

File No. 210653

Committee Item No. 15

Board Item No. 18

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date July 14, 2021

Board of Supervisors Meeting

Date July 27, 2021

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
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OTHER (Use back side if additional space is needed)

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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Presentation from Recreation and Park Department - July 14, 2021</u> |
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Completed by: Linda Wong Date July 9, 2021

Completed by: Linda Wong Date July 15, 2021

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

2

3 **Ordinance amending the Park Code to allow the Recreation and Park Department to**
4 **continue setting non-resident adult admission fees for the Japanese Tea Garden, the**
5 **~~Coit Tower Elevator~~, the Conservatory of Flowers, and the San Francisco Botanical**
6 **Garden by flexible pricing until December 7, 2021; clarifying that the increased non-**
7 **resident adult admission fees for the Coit Tower Elevator shall be deemed to have**
8 **expired by operation of law on June 30, 2021; and affirming the Planning Department’s**
9 **determination under the California Environmental Quality Act.**

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

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

18

19 Section 1. Environmental Findings.

20 The Planning Department has determined that the actions contemplated in this
21 ordinance comply with the California Environmental Quality Act (California Public Resources
22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
23 Supervisors in File No. 210653 and is incorporated herein by reference. The Board affirms
24 this determination.

25

26 Section 2. The Park Code is hereby amended by ~~deleting~~revising Section 12.50, as
27 follows:

1 ***SEC. 12.50. SUNSET PROVISIONS.***

2 ~~*Unless extended by ordinance, the paragraphs in Sections 12.05(a), 12.06(a), 12.34(a), and*~~
3 ~~*12.46(a) that authorize temporary increases and decreases of non-resident Adult fees at certain*~~
4 ~~*specialty attractions, adopted via Ordinance No. 194-19, and any such increases or decreases that the*~~
5 ~~*Department General Manager may have approved pursuant to those paragraphs, shall expire by*~~
6 ~~*operation of law on June 30, 2021. Upon expiration of those paragraphs, the City Attorney shall cause*~~
7 ~~*those paragraphs and this Section 12.50 to be removed from the Park Code.*~~

8 **SEC. 12.50. SUNSET PROVISIONS.**

9 (a) Consistent with Ordinance No. 194-19, the paragraph in Section 12.06(a) that
10 authorizes temporary increases and decreases of non-resident Adult fees at the Coit Tower
11 Elevator, and any such increases or decreases that the Department General Manager may
12 have approved pursuant to that paragraph, shall be deemed to have expired by operation of
13 law on June 30, 2021.

14 (b) Unless extended by ordinance, the paragraphs in Sections 12.05(a), 12.06(a),
15 12.34(a), and 12.46(a) that authorize temporary increases and decreases of non-resident
16 Adult fees at certain specialty attractions, adopted via Ordinance No. 194-19, and any such
17 increases or decreases that the Department General Manager may have approved pursuant
18 to those paragraphs, shall expire by operation of law on December 7, 2021. Upon expiration
19 of those paragraphs, the City Attorney shall cause those paragraphs, the above-referenced
20 paragraph of Section 12.06(a), and this Section 12.50 to be removed from the Park Code.

21 //

22 //

23 //

24 //

25 //

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

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

8
9 By: /s/
10 MANU PRADHAN
11 Deputy City Attorney
12 n:\legana\as2021\1900583\01544689.docx

REVISED LEGISLATIVE DIGEST

(7/20/2021, Amended in Board)

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

Ordinance amending the Park Code to allow the Recreation and Park Department to continue setting 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 until December 7, 2021; clarifying that the increased non-resident adult admission fees for the Coit Tower Elevator shall be deemed to have expired by operation of law on June 30, 2021; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

The Park Code imposes admission fees for the Japanese Tea Garden, the Coit Tower Elevator, the Conservatory of Flowers, and the San Francisco Botanical Garden. There are different rates for children, adults and seniors, plus a discount for San Francisco residents.

In 2019, the Board of Supervisors authorized the Recreation and Park Department to set the non-resident adult admission fees through "flexible pricing," meaning that the Department may temporarily increase or decrease the fees based on factors such as customer demand, rates at comparable facilities, adverse weather conditions, and facility conditions. (Admission fees for non-resident youth and seniors, and for San Francisco residents of all ages, are exempt from flexible pricing.) The flexible pricing system is scheduled to sunset on June 30, 2021.

Amendments to Current Law

This version of the digest corresponds with a second set of amendments made on July 20, 2021. The first set of amendments would have allowed the Recreation and Park Department to continue to use flexible pricing for non-resident adult visitors at the four facilities in question until December 7, 2021. This second set of amendments modified that version, by removing the Coit Tower Elevator from the list of facilities where flexible pricing would be extended. Thus, flexible pricing at the Coit Tower Elevator expired by operation of law on June 30, 2021, but at the other three facilities will be extended to December 7, 2021.

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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 9, 2021

File No. 210653

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

Dear Ms. Gibson:

On June 1, 2021, Mayor London Breed introduced the following legislation:

File No. 210653

Ordinance amending the Park Code to allow the Recreation and Park Department to continue setting 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; 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

Linda Wong

By: Linda Wong, Assistant Clerk
Budget and Finance Committee

Attachment

c: Devyani Jain, Environmental Planning
Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning
Laura Lynch, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

07/09/2021

Joy Navarrete

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

2

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4 **continue setting non-resident adult admission fees for the Japanese Tea Garden, the**
5 **Coit Tower Elevator, the Conservatory of Flowers, and the San Francisco Botanical**
6 **Garden by flexible pricing; and affirming the Planning Department’s determination**
7 **under the California Environmental Quality Act.**

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

16 Section 1. Environmental Findings.

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. ²¹⁰⁶⁵³ and is incorporated herein by reference. The Board affirms this
21 determination.

22 Section 2. The Park Code is hereby amended by deleting Section 12.50, as follows:

23 ~~**SEC. 12.50. SUNSET PROVISIONS.**~~

24 ~~*Unless extended by ordinance, the paragraphs in Sections 12.05(a), 12.06(a), 12.34(a), and*~~
25 ~~*12.46(a) that authorize temporary increases and decreases of non-resident Adult fees at certain*~~

1 ~~specialty attractions, adopted via Ordinance No. 194 19, and any such increases or decreases that the~~
2 ~~Department General Manager may have approved pursuant to those paragraphs, shall expire by~~
3 ~~operation of law on June 30, 2021. Upon expiration of those paragraphs, the City Attorney shall cause~~
4 ~~those paragraphs and this Section 12.50 to be removed from the Park Code.~~

5
6 Section 3. Effective Date. This ordinance shall become effective 30 days after
7 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
8 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
9 of Supervisors overrides the Mayor's veto of the ordinance.

10
11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13 By: /s/
14 MANU PRADHAN
15 Deputy City Attorney

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To: Angela Calvillo, Clerk of the Board of Supervisors
From: Ashley Groffenberger, Mayor's Budget Director
Date: June 1, 2021
Re: Mayor's FY 2021-22 and FY 2022-23 Budget Submission

Madam Clerk,

In accordance with City and County of San Francisco Charter, Article IX, Section 9.100, the Mayor's Office hereby submits the Mayor's proposed budget by June 1st, corresponding legislation, and related materials for Fiscal Year (FY) 2021-22 and FY 2022-23.

In addition to the Mayor's Proposed FY 2021-22 and FY 2022-23 Budget Book, the following items are included in the Mayor's submission:

- The Annual Appropriation Ordinance and Annual Salary Ordinance, along with Administrative Provisions, physical copies of which will be delivered by the Controller's Office
- The proposed budget for the Office of Community Investment and Infrastructure for FY 2021-22
- 22 separate pieces of trailing legislation (see list attached)
- A Transfer of Function letter detailing the transfer of positions from one City department to another
- An Interim Exception letter
- A letter addressing funding levels for nonprofit corporations or public entities for the coming two fiscal years
- Memo to the Board President requesting for 30-day rule waivers on ordinances
- Request for release of Budget and Appropriations Committee Reserve

Please note the following:

- Technical adjustments to the budget are being prepared, but are not submitted with this set of materials.

Sincerely,

Ashley Groffenberger
Mayor's Budget Director

cc: Members of the Board of Supervisors
Budget & Legislative Analyst's Office
Controller

DEPT	Item	Relevance to Budget	Type of Legislation
ADM	Critical Repair/Recovery Stimulus COPs	Authorizes COPs to finance or refinance the capital plan in the budget.	Ordinance
CON	Prop J Certification - new	Costs related to Prop J services assumed in budget.	Resolution
CON	Prop J Certification - previously approved	Costs related to Prop J services assumed in budget.	Resolution
CON	Access Line Tax	Sets Access Line Tax. Revenues assumed in budget.	Resolution
CON	Neighborhood Beautification Fund	Neighborhood Beautification Fund contribution levels assumed in budget.	Ordinance
CON	Supplemental Enterprise Budget - AAO	Amendment to the AAO for the Airport, Port, and the PUC	Ordinance
CON	Supplemental Enterprise Budget - ASO	Amendment to the ASO for the Airport, Port, and the PUC	Ordinance
DPH	Annual Update to Patient Rates	Fee revenue assumed in budget.	Ordinance
DPH	Recurring State Grants	Grant revenue assumed in budget.	Resolution
DPH	DPH City Option Payouts	Approves the execution of a payment agreement assumed in budget.	Resolution
DPH	Emergency Medical Services Fee Transfer of Function	Transfer of function for positions reflected in the budget	Ordinance
HSH	Annual HSH Fund Expenditures	Expenditure plan assumed in budget.	Resolution
LIB	In-Kind Grant of Friends of San Francisco Public Library	Grant assumed in budget.	Resolution
LIB	In-Kind Grant of Friends of San Francisco Public Library Mission Branch	Grant assumed in budget.	Resolution
PUC	Hetch Hetchy Capital Budget	Appropriates funds to support PUC Hetch Hetchy capital budget expenditures.	Ordinance
PUC	Wastewater Capital Budget	Appropriates funds to support PUC Wastewater Enterprise capital budget expenditures.	Ordinance
PUC	Hetch Hetchy Debt Authorization	Authorizes bond issuance to finance Hetch Hetchy capital projects.	Ordinance
PUC	Wastewater Debt Authorization	Authorizes bond issuance to finance Wastewater capital projects.	Ordinance
REC	Continuing Flexible Pricing Model for REC Owned Gardens	Continues current pricing model for REC-owned gardens-- revenues reflected in budget.	Ordinance
REC	Parking Rates and Codes Revision	Authorizes SFMTA to implement paid parking and revise existing rates at certain parking lots-- revenues reflected in budget.	Ordinance
RNT	Direct Administration of the Rent Board Fee	Legislation that allows the Rent Board to directly collect the annual fee on rent-controlled units-- revenues reflected in budget.	Ordinance
TTX	Street Artist Fee	Lowers the fee of a street artist certificate— revenues reflected in budget.	Ordinance



TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Sophia Kittler
RE: 30-Day Waiver Requests
DATE: June 1, 2021

Madam Clerk,

The Mayor's Office respectfully requests 30-day hold waivers for the following pieces of trailing legislation:

- FY2021-2022 & FY2022-2023 Mayor's Proposed Budget and Appropriation Ordinance
- FY2021-2022 & FY2022-2023 Mayor's Proposed Interim Budget and Appropriation Ordinance
- FY2021-2022 & FY2022-2023 Mayor's Proposed Salary Ordinance
- FY2021-2022 & FY2022-2023 Mayor's Proposed Interim Salary Ordinance
- Health Code - Patient Rates for Fiscal Years 2020-2021, 2021-2022, and 2022-2023
- Authorizing Tax-Exempt and/or Taxable Certificates of Participation (Multiple Capital Improvement Projects) - Not to Exceed \$67,500,000
- Appropriation - \$19,344,824 in Proceeds from Revenue Bonds in Hetch Hetchy Water and Power Capital Improvements - De-appropriation and Re-appropriation \$2,000,000 Low Carbon Fuel Standard Fund – FY2021-2022, De-appropriation and Re-appropriation \$6,843,536 Hetchy Revenue funds – FY2020-2021
- Appropriation - \$213,511,178 Proceeds from Revenue Bonds, State loans or grants, Wastewater Revenues, De-appropriating and Re-appropriating \$42,900,587 for Wastewater Capital Improvements at the Public Utilities Commission – FY2021-2022
- Amending Ordinance 172-20---SFPUC Power Revenue Bond Issuance---Not to Exceed [\$162,314,897]
- San Francisco Public Utilities Commission Wastewater Revenue Bond Issuance---Not to Exceed [\$563,430,430]
- Park Code - Non-Resident Fees at Certain Specialty Attractions
- Park Code - Parking Fees
- Police Code - Street Artist Certificate Fee
- Administrative Code - Collection of Rent Board Fee
- Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling
- Business and Tax Regulations Code - Emergency Medical Services Fees

Should you have any questions, please contact Sophia Kittler at 415-554-6153.



Specialty Gardens/Coit – Flexible Admission Pricing

**BOARD OF SUPERVISORS
BUDGET & FINANCE COMMITTEE**

July 14, 2021

Reason for this Ordinance

- **Adopted Flexible Pricing for Tourist Attractions in 2019.**
- **Board Added Following Requirements:**
 - Request for a Report on use of flexible pricing (report was submitted in Spring 2021)
 - Sunset Clause to come back in 2021 for Provision to continue

2019 Approved Flexible Pricing at Specialty Gardens and Coit Tower

- **Applies to Four Major Tourist Locations**
 - 1) Japanese Tea Garden
 - 2) Conservatory of Flowers
 - 3) Botanical Garden
 - 4) Coit Tower Elevator (viewing of murals are free)
- **Allow Adjustments to Non Resident Adult Rates**
 - Increases of up to 50%
 - Decreases of up to 25%
- **Does not apply to SF Residents**
- **Does not apply to Non Resident Seniors or Youth**





FREE ADMISSIONS

- **Specialty Gardens Provide a Number of Free Admissions for Low Income Including Nonresidents**

Gardens for All Program

Provides 4 free admissions to anyone with an Electronic Benefit Transfer card showing membership in the CalFresh or SNAP food-assistance programs, whether they live in the city or not.

San Francisco For All Program

Also provides City residents in the Medi-Cal health insurance with their Medi-Cal card and proof of San Francisco residency.

- **Botanical Garden open to all SF residents for Free**
- **Gardens have a variety of fee days and times**
- **Murals at Coit Tower open to all for free**

Implementation at Japanese Tea Garden

- Code allowed a temporary increase of up to 50% during the months of March through October only
- Instituted in March 2020 increasing pricing by \$2 from \$10 to \$12 during the period for nonresident adults (20% increase)



Implementation at Conservatory of Flowers

- Code allowed an increase of up to 50% on Fridays through Sundays only.
- Instituted in October 2019 increasing pricing by \$2 from \$9 to \$11 (22% increase)
- Note- Facility was closed due to Covid-19 for 9 months





Implementation at Botanical Garden

- Code allowed a temporary increase of up to 50% on Saturdays and Sundays only
- Instituted starting in November 2019 increasing pricing by \$3 from \$9 to \$12 (33% increase)
- Museums for All

Implementation at Coit Tower

- Code allowed a temporary increase of up to 50% between 11 am and 4 pm for an elevator ride
- Not Implemented
 - * Intended to Start Implementing in Spring/Summer 2020
 - * Coit Tower was closed at the time due to Covid 19 until just a few weeks ago
- Viewing of murals remains free and open to the public



Comparison of Nonresident Adult Fees - Nationwide

	Adjusted	Applied	Normal
SF Japanese Tea Garden	\$12	March-Oct	\$10
SF Conservatory of Flowers	\$11	Weekends	\$9
SF Botanical Gardens	\$12	Weekends	\$10
Coit Tower	\$10	Not applied	\$10

New York Botanical Garden	\$25	Richmond, VA Botanical Garden	\$14
Atlanta Botanical Garden	\$25	Santa Barbara Botanical Garden	\$16
Brooklyn Botanical Garden	\$18	Philadelphia Japanese Tea Garden	\$12
Dallas Arboretum	\$17	Portland Japanese Garden	\$19
Missouri Botanical Garden	\$14	Empire State Building Elevator	\$42
Phoenix Botanical Garden	\$25-30	Seattle Space Needle	\$35

Thank You

