

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

June 10, 2019

File No. 190630

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

Dear Ms. Gibson:

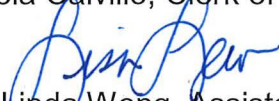
On June 4, 2019, Mayor Breed introduced the following proposed legislation:

File No. 190630

Ordinance amending the Park Code to permit the Recreation and Park Department General Manager to impose a surcharge of \$1 per non-resident adult visitor at the Japanese Tea Garden to fund the restoration of that facility, until such time as the restoration is complete; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

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

Attachment

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

1 [Park Code - Temporary Surcharge - Japanese Tea Garden]

2

3 **Ordinance amending the Park Code to permit the Recreation and Park Department**
4 **General Manager to impose a surcharge of \$1 per non-resident adult visitor at the**
5 **Japanese Tea Garden to fund the restoration of that facility, until such time as the**
6 **restoration is complete; and affirming the Planning Department’s determination under**
7 **the California Environmental Quality Act.**

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

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

16 Section 1.

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

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

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

25 * * * *

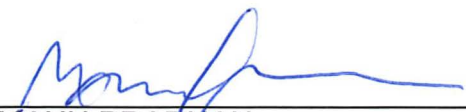
1 (f) In addition to the admission fees charged under subsection (a), the Department shall also
2 impose a surcharge of \$1 on each non-resident Adult visitor, for the purpose of funding the restoration
3 of the Pagoda at the Japanese Tea Garden. This subdivision (f) shall expire by operation of law upon
4 completion of the restoration. Upon completion, the General Manager shall inform the City Attorney,
5 who shall then cause this subsection (f) to be removed from the Park Code.
6

7 Section 3. Effective Date. This ordinance shall become effective 30 days after
8 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
9 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
10 of Supervisors overrides the Mayor's veto of the ordinance.
11

12 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
13 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
14 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
15 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
16 additions, and Board amendment deletions in accordance with the "Note" that appears under
17 the official title of the ordinance.
18

19 APPROVED AS TO FORM:
20 DENNIS J. HERRERA, City Attorney

21
22 By:


23 MANU PRADHAN
Deputy City Attorney

24 n:\legana\as2019\1900583\01364195.docx
25

LEGISLATIVE DIGEST

[Park Code - Temporary Surcharge - Japanese Tea Garden]

Ordinance amending the Park Code to permit the Recreation and Park Department General Manager to impose a surcharge of \$1 per non-resident adult visitor at the Japanese Tea Garden to fund the restoration of that facility, until such time as the restoration is complete; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

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

Amendments to Current Law

The proposed ordinance would allow RPD to impose an additional surcharge of \$1 on each non-resident adult visitor to Japanese Tea Garden, on top of the regular admission fees, in order to fund the restoration of the Pagoda at the Japanese Tea Garden. The surcharge would expire upon completion of the restoration. There would be no additional surcharge on San Francisco residents (regardless of age), non-resident minors (under the age of 18), or non-resident seniors (65 and older).

Background Information

The Pagoda is in need of a significant renovation given its age and historic significance. The renovation would include structural stabilization, dry rot wood repairs, and roofing replacement and re-painting, and is estimated to cost between \$1.5 million and \$2 million. RPD believes the surcharge will raise approximately \$400,000 per year, and also intends to seek other sources of funds to help achieve this fundraising goal.

n:\leganas2019\1900583\01363301.docx