and SFRPD Park Patrol efforts to help keep our parks safe and healthy.

We ask the Board Clerk's Office to please assure that this letter is brought to the attention of all Board Members and their staff when the matter is being considered by them, and that it be included in the matter's permanent file.

BVNA has about 400 current, dues-paying Members and serves about 4,500 households in neighborhoods around Buena Vista Park, from Oak Street/Panhandle on the north; Divisadero/Castro on the east; up to (but not including) 17th Street on the south; and Ashbury Street on the west.

Thank you for considering our comments.

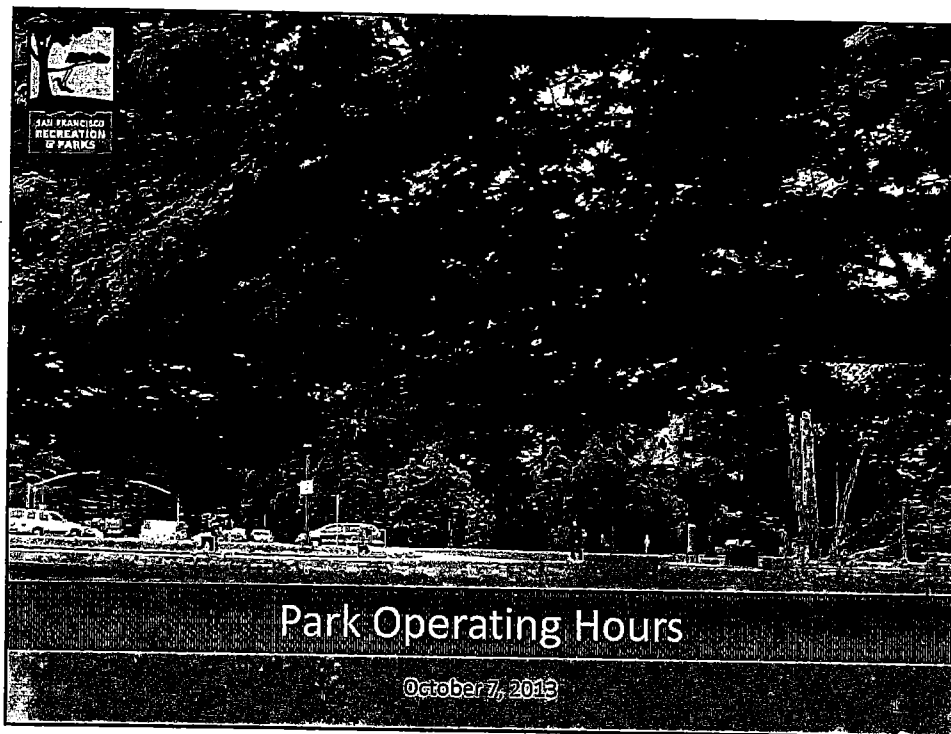
Respectfully,

/s/ Richard Magary

Richard Magary, BVNA Steering Committee Chair

email cc: Full Board of Supervisors via Office of the Clerk
Staff for Supervisor Scott Wiener
SFPD Park Station Captain Gregory Corrales
Sarah Ballard, Alex Randolph - SFRPD

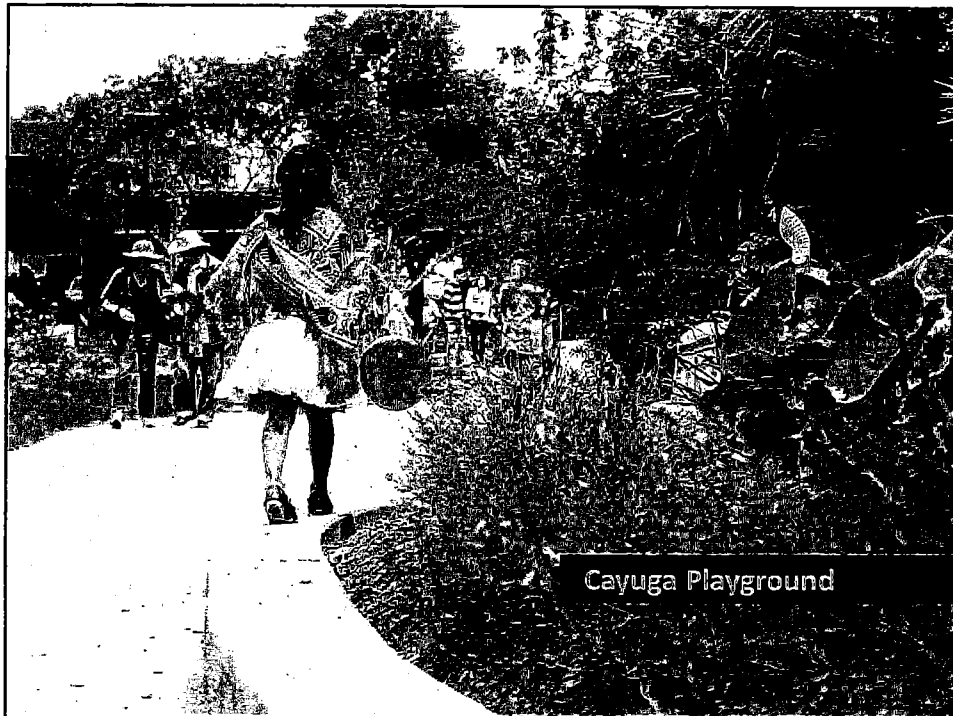
BvnaLtrBoSParkHours100413

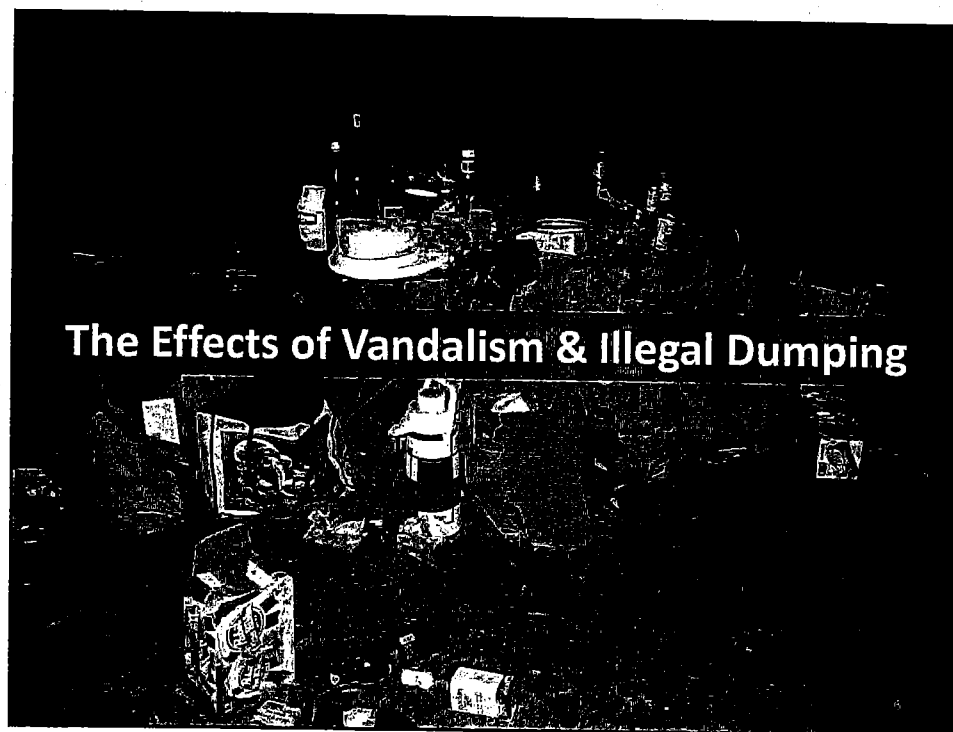


SF Rec and Park By the Numbers

- 4,113 acres of recreational and open space
- 3,400 acres within San Francisco
- 671 marina slips
- 220 neighborhood parks
- 179 playgrounds and play areas
- 151 tennis courts
- 82 recreation centers and clubhouses
- 72 basketball courts
- 59 soccer/playfields
- 44 ball fields
- 35 community gardens
- 27 off-leash dog areas
- 9 swimming pools
- 6 golf courses
- 3 stadiums







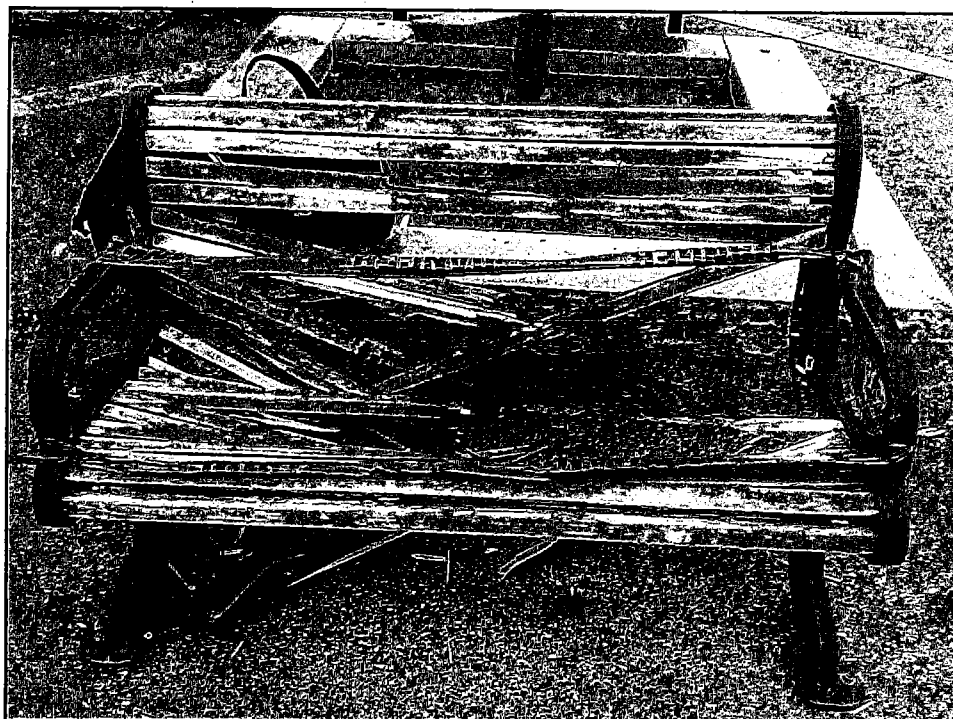
Property Crime

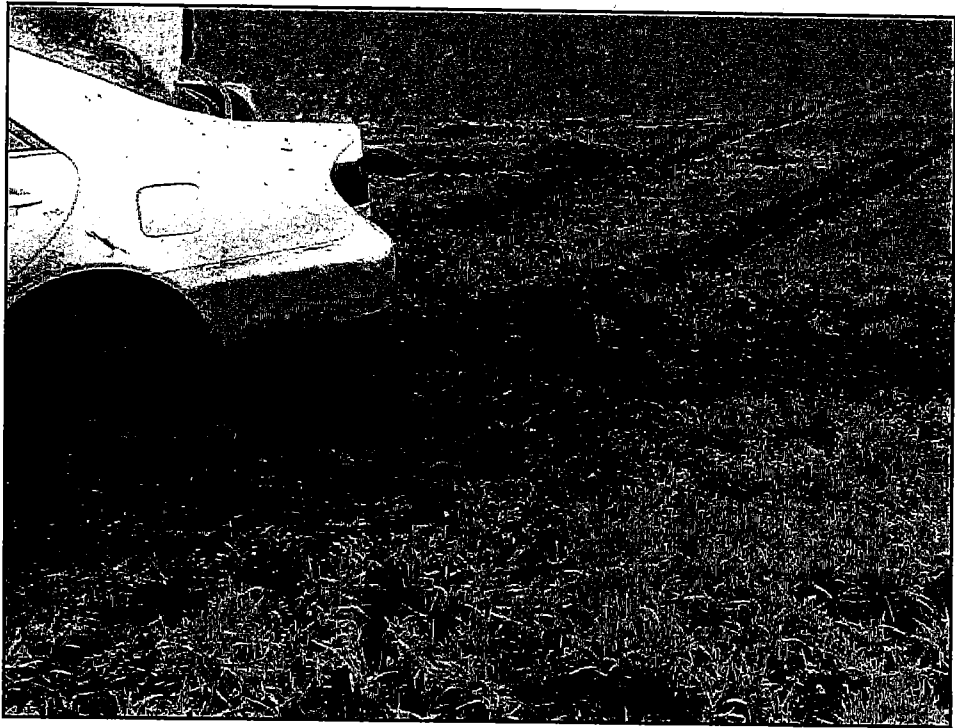
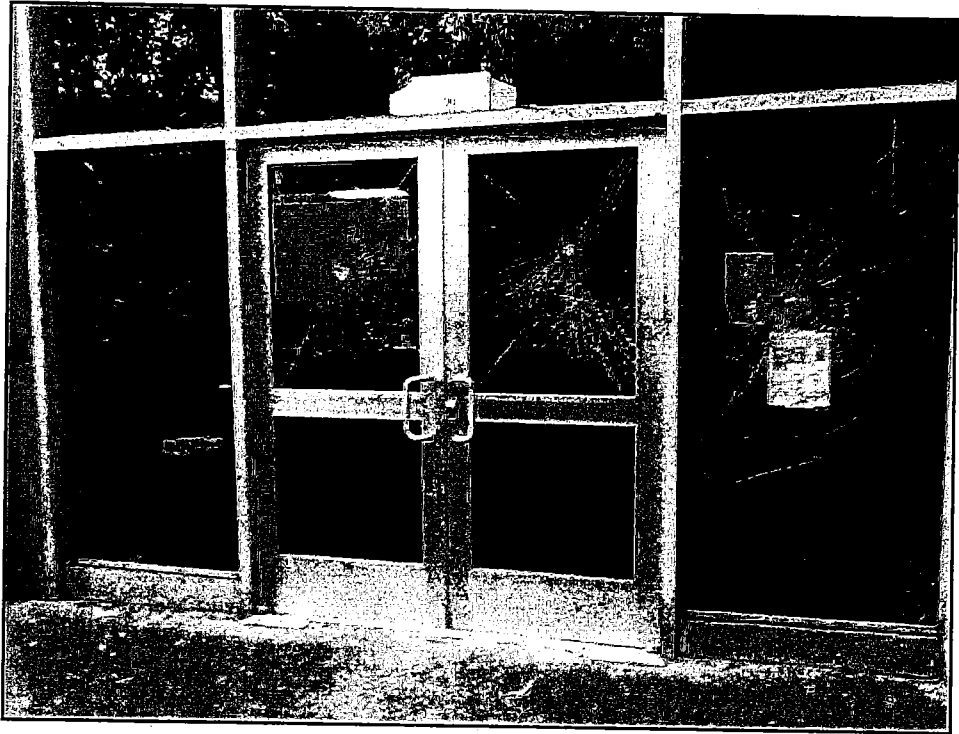
Vandalism & Graffiti

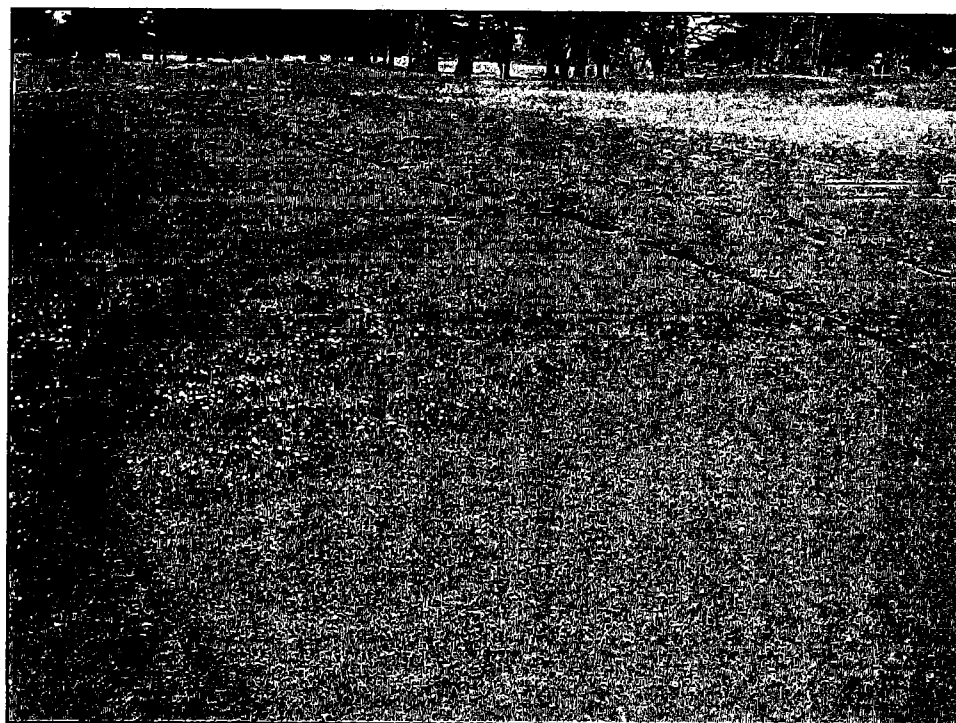
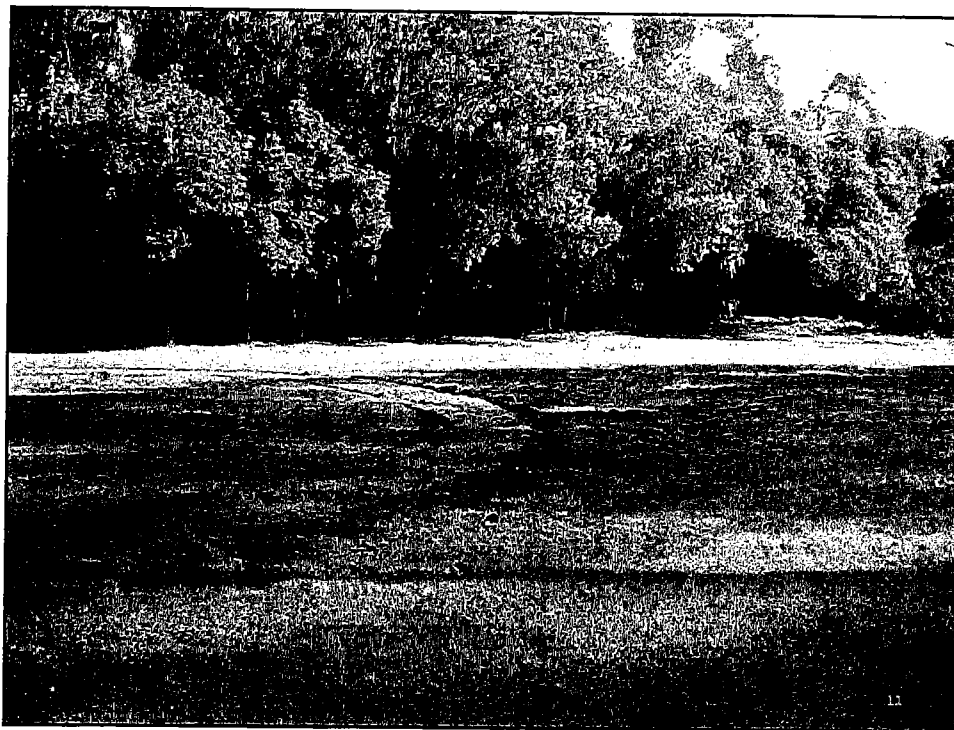
Damage to public restrooms; irrigation heads; broken windows; cut fences; stolen copper wire and metal; smashed or burned playground equipment; park benches; street light poles; arson; cut trees; stolen plant material; off-road vehicle damage to turf.

Annual cost to abate vandalism and graffiti

\$506,382

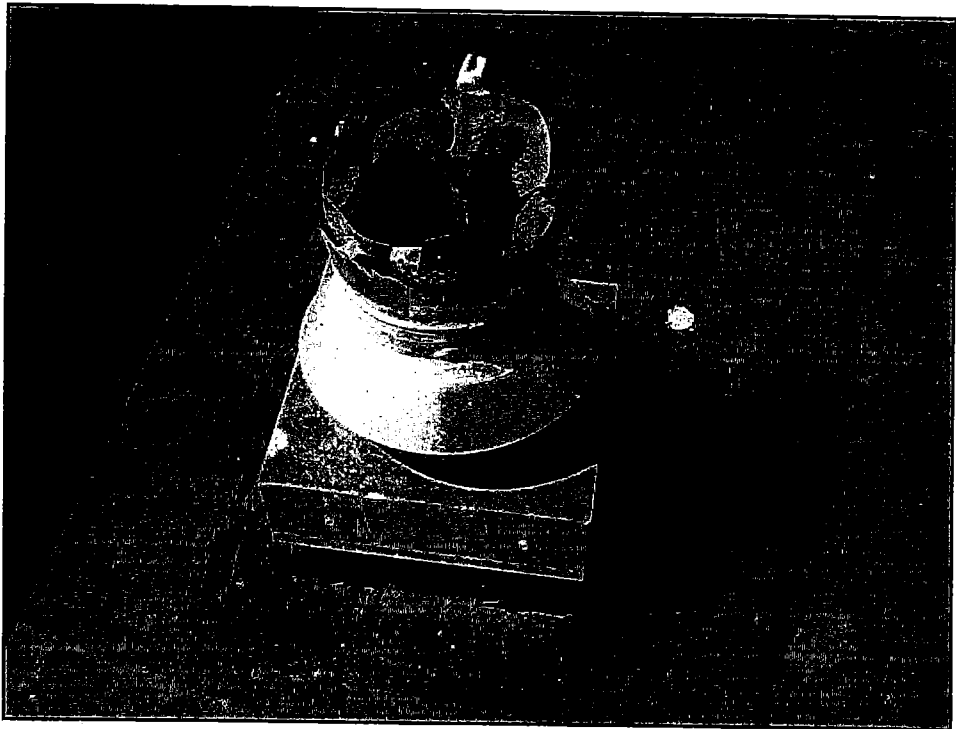
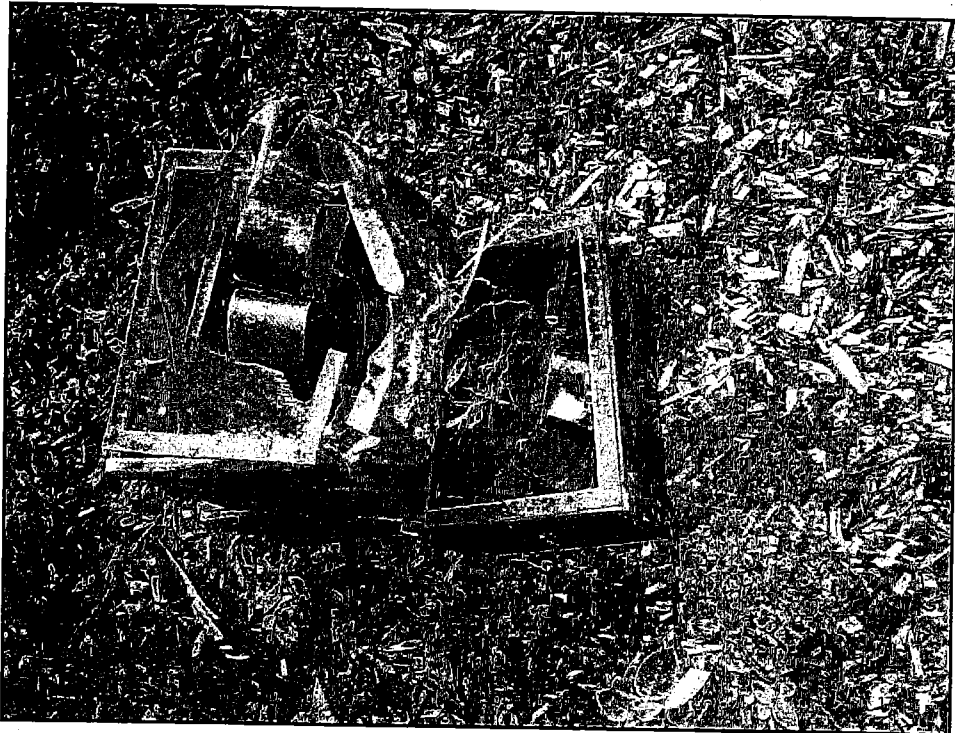


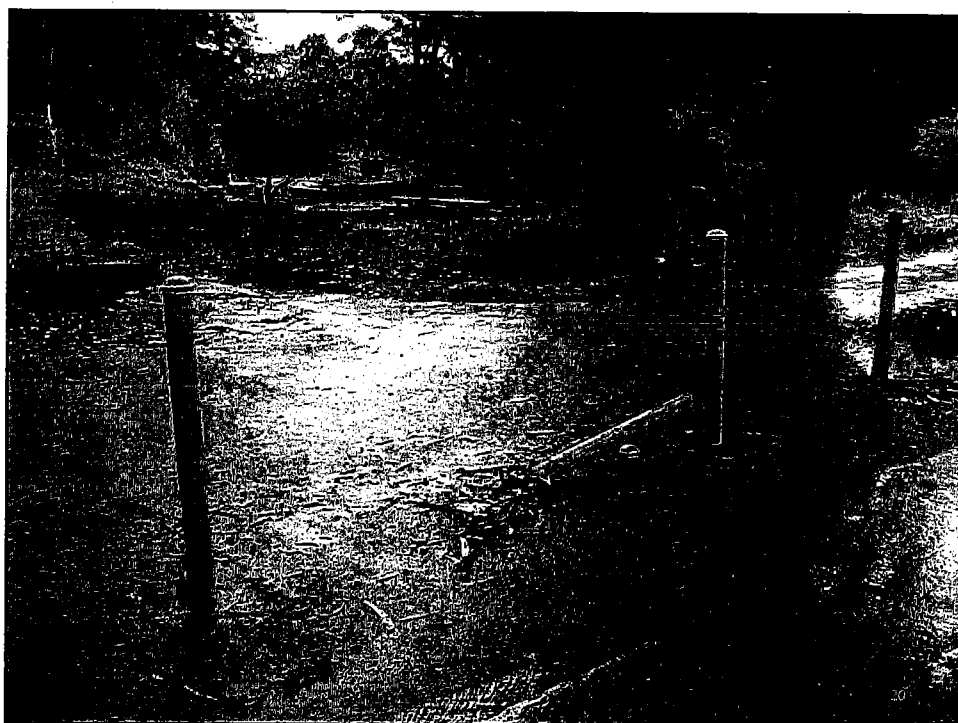




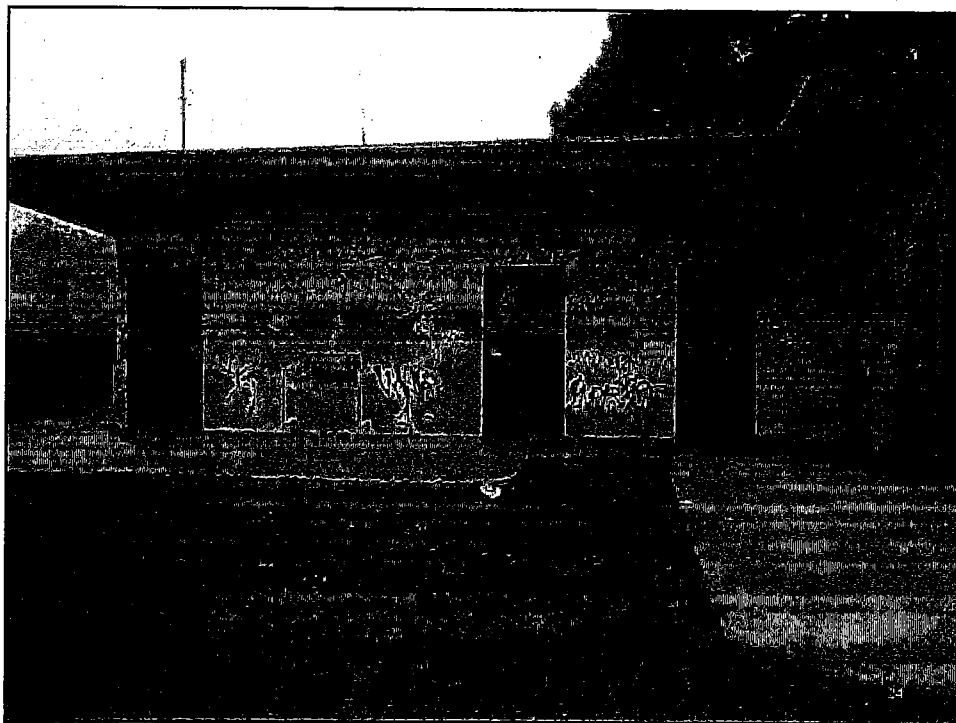
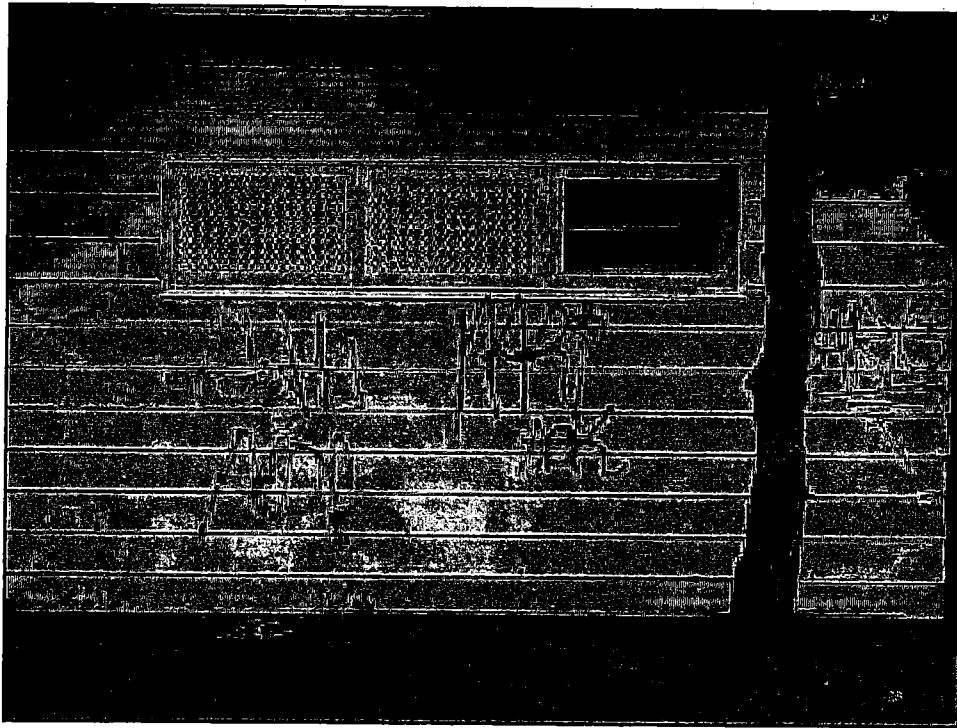


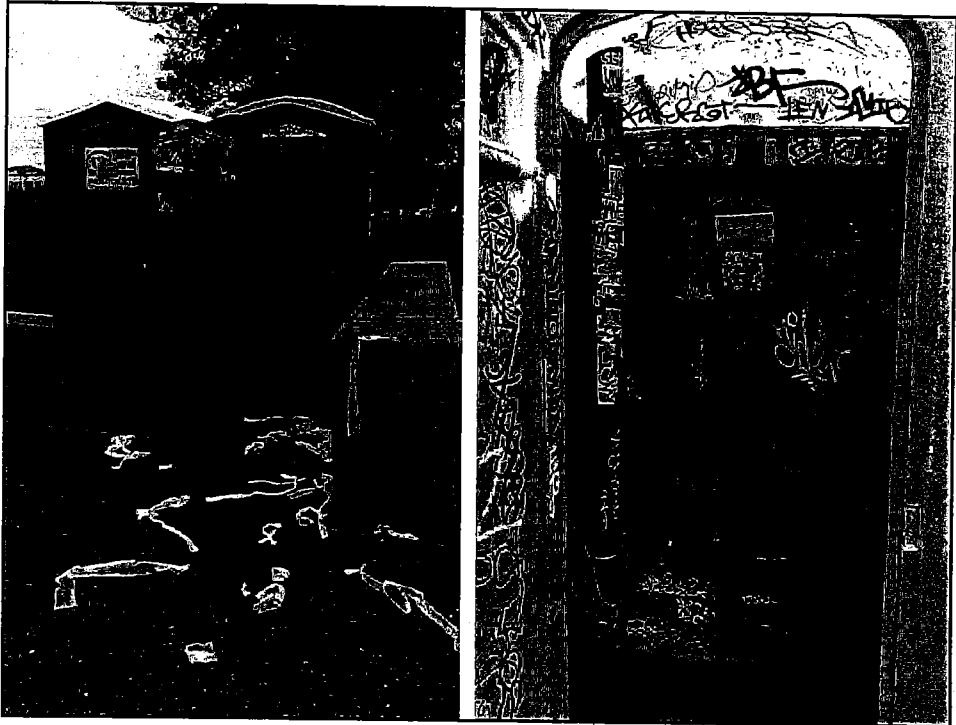
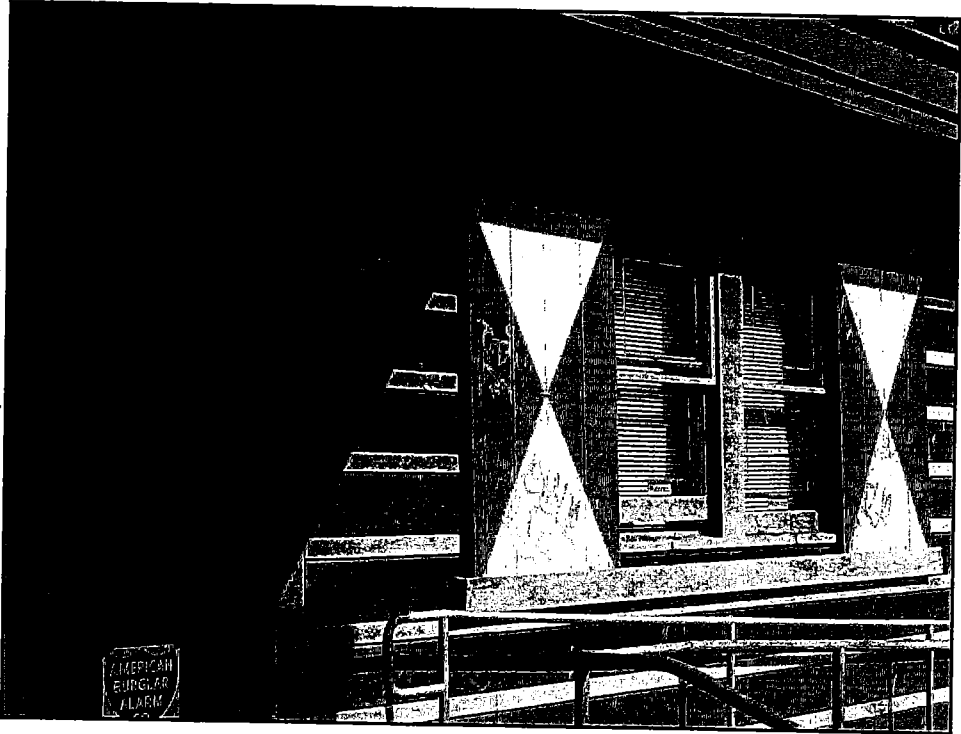


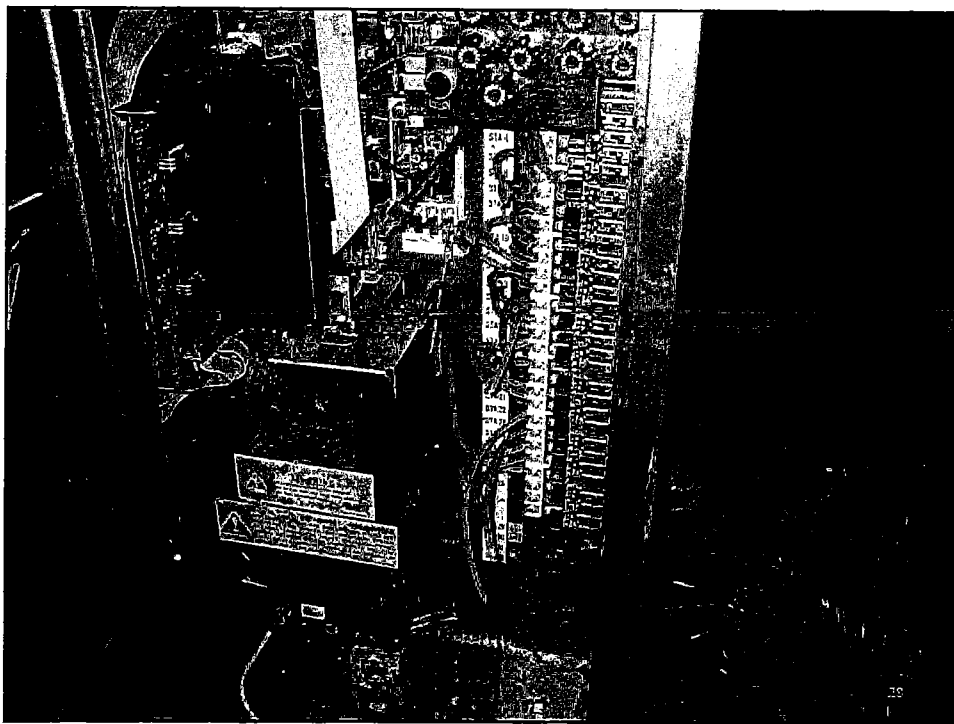
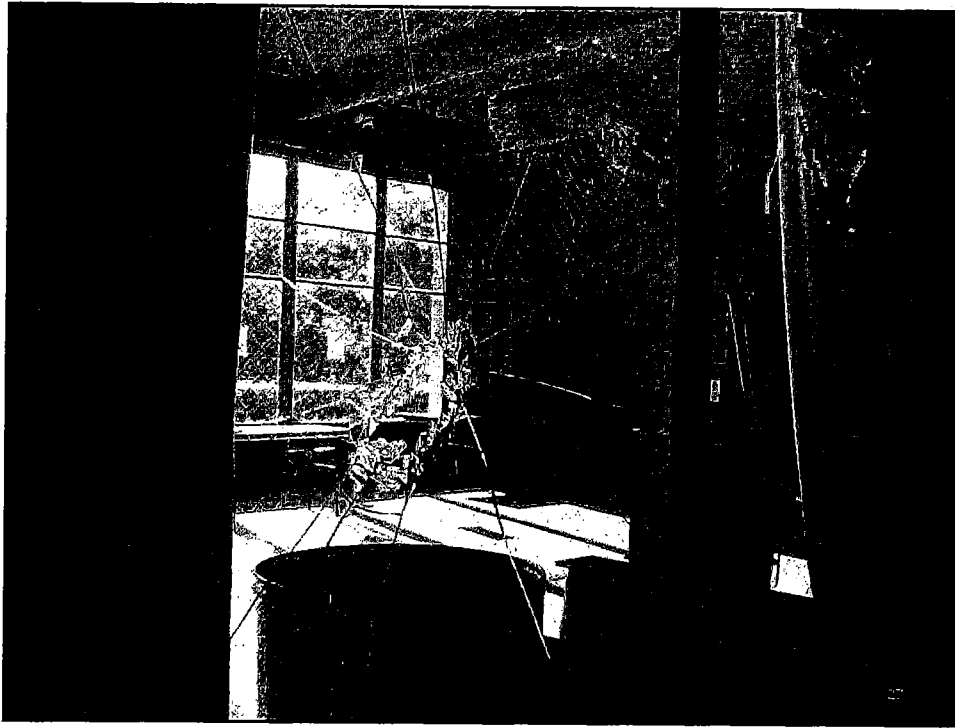


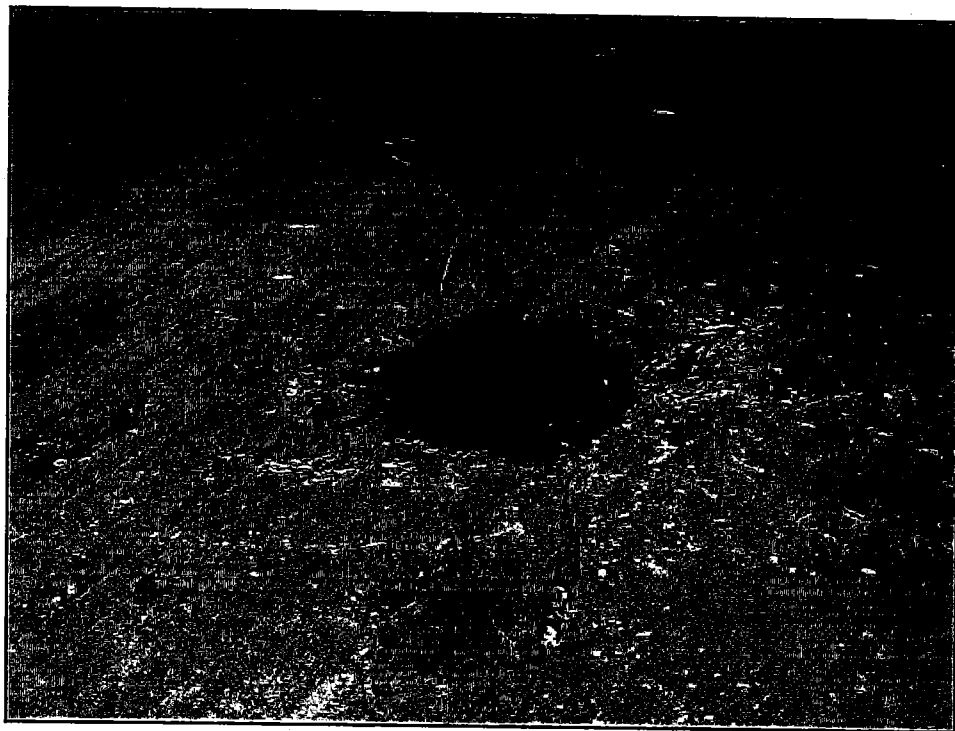
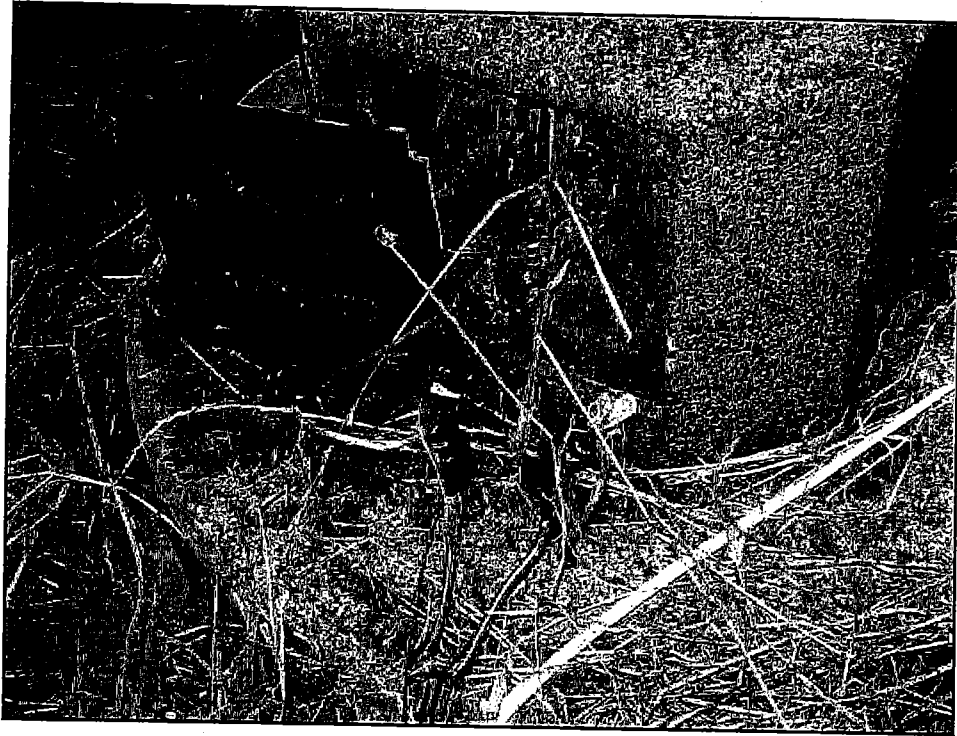


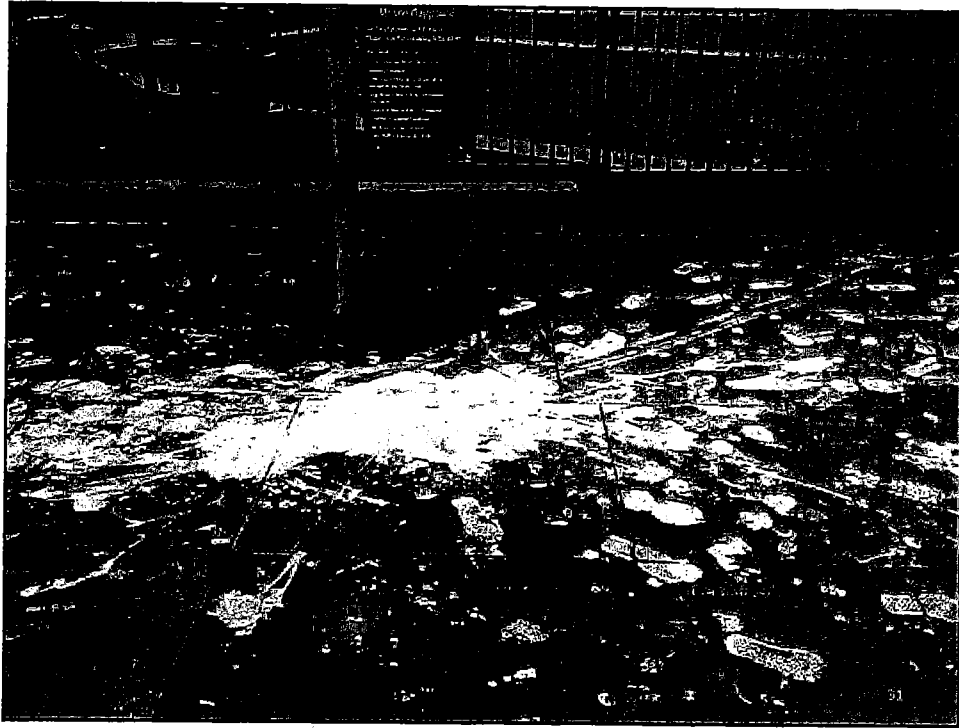


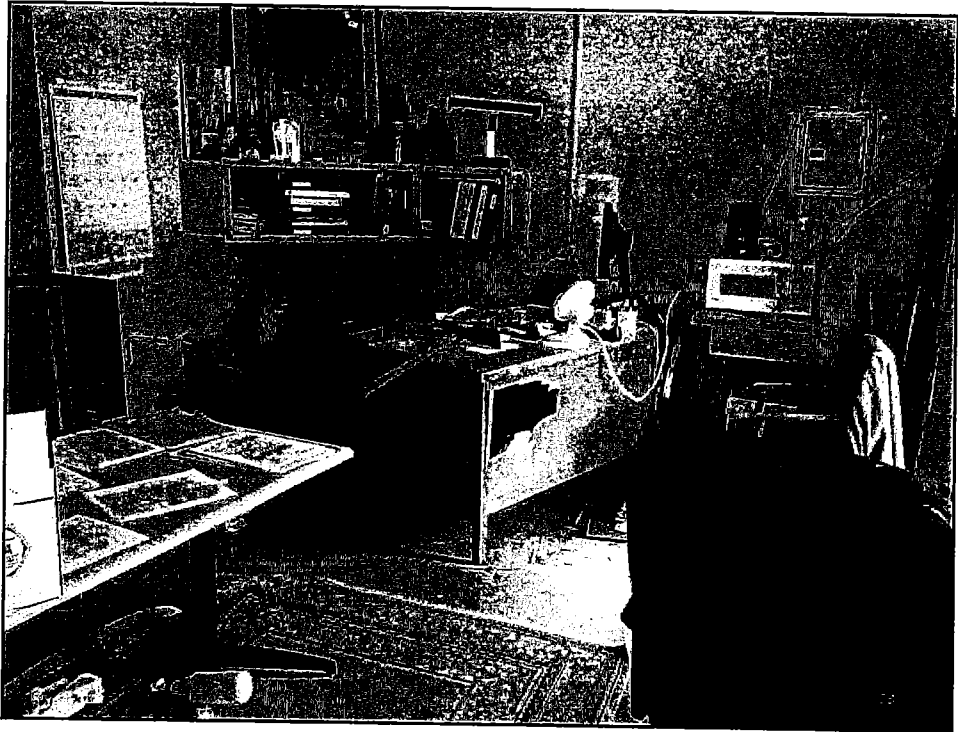


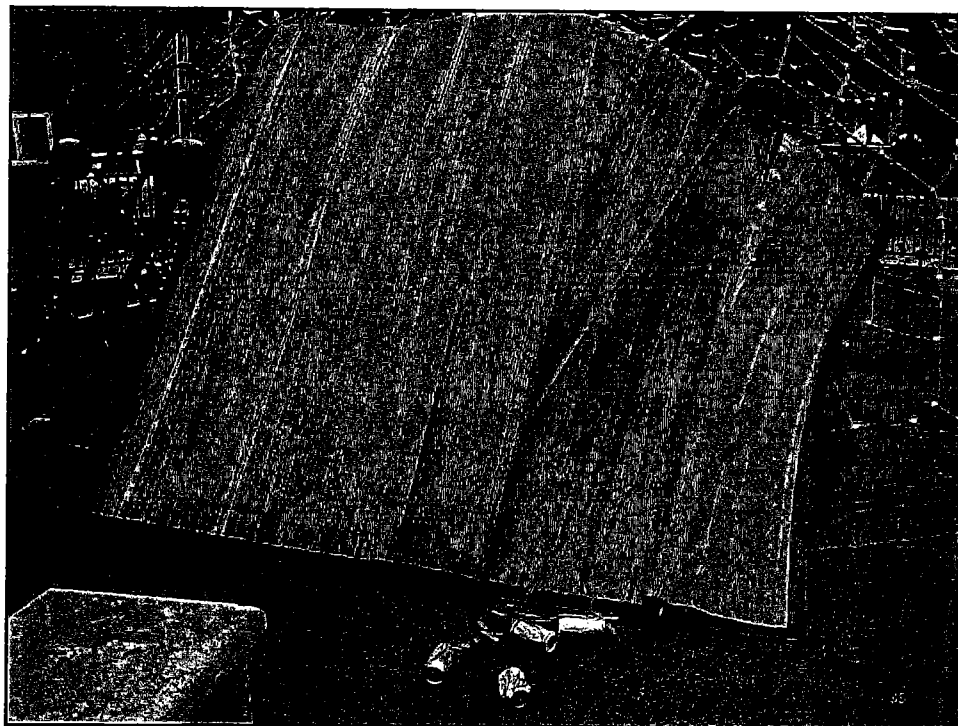














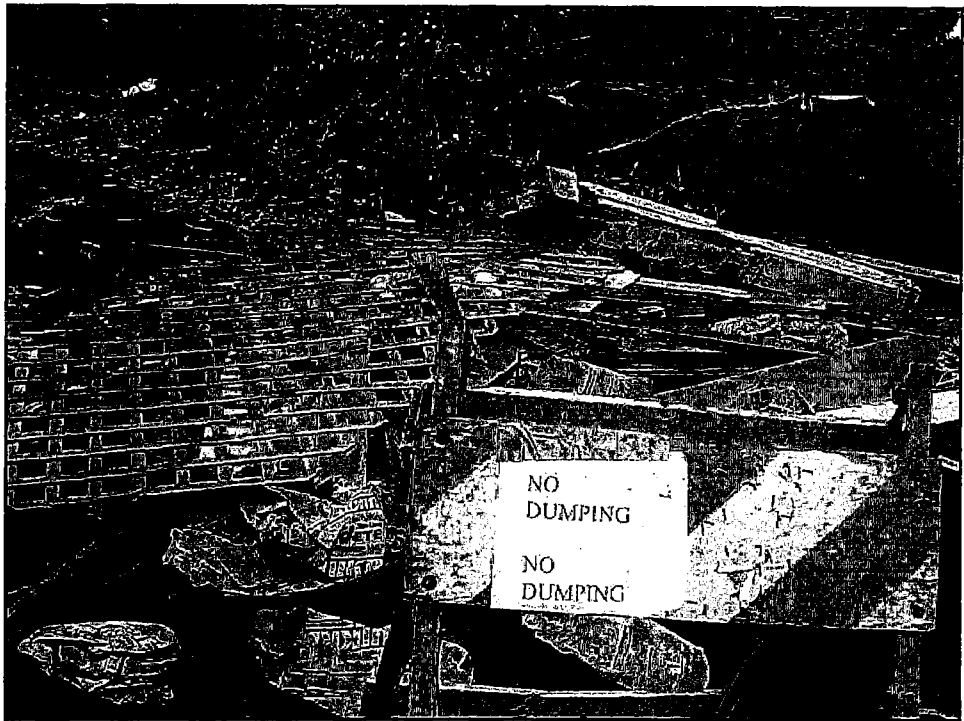
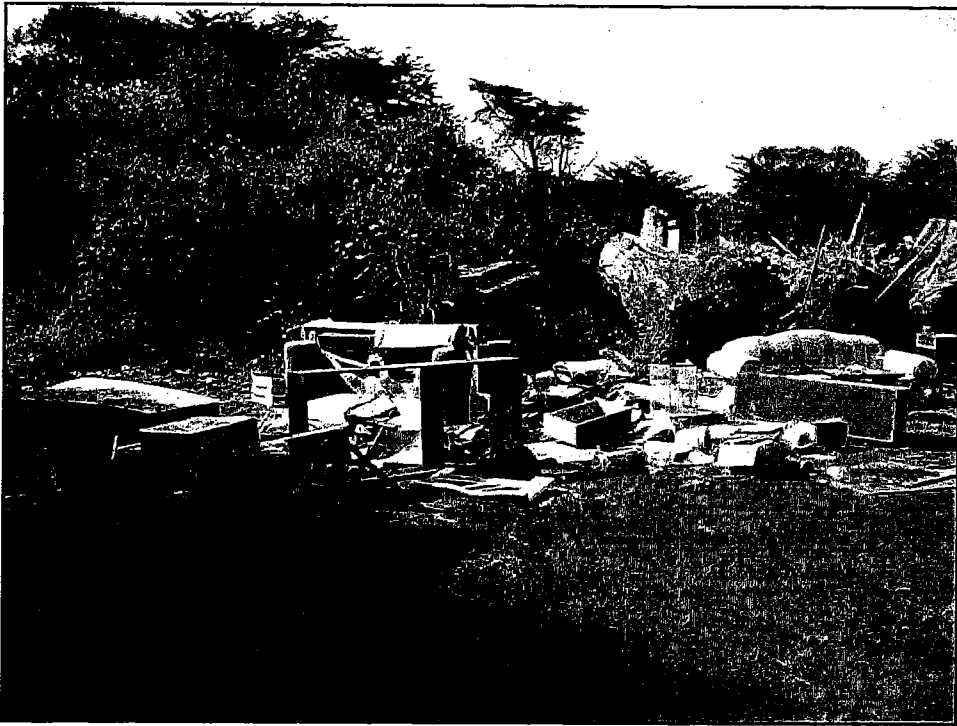
Property Crime

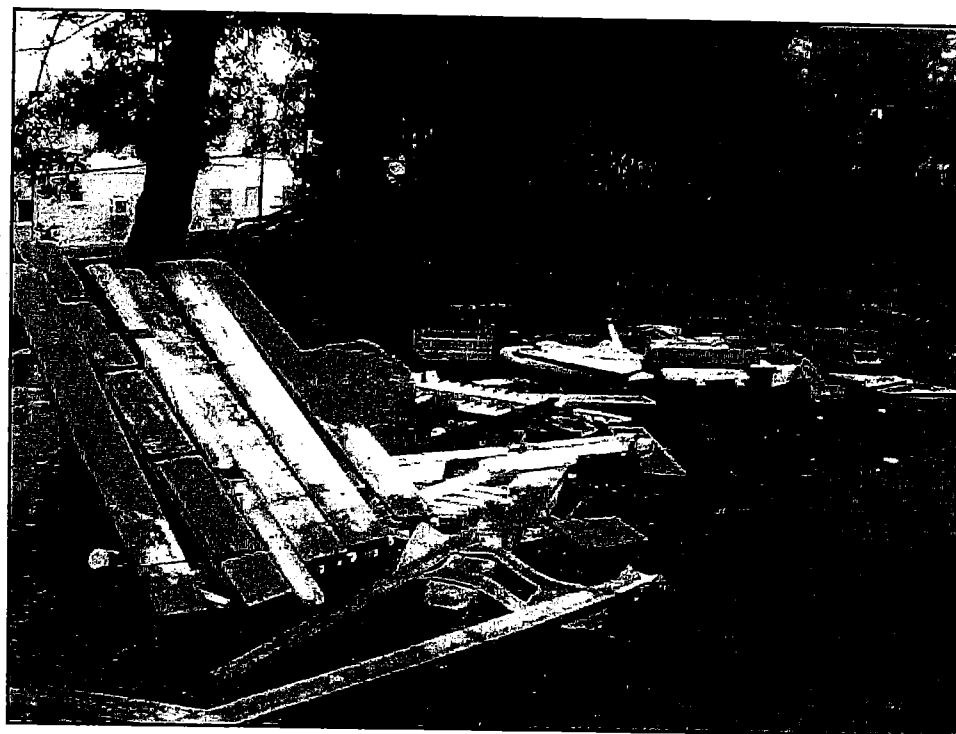
Illegal Dumping

In Golden Gate Park alone, **3.1 tons** of illegally dumped trash and debris is collected every week. Many of our other city parks, including McLaren Park, Mission Dolores Park, Washington Square, have similar incidence.

Annual cost to abate illegal dumping

\$400,000







Property Crime

Total Average Annual Cost of Vandalism and Illegal Dumping

\$500,000-plus (vandalism)
+\$400,000 (illegal dumping)

Nearly **\$1,000,000**

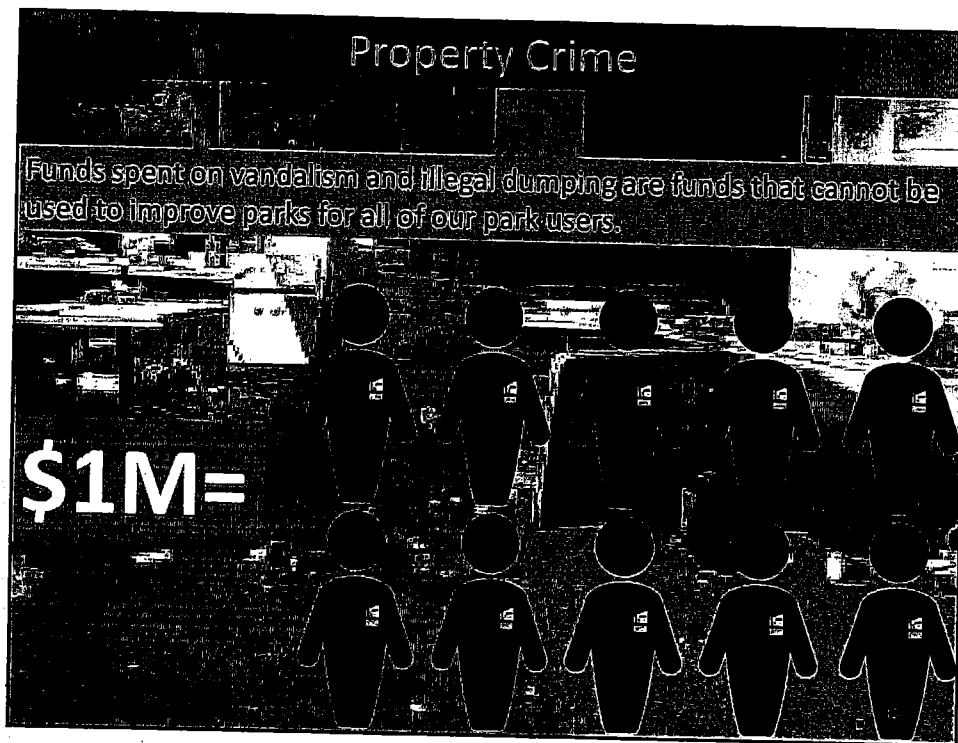
**in needless annual expense to the department
due to park misuse during the hours of darkness**

A dark, grainy photograph of a building at night. The building appears to be a park structure or a small house. There is a window on the right side that is illuminated from within, casting a glow. The overall scene is very dark and has a high-contrast, almost abstract quality due to the low light and grain.

Property Crime

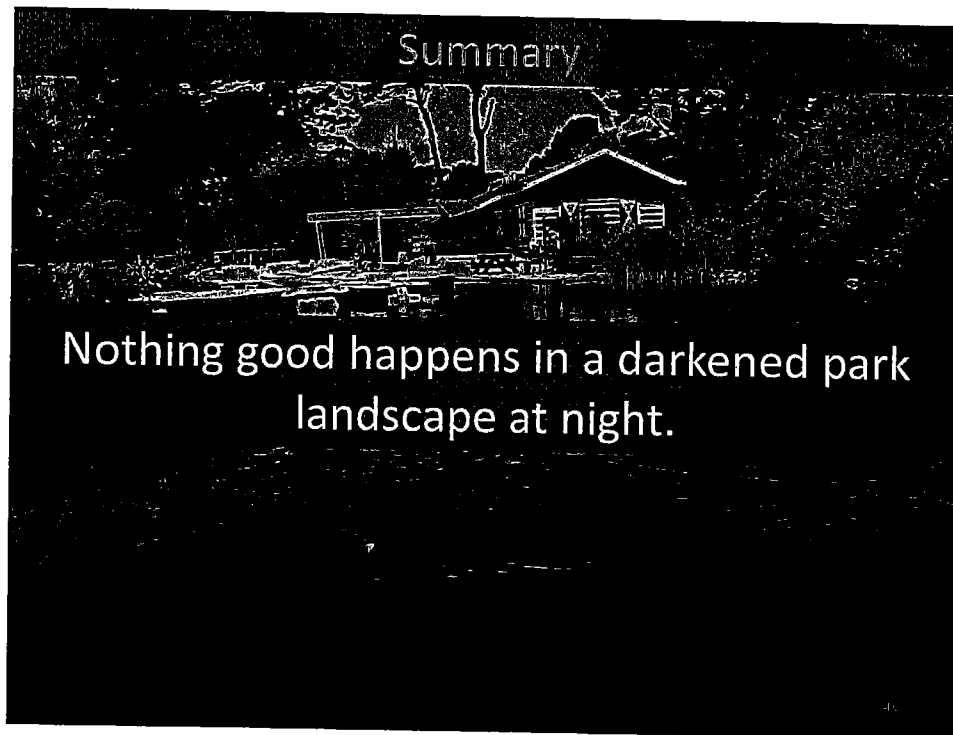
Funds spent on vandalism and illegal dumping are funds that cannot be used to improve parks for all of our park users.

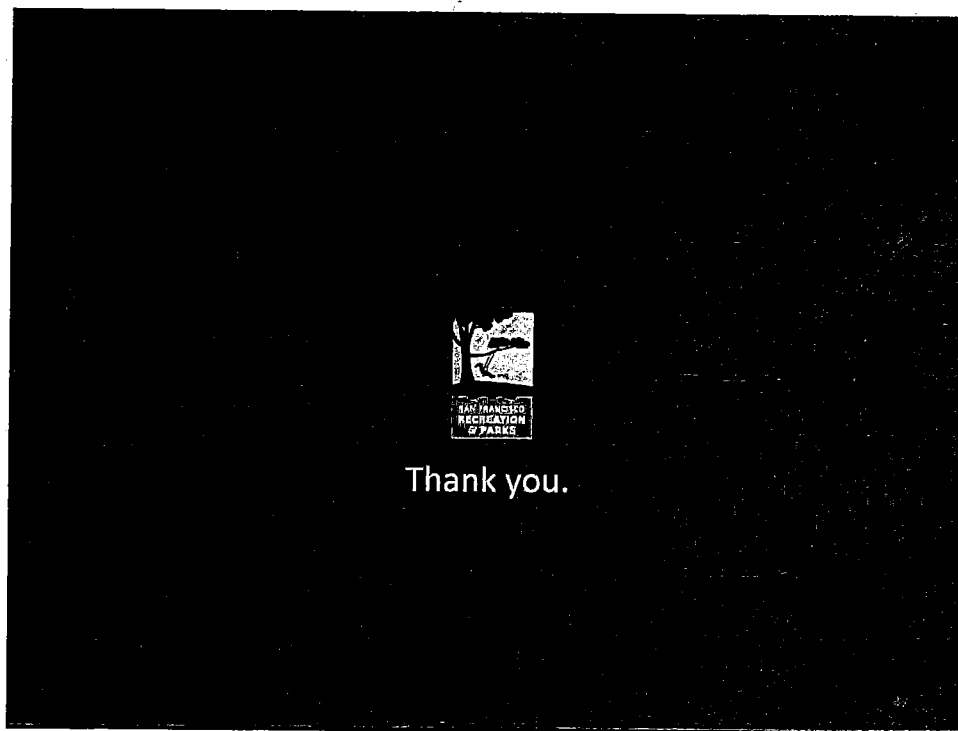
\$1M=



Summary

Nothing good happens in a darkened park landscape at night.





BOARD of SUPERVISORS



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

July 30, 2013

File No. 130766

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones:

On July 23, 2013, Supervisor Wiener introduced the following proposed legislation:

File No. 130766

Ordinance amending the Park Code to establish hours of operation for City parks from 5:00 a.m. to midnight, with certain exceptions; and making environmental findings.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script that reads "Alisa Miller".

By: Alisa Miller, Committee Clerk
Land Use & Economic Development Committee

Attachment

c: Monica Pereira, Environmental Planning
Joy Navarrete, Environmental Planning

BOARD of SUPERVISORS



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

MEMORANDUM

TO: Phil Ginsburg, General Manager, Recreation and Park Department

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: July 30, 2013

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Economic Development Committee has received the following proposed legislation, introduced by Supervisor Wiener on July 23, 2013:

File No. 130766

Ordinance amending the Park Code to establish hours of operation for City parks from 5:00 a.m. to midnight, with certain exceptions; and making environmental findings.

This matter is being forwarded to your department for informational purposes. If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Sarah Ballard, Recreation and Park Department

CITY AND COUNTY OF SAN FRANCISCO



DENNIS J. HERRERA
City Attorney

OFFICE OF THE CITY ATTORNEY

THOMAS J. OWEN
Deputy City Attorney

Direct Dial: (415) 554-4679
Email: thomas.owen@sfgov.org

MEMORANDUM

TO: Hon. Scott Wiener
Member, Board of Supervisors

FROM: Thomas J. Owen
Deputy City Attorney *TJO*

DATE: October 1, 2013

RE: Hours of Operation for City Parks
Substitute Ordinance, dated 10/1/2013
(Board File No. 130766; Our File No. 1300343)

Here are a signed original and copies of the substitute ordinance, dated October 1, 2013, as well as a legislative digest.

I will also send electronic copies to your office this morning.

Encl.

cc (by e-mail): Jeff Cretan
Sarah Ballard
Jon Givner
Francesca Gessner

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

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

- 1. For reference to Committee.
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [130766]
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on []

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

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

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

Sponsor(s):

Wiener

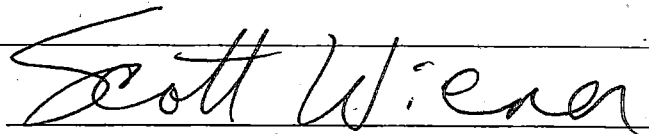
Subject:

Park Code - Hours of Operation for City Parks

The text is listed below or attached:

Ordinance amending the Park Code to establish hours of operation for City parks from 5:00 a.m. to midnight, with certain exceptions; and making environmental findings.

Signature of Sponsoring Supervisor:



For Clerk's Use Only:

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

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

- 1. For reference to Committee.
An ordinance, resolution, motion, or charter amendment.
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Sponsor(s):

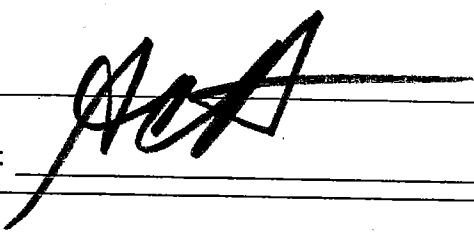
Supervisor Wiener, Farrell

Subject:

Park Code – Hours of Operation for City Parks

The text is listed below or attached:

Ordinance amending the Park Code to establish hours of operation for City parks from 5:00 a.m. to midnight, with certain exceptions; and making environmental findings.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

