

File No. 150940

Committee Item No. 7

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date January 28, 2016

Board of Supervisors Meeting

Date \_\_\_\_\_

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings)             |
| <input type="checkbox"/>            | <input 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                                 |
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#### OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Charter Amendment |
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Completed by: Derek Evans Date January 25, 2016

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document can be found in the file.

1 [Charter Amendment - Park, Recreation and Open Space Fund]

2  
3 **Describing and setting forth a proposal to the voters to amend the Charter of the City and**  
4 **County of San Francisco to require an annual baseline appropriation for the Park,**  
5 **Recreation and Open Space Fund based on City spending for park and recreation purposes**  
6 **in fiscal year 2015-2016, extend the annual set-aside and the baseline appropriation for**  
7 **15 years to fiscal year 2045-2046, and modify the Recreation and Park Department's**  
8 **planning obligations to include equity analysis and Board of Supervisors review, at an**  
9 **election to be held on June 7, 2016.**

10  
11 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City  
12 and County, at an election to be held on June 7, 2016, a proposal to amend the Charter of the  
13 City and County by revising Section 16.107, to read as follows:

14 NOTE: **Unchanged Charter text and uncodified text** are in plain font.  
15 **Additions** are single-underline italics Times New Roman font.  
16 **Deletions** are ~~strike-through italics Times New Roman font.~~  
17 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Charter  
18 subsections.

19 **SEC. 16.107. PARK, RECREATION AND OPEN SPACE FUND.**

20 (a) Establishment of Fund. There is hereby established the Park, Recreation and Open  
21 Space Fund ("Fund") to be administered by the Recreation and Park Department ("Department")  
22 as directed by the Recreation and Park Commission ("Commission"). Monies in the Fund  
23 ~~therein~~ shall be expended or used solely by the Department, subject to the budgetary and fiscal  
24 provisions of the Charter, to provide enhanced park and recreational services and facilities. The  
25 Department embraces socio-economic and geographic equity as a guiding principle and

1 commits to expending the funds across its open space and recreational programs to provide park  
2 and recreational access to all of San Francisco's diverse neighborhoods and communities.

3 (b) Annual Set-aside. The City will continue to set aside from the annual tax levy, for a  
4 period of ~~forty-five~~ ~~thirty~~ years starting with the fiscal year 2000-2001 and through and including  
5 fiscal year 2045-2046, an amount equivalent to an annual tax of two and one-half cents (\$0.025)  
6 for each ~~one hundred dollars~~ (\$100) assessed valuation. Beginning in fiscal year 2016-2017,  
7 revenues from the set-aside, together with interest, shall be deposited into the Park, Recreation  
8 and Open Space Fund. Revenues ~~obtained thereby from the set-aside~~ shall be in addition to the  
9 baseline appropriation required by subsection (c), and not in place of, any sums normally  
10 budgeted for the Department and, together with interest, shall be deposited into the Park,  
11 Recreation and Open Space Fund.

12 The Controller shall set aside and maintain such an amount, together with any interest  
13 earned thereon, in the Fund, and any amount unspent or uncommitted at the end of the fiscal year  
14 shall be carried forward to the next fiscal year and, subject to the budgetary and fiscal limitations  
15 of this Charter, shall be appropriated then or thereafter for the purposes specified in this  
16 Section 16.107.

17 (c) Baseline Maintenance of Effort. The annual set-aside shall be used exclusively to  
18 increase the aggregate City appropriations to and expenditures by the Recreation and Park  
19 Department for Department purposes. To this end, beginning in fiscal year 2016-2017 and  
20 thereafter through fiscal year 2045-2046, the City shall not reduce the baseline general fund  
21 support amount appropriated to the Department below the amount appropriated in fiscal  
22 year 2015-2016, as calculated by the Controller, except that the baseline amount shall be  
23 adjusted as follows:

24 (1) Each year in fiscal years 2016-2017 through 2025-2026, the City shall  
25 increase the baseline appropriation by \$3 million over the prior year.

1                   (2) Each year in fiscal years 2026-2027 through 2045-2046, the City shall adjust  
2 the baseline by the percentage increase or decrease in aggregate City discretionary revenues, as  
3 determined by the Controller, based on calculations consistent from year to year. In determining  
4 aggregate City discretionary revenues, the Controller shall only include revenues received by  
5 the City which are unrestricted and may be used at the option of the Mayor and the Board of  
6 Supervisors for any lawful City purpose. The Controller is authorized to increase or reduce  
7 budgetary appropriations as required by this subsection (c) to align the baseline amount to the  
8 amount required by formula based on actual revenues received during the fiscal year.

9                   (3) The City may suspend growth in the baseline funding pursuant to  
10 subsection (c)(1) in fiscal year 2016-2017 if the City's projected budget deficit for that year at  
11 the time of the Joint Report or Update to the Five Year Financial Plan as prepared jointly by the  
12 Controller, the Mayor's Budget Director, and the Board of Supervisors' Budget Analyst exceeds  
13 \$200 million. For fiscal year 2017-2018 through fiscal year 2045-2046, the City may suspend  
14 growth in baseline funding pursuant to subsections (c)(1) and (c)(2) when the projected budget  
15 deficit for the upcoming fiscal year at the time of the Joint Report or Update to the Five Year  
16 Financial Plan as prepared jointly by the Controller, the Mayor's Budget Director, and the  
17 Board of Supervisors' Budget Analyst exceeds \$200 million adjusted annually by changes in  
18 aggregate City discretionary revenues.

19                   (4) Monies from the baseline appropriation required by this subsection (c) shall  
20 not be appropriated or expended for services provided to the Recreation and Park Department  
21 by other City departments and agencies unless: (A) the City department or agency charged the  
22 Recreation and Park Department for that service in fiscal year 2015-2016 and the amount the  
23 Recreation and Park Department paid the City department or agency for that service was  
24 included in the baseline amount for fiscal year 2015-2016, although increases in the cost of such  
25

1 services may be paid out of the baseline appropriation, or (B) the Recreation and Park  
2 Department requests or agrees to a new service from a City department or agency.

3 (5) At the end of the fiscal year 2015-2016 and every year thereafter, any excess  
4 general fund Departmental revenue, including any Department expenditure savings or revenue  
5 surpluses deposited prior to fiscal year 2015-2016, shall be reserved to be used for one-time  
6 Departmental expenditures. "General fund Departmental revenue" is defined as all revenues  
7 credited to the Department's general fund budget other than the baseline contribution defined in  
8 subsection (c).

9 ~~(e) Enhanced Revenue and Efficiency Incentives for the Department. It is the policy of~~  
10 ~~the City and County of San Francisco to give the Department greater incentives to improve~~  
11 ~~operational efficiencies and to increase revenue. Increases in revenues and savings shall be~~  
12 ~~dedicated as follows:~~

13 ~~1. Actual net increases in Department-generated revenues, compared to the~~  
14 ~~previous fiscal year, shall be dedicated to capital and/or facility maintenance improvements to~~  
15 ~~park and recreational facilities; and,~~

16 ~~2. New revenues from outside sources, such as grant or foundation support, shall~~  
17 ~~be used only for enhancement of park and recreational programs, including, but not limited to,~~  
18 ~~capital and/or facility maintenance improvements ; and~~

19 ~~3. Overall Department expenditure savings shall be retained by the Department~~  
20 ~~to be dedicated to one-time expenditures.~~

21 (d) The City shall implement its efforts to increase revenues in a manner consistent with  
22 the City's policy of charging City residents a lower fee than that charged nonresidents for the use  
23 and enjoyment of Department property.

24 (e) (d) Revenue Bond Authority. Notwithstanding the limitations set forth in  
25 Sections 9.107, 9.108, and 9.109 of this Charter, the Commission may request, and upon

1 recommendation of the Mayor the Board of Supervisors may authorize, the issuance of revenue  
2 bonds or other evidences of indebtedness, or the incurrence of other obligations, secured by the  
3 Park, Recreation and Open Space Fund for acquisition, construction, reconstruction,  
4 rehabilitation and/or improvement of real property and/or facilities and for the purchase of  
5 equipment.

6 ~~(f)~~ (e) Fund Expenditures on Commission Property. Any real property acquired with  
7 monies from the Fund, including the proceeds of obligations issued pursuant to subsection (e)  
8 ~~(d)~~, above, shall be placed under the jurisdiction of the Commission within the meaning of  
9 Section 4.113. Fund expenditures to improve, construct, reconstruct or rehabilitate real property  
10 shall be limited to property under the jurisdiction of the Commission or property under the  
11 jurisdiction of another City department or public agency and subject to an agreement with the  
12 Department for its use, management and maintenance.

13 ~~(g)~~ (f) Use and Allocation of the Fund. Each year, the Commission shall adopt a budget  
14 for the allocation and expenditure of the Fund in compliance with the budget and fiscal  
15 provisions of the Charter, ~~which shall be adopted by the Commission only after a written~~  
16 ~~determination by the Planning Department of conformity with the City's General Plan.~~

17 The annual budget for allocation of the Fund that is adopted by the Commission and  
18 submitted by the Mayor to the Board of Supervisors shall include:

19 ~~(1-)~~ (1-) Allocations for after-school recreation programs, urban forestry, community  
20 gardens, volunteer programs, and a significant natural areas management program in the amounts  
21 allocated for each of those programs from the Park and Open Space Fund in the Department's  
22 fiscal year 2015-2016 ~~1999-2000~~ budget, to the extent that such programs are not so funded in  
23 the Department's operating budget or in the budget of another City department.

24 ~~(2-)~~ (2-) An allocation necessary to ensure that 3% of the monies to be deposited in  
25 the Fund during the upcoming fiscal year pursuant to subsection (b), above, be available at the

1 start of the fiscal year as an undesignated contingency reserve. No later than September 1, 2017,  
2 the Commission shall adopt a policy for expenditures from the contingency reserve. Thereafter,  
3 the Commission shall submit a report to the Mayor and the Board of Supervisors on any  
4 expenditures from the contingency reserve during the previous budget cycle along with its  
5 proposed budget for allocation of the Fund.

6 (3-) An allocation of not less than 5% of the monies to be deposited in the Fund  
7 during the upcoming fiscal year pursuant to subsection (b), above. These monies shall be  
8 dedicated to the acquisition of real property identified in the Capital Expenditure Plan discussed  
9 in subsection (h)(3) ~~(g)~~, below. Any portion of these monies that remains unspent or  
10 uncommitted at the end of any fiscal year shall be carried forward, with interest thereon, to the  
11 next fiscal year for the purposes set forth herein. ~~The 5% allocation need not be included in the~~  
12 ~~budget submitted to the Board of Supervisors for an upcoming fiscal year to the extent that the~~  
13 ~~total City expenditure for acquisition of property to be placed under the jurisdiction of the~~  
14 ~~Commission for the period commencing with fiscal year 2000-2001 2000-01 and ending with the~~  
15 ~~close of the immediately preceding fiscal year exceeds an amount equal to 5% of the total~~  
16 ~~amount appropriated, or to be appropriated, to the Fund for the period commencing with fiscal~~  
17 ~~year 2000-2001 2000-01 and ending with the close of the upcoming fiscal year.~~

18 (4) An allocation, as a separate line item, of funds required for preparation,  
19 monitoring, and evaluation of the plans required under subsection (h).

20 Prior to the adoption of the annual budget by the Recreation and Park Commission, the  
21 Department, in conjunction with the Citizens Parks, Recreation, and Open Space Advisory  
22 Committee (“Advisory Committee”) discussed in subsection (i) ~~(h)~~, below, shall conduct two  
23 public hearings in the evenings or on weekends to permit the public to comment on the  
24 Department's full budget and programming allocations.

1           The Board of Supervisors shall consider and apply the Planning and Reporting  
2 Measures, including equity metrics, required in subsection (h) when reviewing and approving  
3 the Department's budget.

4           ~~(h)~~ ~~(g)~~ Planning and Reporting Measures. The Commission shall adopt several  
5 long-term plans that include, but are not limited to, the following:

6           (1) Equity Metrics. The Department shall develop, and the Commission shall  
7 adopt, a set of equity metrics to be used to establish a baseline of existing Recreation and Park  
8 services and resources in low-income neighborhoods and disadvantaged communities, compared  
9 to services and resources available in the City as a whole. Following Commission approval, the  
10 Department shall submit its Equity Metrics to the Mayor and the Board of Supervisors.

11           ~~(2)~~ Strategic Plan. By February 1, 2017, and every five years thereafter  
12 December 1, 2000, the Department shall prepare, for Commission consideration and approval, a  
13 five-year Strategic Plan, ~~to be updated annually~~, that establishes or reaffirms the mission, vision,  
14 goals and objectives for the Department. The Strategic Plan shall include an equity analysis of  
15 Recreation and Park services and resources, using the equity metrics adopted under  
16 subsection (h)(1), and shall include strategies to mitigate any equity deficiencies identified in the  
17 Plan.

18           The Department shall submit the proposed Strategic Plan to the Parks,  
19 Recreation, and Open Space Advisory Committee for its review and comment before submitting  
20 the Plan to the Commission for its approval. Following Commission approval of the Strategic  
21 Plan, the Department shall submit the Strategic Plan to the Mayor and the Board of Supervisors.  
22 The Board of Supervisors shall consider and by resolution express its approval or disapproval of  
23 the Plan, but may not modify the Plan. If the Board expresses its disapproval of the Plan or  
24 makes recommendations regarding the Plan to the Department, the Department may modify and  
25 resubmit the Plan.



1           The Department will use the approved Strategic Plan to guide its work over each  
2 five-year period. Every two years after the approval of a Strategic Plan, the Department shall  
3 report to the Commission on the Department's progress under the Plan and, subject to the  
4 Commission's approval, may amend the Plan as appropriate. Following Commission approval  
5 of any amendments to the Strategic Plan, the Department may submit the amended Strategic  
6 Plan to the Mayor and the Board of Supervisors. This Strategic Plan will be used to guide the  
7 Department's work over the next five years.

8           (3) ~~2.~~ Capital Expenditure Plan. By January 15, 2017 and for each annual or  
9 biennial budgetary cycle thereafter, as determined under Charter Section 9.101, the Department  
10 shall prepare, for Commission consideration and approval, an annual Capital Expenditure Plan  
11 that addresses the development, renovation, replacement and maintenance of capital assets, and  
12 the acquisition of real property projected during the life of the Department's five-year Strategic  
13 Plan. The Capital Expenditure Plan shall include an equity analysis of Recreation and Park  
14 capital expenditures, using the equity metrics adopted under subsection (h)(1), and shall include  
15 strategies to mitigate any equity deficiencies identified in the Plan. The Capital Expenditure  
16 Plan shall further address irrigation, water conservation, and urban forestry on park lands.

17           The Department shall submit the proposed Capital Expenditure Plan to the Parks,  
18 Recreation, and Open Space Advisory Committee for its review and comment before submitting  
19 the Plan to the Commission for its approval. Following Commission approval, the Department  
20 shall submit the Capital Expenditure Plan to the Mayor and the Board of Supervisors. The  
21 Board of Supervisors shall consider and by resolution express its approval or disapproval of the  
22 Plan, but may not modify the Plan. If the Board expresses its disapproval of the Plan or makes  
23 recommendations regarding the Plan to the Department, the Department may modify and  
24 resubmit the Plan.

1                   The Department shall further cooperate in the development of the City's Capital  
2 Expenditure Plan under Administrative Code Section 3.20, as amended, or any successor  
3 legislation.

4                   ~~By December 1, 2000, the Department shall prepare, for Commission~~  
5 ~~consideration and approval, a five-year Capital Plan, to be updated annually, for the~~  
6 ~~development, renovation, replacement and maintenance of capital assets, and the acquisition of~~  
7 ~~real property. In its Capital Plan the Department shall propose specific properties to be~~  
8 ~~acquired for open space, recreation facilities, significant natural areas, and other recreational~~  
9 ~~purposes and shall prioritize capital and maintenance improvements and provide budgets~~  
10 ~~associated with such improvements. Capital and acquisition projects will be designated by the~~  
11 ~~Department based upon needs identified by the Department and the community. Capital projects~~  
12 ~~will include the planning, design and construction of projects that rehabilitate, restore or~~  
13 ~~replace existing facilities or that develop new facilities. Acquisition projects will include, but~~  
14 ~~will not be limited to, purchase, lease, exchange, eminent domain, license or any other vehicle~~  
15 ~~giving the City a right, whether revocable or not, to use real property, or any interest therein, or~~  
16 ~~any improvement or development rights thereon, for recreational purposes, including, but not~~  
17 ~~limited to, protection of natural resources, development of community gardens and development~~  
18 ~~of urban trails, provided that, notwithstanding anything herein to the contrary, no acquisition of~~  
19 ~~less than fee simple title may be for a term of less than ten years.~~

20                   (4) ~~3~~. Operational Plan. By February 1, 2017, and for each annual or biennial  
21 budgetary cycle thereafter, as determined under Charter Section 9.101, the Department shall  
22 prepare, for Commission consideration and approval, an Operational Plan. The Department  
23 shall base the Operational Plan on the then-current Strategic Plan, and the Operational Plan  
24 shall be in addition to the Department's budget. The Department shall include in the  
25 Operational Plan a statement of the objectives and initiatives within the Strategic Plan that the

1 Department plans to undertake and/or accomplish during the next budgetary period, including  
2 performance indicators and targets. The Operational Plan shall include an equity analysis of  
3 Recreation and Park services and resources, using the equity metrics adopted under  
4 subsection (h)(1). Each Operational Plan shall further include an assessment of the  
5 Department's progress on the previous Operational Plan.

6 The Department shall submit the proposed Operational Plan to the Parks,  
7 Recreation, and Open Space Advisory Committee for its review and comment before submitting  
8 the Plan to the Commission for its approval. Following Commission approval, the Department  
9 shall submit the Operational Plan to the Mayor and the Board of Supervisors.

10 ~~By December 1, 2001, the Department shall prepare, for Commission~~  
11 ~~consideration and approval, a five-year Operational Plan, to be updated annually, detailing~~  
12 ~~proposed improvements to the Department's services and responsiveness to customer needs. The~~  
13 ~~annual Operational Plan will serve as a tool for improving the operational efficiency of the~~  
14 ~~Department and will include measurable performance standards for the Department. The~~  
15 ~~Department shall prepare the initial Operational Plan after conducting a performance audit of~~  
16 ~~Departmental operations. Thereafter, the Department will conduct periodic performance audits.~~

17 The Commission shall establish a community input process, which shall ~~may~~ include the  
18 Parks, Recreation, and Open Space Citizens Advisory Committee discussed in section (i) ~~(h)~~,  
19 below, through which citizens of the City and County of San Francisco will provide assistance to  
20 the Commission as it develops criteria and establishes the plans required by this subsection.  
21 Prior to the adoption of any Strategic Plan ~~each five-year plan~~, the Department shall conduct at  
22 least five hearings in locations distributed geographically throughout the City to receive and to  
23 consider the public's comments upon the plan. The Commission shall ensure that at least two of  
24 these hearings are held in the evenings or on weekends for the public's convenience.

1            ~~The Department shall report regularly annually, as a part of the City's budget process, to~~  
2 ~~the Mayor and to the Board of Supervisors, on the status of the plans and on the status of~~  
3 ~~Department goals, objectives and capital project timelines for the current fiscal year, as well as~~  
4 ~~provide reports on performance measures required by this Section.~~

5            In the fourth year of each Strategic Plan under subsection (h)(2), the Controller's City  
6 Services Auditor shall conduct a performance audit of the Department to assess the  
7 Department's progress under the Strategic Plan and to inform the development of the  
8 Department's next Strategic Plan. The audit shall include an analysis of the Department's  
9 compliance with the planning and reporting measures in this subsection (h). The costs of the  
10 audit may be charged to the baseline established in subsection (c).

11            If the audit finds that the Department has not complied with the requirements in this  
12 subsection (h), the Board of Supervisors may place up to 5% of the baseline appropriation under  
13 subsection (c) for the next fiscal year on reserve, pending subsequent release of the reserve by  
14 Board action upon finding progress toward these requirements. The preceding sentence is not  
15 intended to modify the Board's authority under the fiscal and budgetary provisions of the  
16 Charter.

17            The Commission may modify any deadlines contained in this subsection (h) by resolution  
18 adopted by a two-thirds vote of its members, and a resolution adopted by the Board of  
19 Supervisors and approved by the Mayor.

20            (i) ~~(h)~~ Parks, Recreation, and Open Space ~~Citizens~~ Advisory Committee. The Board of  
21 Supervisors shall establish, by ordinance, a Parks, Recreation, and Open Space ~~Citizens~~  
22 Advisory Committee, such as the committee established in Park Code Section 13.01, as  
23 amended, or any successor legislation.

24            (j) Equity Fund. The City shall establish an Equity Fund to accept and expend private  
25 gifts, grants, and donations received by the Department and intended to support initiatives and

1 programs addressing unmet program and capital needs identified in the equity analyses required  
2 under subsection (h).

3 ~~(k) (i)~~ Environmental and Design Guidelines. The Department Commission shall  
4 ~~maintain~~ adopt written environmental and design guidelines for new facilities, parks, and open  
5 spaces and the renovation or rehabilitation of existing facilities, parks, and open spaces. ~~These~~  
6 ~~guidelines shall be consistent with any applicable standards of the Art and Planning~~  
7 ~~Commissions.~~

8 ~~(l) (j)~~ Capital Projects. Notwithstanding the provisions of Section 3.104 of this Charter,  
9 the Commission shall have the authority to prepare and approve the plans, specifications and  
10 estimates for all contracts and orders, and to award, execute and manage all contracts and orders,  
11 for capital projects on real property under its jurisdiction or management. Capital projects  
12 supported by the Fund, other than those projects identified by the Department as long-term  
13 projects, must be fully constructed within three years of the initial budget allocation for those  
14 projects. Long-term projects must be fully constructed within five years of the initial budget  
15 allocation. Any exceptions to this provision must be authorized by a two-thirds vote of the  
16 Commission.

17 ~~The Recreation and Park Department and the Department of Public Works ("DPW")~~  
18 ~~shall establish a committee to develop a written, capital implementation program, for the~~  
19 ~~consideration of both Departments, that will govern DPW's involvement in capital projects~~  
20 ~~undertaken by the Recreation and Park Department. In developing this program, the committee~~  
21 ~~shall consider the Capital Plan discussed in subsection (g), above, staffing levels in both~~  
22 ~~Departments, and the availability of other resources.~~


23 ~~(k) Unspent Funds. All unspent funds in the Park and Open Space Fund on June 30,~~  
24 ~~2000 shall continue to be held for the use and benefit of the Department. These monies shall be~~

1 ~~expended in a manner consistent with the general purposes for which they were originally~~  
2 ~~appropriated.~~

3 (m) In addition to the requirements set forth by this Section 16.107, all expenditures  
4 from the Fund shall be subject to the budget and fiscal provisions of the Charter.

5 (n) This Section 16.107 shall expire by operation of law at the end of fiscal  
6 year 2045-2046 and the City Attorney shall cause it to be removed from future editions of the  
7 Charter unless the Section is extended by the voters.

8 APPROVED AS TO FORM:  
9 DENNIS J. HERRERA, City Attorney

10  
11 By:   
12 THOMAS J. OWEN  
13 Deputy City Attorney

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**LEGISLATIVE DIGEST**

(Fourth Draft, dated 1/21/2016)

[Charter Amendment - Park, Recreation and Open Space Fund]

**Describing and setting forth a proposal to the voters to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, extend the annual set-aside and the baseline appropriation for 15 years to FY2045-206, and modify the Recreation and Park Department’s planning obligations to include equity analysis and Board of Supervisors review, at an election to be held on June 7, 2016.**

Existing Law

The voters adopted the current Park, Recreation and Open Space Fund (“Fund”) in March, 2000. Each year, the City pays into the Fund a portion of the property tax equal to two and one-half cents for each \$100 of assessed valuation. The set-aside is in addition to, and not in place of, any sums normally budgeted for the Recreation and Park Department (“Department”), but the Charter does not specify how the “normally budgeted” level of spending is to be calculated or require the City to appropriate a particular amount to the Department in addition to the set-aside. The Fund will expire at the end of fiscal year 2030-2031.

The Recreation and Park Commission (“Commission”) must annually adopt five-year strategic, capital, and operating plans for the Fund.

Amendments to Current Law

The proposal is a Charter amendment that would make a number of changes to the Fund.

The proposal would extend the Fund, which now has a 30-year term, for an additional 15 years. The Fund, including the set-aside and the baseline appropriation (explained below), would now have a 45-year term and expire at the end of fiscal year 2045-2046.

The proposal would add a requirement that beginning in fiscal year 2016-2017 the City annually appropriate a “baseline amount” to the Department measured by the amount of general fund support appropriated to the Department in fiscal year 2015-2016. The City would increase that baseline amount annually by \$3 million for fiscal years 2016-2017 through 2025-2026. And beginning in fiscal year 2026-2027, the Controller would adjust the baseline each year by the percentage increase or decrease in aggregate City discretionary revenues.

The City could suspend growth in the baseline for any year in which the Controller, the Mayor's Budget Director, and the Board of Supervisors' Budget Analyst projected a budget deficit of \$200 million or more in the succeeding fiscal year.

The proposal would require that any excess general fund Department revenue at the end of the fiscal year, including any Departmental expenditure savings and revenue surpluses deposited prior to fiscal year 2015-2016, be reserved for one-time Departmental expenditures.

The proposal would remove the existing requirement that Department expenditure savings and new revenue from outside sources be used only for enhancement of park and recreational programs, including, but not limited to, capital and/or facility maintenance improvements and other one-time expenditures.

The proposal would require the Department to cooperate with the development of the City's Capital Expenditure Plan, as well as continue to develop a separate Capital Expenditure Plan for the Department for each budgetary cycle.

The proposal would require the Commission to adopt an Operational Plan for each budgetary cycle. The Commission would base the Operational Plan on the current Strategic Plan and include a statement of the objectives and initiatives within the Strategic Plan that the Department plans to undertake and/or accomplish during the budgetary period, including performance indicators and targets.

The proposal would require that all of the Department's Strategic, Capital Expenditure, and Operational Plans include an equity analysis, based on metrics comparing existing Recreation and Park services and resources in low-income neighborhoods and disadvantaged communities with services and resources available in the City as a whole. The equity analyses in the Strategic and Capital Expenditures Plans would have to include strategies to mitigate any equity deficiencies identified in the plans.

The proposal would require the Board of Supervisors to conduct a hearing on the Strategic and Capital Expenditure Plans adopted by the Department, and adopt a resolution expressing the Board's approval or disapproval of the Plans. The Board would not have the power to adopt, reject, or modify the plans. The Department could revise and resubmit the plans after receiving the Board's input.

The proposal would require that the budget for the Fund include a separate line item for preparation, monitoring, and evaluation of the Department's Strategic, Capital Expenditure, and Operational Plans.

And, the proposal would add a requirement that in the fourth year of each Strategic Plan, the Controller's City Services Audit Unit conduct a performance audit of the Department's progress under the Strategic Plan, and an analysis of the Department's compliance with the planning and reporting requirements of the Fund. The costs of the audit would be charged to the Fund. If the audit concluded that the Department was not in compliance, the Board of Supervisors could place up to 5% of the baseline appropriation for the next fiscal year on reserve until the Board found that the Department was making progress on meeting the requirements.



\* \* \*

*The Fourth Draft, dated 1/21/2016, differs from the Third Draft on file, dated 1/14/2016, in the following ways:*

*The Fourth Draft would extend term of the Fund, including the set-aside and the baseline appropriation, by 15 years. The current 30-year term would become 45 years, and the Fund would expire at the end of fiscal year 2045-2046, instead of at the end of fiscal year 2030-2031.*

*The Fourth Draft would require that the equity analyses in the Strategic and Capital Expenditures Plans adopted by the Department include strategies to mitigate any equity deficiencies identified in the plans.*

*And the Fourth Draft would require the Board of Supervisors to conduct a hearing on the Strategic and Capital Expenditure Plans adopted by the Department, and adopt a resolution expressing the Board's approval or disapproval of the Plans. The Board would not have the power to adopt, reject, or modify the plans. The Department could revise and resubmit the plans after receiving the Board's input.*

## From San Francisco Forest Alliance

The referendum must have **specificity of language that restricts what RPD can do with this money**. It must clarify what the money is to be used for, **including tree maintenance**. In the balance between flexibility and accountability, San Francisco Forest Alliance would weigh in for accountability.

Everyone loves trees and wants safe trees in the parks. SFFA does not oppose the idea of more funding for RPD, but the amendment lacks certain specific language. Until these specifics are spelled out, we don't think this amendment should be brought before the Board of Supervisors.

1. **Suggested Text for maintenance of trees [insert to p. 8, l. 18]: *The Operations Plan must include specific funding for the deferred maintenance of all park trees that could be considered hazardous if their maintenance is deferred beyond the normal 7-12 year cycle.***
  - Background: Supervisor Farrell's ballot initiative is promoted as providing money to RPD for the *park maintenance*. But nowhere in the initiative is there language to *restrict or even allocate new money to RPD Operations to actually maintain our park trees!* It is just free cash to RPD without any Charter mandate to fund the much-needed maintenance of the trees.
  - The Urban Forestry Unit is funded entirely through Operations, not from Capital. Tree maintenance belongs entirely to Urban Forestry in Operations.
  - Deferred maintenance in the Capital budget is a broad term that covers many things such as roofs, leaky faucets, failing playgrounds, collapsing walls. By no means would it cover maintenance of trees, although RPD may decide that felling healthy non-native trees they don't want is a "capital expense." We oppose that.
2. **Suggested Text for environmental and design guidelines [a change BACK to original language on p. 10, ll. 20-222]: *RPD's design guidelines for new facilities, parks, and open space and renovations of such facilities, parks, and open spaces shall be adopted by the RPD Commission.***
  - Background: p. 10, ll. 20-22 is a new addition in the second draft, putting environmental and design guidelines in the hands of RPD, and not in hands of the Commission, who are, in fact, the ones tasked with representing neighborhoods and communities of interest. What happens if RPD's design guidelines call for more native plants and grasslands in open spaces, and, thus, fewer trees to be maintained?
3. **Suggested text for specificity related to unspent set-aside funds [insert to p. 2, l. 13]: *RPD must specify their spending priorities for the set-aside funds, and the Controller must provide annually the amount left over in unspent set-aside funds.***
  - Background: The Library system has the exact same funding arrangement as is being proposed for Rec and Park: an existing set aside fund from property tax, and a baseline funding from the discretionary General Fund. But the Library has specified *spending priorities* for the set aside money in the Charter. They must specify use of *unspent set aside funds* at year end. The Controller is required to calculate and publish *the actual amount of City money* for the Library.
  - Addendum from Prop D, Voter Information, 2007 for Library Preservation Fund amendment to Charter provided as example of specificity.

*Tree maintenance is not “sexy” as an issue, but it’s the future of our natural beauty as a city and environmentally what will sustain us.*

## Evans, Derek

---

**From:** melangelo@aol.com  
**Sent:** Wednesday, December 09, 2015 5:48 PM  
**To:** Evans, Derek  
**Subject:** McLaren Park! I'm asking for your help Mr Evans.

Hi Derek Evans,

I live next to wonderful, 318 acre McLaren Park in the Portola District. I bought my house in 2007 because I fell in love with the park's beautiful wild open spaces, views, friendly neighbors, and off leash dog acres. I'm very happy with my choice of living where I do especially when walking McLaren's renowned Philosopher's Way trail. Because of my love for the park, I helped to form the community based group, *Save McLaren Park* which is part of the umbrella group, The McLaren Park Collaborative. Our goal is to be vigilant in keeping the park beautiful, safe, and cared for. The park's wild acres are a SF treasure that is being discovered by more and more people each year. However, many of us are becoming increasingly concerned about the lack of McLaren Park gardeners and limited maintenance, services that other parks like Golden Gate take for granted.

Here are a few of our many concerns:

- \* Stubborn trash and litter that stays along the roads, paths, and meadows for many months and frequently over a year! Many of us collect this trash on our walks or on volunteer days, but it is not our job to do this on a regular basis. Unfortunately, current park employees rarely patrol for trash in vast parts of the park. Something needs to change to insure basic maintenance services are done on a daily/weekly basis. Providing paid adequate staff to cover our 318 acres would be a good start!
- \* Increasingly, illegal motorcycles are riding roughshod on the trails every day causing ecological damage, threatening hikers safety, and ruining pedestrians peaceful enjoyment of the park.
- \* Repair and maintenance projects get started but often are left unfinished- such as a sprinkler system located in the field at University and Mansell. For weeks, a RP plumber, gardener and other paid workers labored, costing lots of \$\$, and then abruptly stopped before completion. I don't know why. But for a year now, dangerous and unsightly holes in the ground have not been filled. Are they returning to finish the job... who knows? (see photo)
- \* Needless damage caused by rec and park's own staff mars the beauty of the park- such as RP vehicles regularly (and dangerously) driving off road along sidewalks edges (causing damage) and killing grass. This brings ugly mud pits during rainy weather.
- \*Lack of enough gardeners to maintain tree and landscaping health- such as a row of palm trees planted a few years ago that have died due to not being protected and tended to. That's expensive and wasteful. Also, older healthy unmaintained tree's limbs are regularly falling dangerously close to pedestrians (I have photos).

As much as I appreciate the work that IS done in McLaren but these issues are a few examples of what happens when a park is consistently neglected. Its frustrating to pay exorbitant property taxes on a teacher's pension and feel that my money largely funds Golden Gate Park instead of the worthy park across the street.

Why is this lack of equitable staff and maintenance happening??

Many of us wonder if officials have the perception that San Francisco's south-east quadrant (being largely comprised of poor, modest, and middle income residents) is not as deserving of quality and consistent services. Hope that isn't true and won't continue. Thankfully, I see changes coming- including the Mansell St Corridor improvement and some overdue park bond money that will finally bring some desperately needed maintenance and repairs. But this is only a start. To be clear, we don't want

McLaren Park to look like Golden Gate... they are two different species of parks. However, we do want and deserve daily maintenance and gardening of the more manicured areas.

**Please do what you can to insure permanent equity of services is established for all City parks including McLaren Park- the second largest park in SF. It's time.**

Thank you for reading this.

M Walker

94134

Save McLaren Park and McLaren Park Collaborative



Tracks left from illegal motorcycle riding. These scarring of the paths leads to destructive erosion. Not to mention the fear of being run over by them as they come around blind curves and hills.



One of several abandoned holes, some two feet deep, left behind when a nearly completed plumbing project came to a halt, unfinished.



Illegal motorcyclists riding roughshod on sidewalks, trails and through sensitive natural habitat.



A typical trash site, dumped daily on Mansell St and other locations. The bags get torn open by animals and loose trash spreads to hillsides and meadows. Regular daily or weekly pick ups of these dump sites is not happening.

**Evans, Derek**

---

**From:** Denis Mosgofian <denismosgofian@gmail.com>  
**Sent:** Wednesday, December 09, 2015 3:35 PM  
**To:** Evans, Derek  
**Cc:** Johnston, Conor (BOS); Breed, London (BOS); Eric Mar; Pagoulatos, Nickolas (BOS); Aaron Peskin  
**Subject:** proposed changes to Charter Am  
**Attachments:** Proposed Changes to Farrell's Ch. AM.docx

Hi Derek,

Kindly pass these proposed changes attached to Farrell's Charter Amendment to the Rules Committee members.

Thank you,

Denis Mosgofian  
PROSAC D5

Dec. 9, 2015

To Supervisor Avalos, Supervisor Tang and Supervisor Cohen

**Please consider the following proposed amendments** to the Second Draft of Supervisor Farrell's proposed Charter Amendment for the June 2016 ballot.

---

p. 2, line 22 At the end of the sentence, "...over the prior year." **ADD** the following language.

**"Portions of the set-aside monies, including increases, collected annually under the Park, Recreation and Open Space Fund shall be expended for the following functions:**

- 1. Property Acquisition 20%**
- 2. Facilities and park renovation 10%**
- 3. Routine and deferred Maintenance of facilities and parks 30%**

p. 3 lines 16 – 23 **Why** is this section added? If other department services are required by RPD why place this limitation in the Charter? Delete the section.

p. 4 lines 5 – 16 **RETAIN** these sentences must be retained, and not deleted.

p. 7 line 17, **ADD** to © prioritization of **"highly underserved areas, as well as"** highly utilized assets;

p. 9 line 18, **CHANGE** "at least five hearings in location distributed geographically throughout the City..." to, **"at least one well-publicized public hearing in each supervisorial district..."**

p. 11 line 16 ADD (k) Unspent funds. All unspent funds in the Park, Recreation and Open space Fund on June 30 each fiscal year shall continue to be held by the Department for deferred maintenance of parks and facilities, and for increasing tree care.

Thank you,

Denis Mosgofian

PROSAC D5 representative



Dec. 9, 2015

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Thank you,

Denis Mosgofian

PROSAC D5 representative

## Evans, Derek

---

**From:** Ren Volpe <renvolpe@yahoo.com>  
**Sent:** Wednesday, December 09, 2015 2:53 PM  
**To:** Evans, Derek  
**Subject:** Maintenance in McLaren Park

I am an Excelsior resident and daily user of McLaren Park. I was appalled, but unfortunately not surprised, to see the low scores that McLaren received in the recent Park Maintenance Standards report.

Our park needs more gardeners, more dedicated garbage cans (animal proof!), more frequent trash pick- ups, maintenance of old trees and fallen limbs, and trail upkeep.

Why is RPD spending money to hire more Park Patrol when basic maintenance is not being addressed?

Why is so much money being spent to research the cutting down of healthy trees (Natural Areas Program) and hang up signs announcing prohibitions to park users when RPD cannot even find the funds to hire a reasonable number of gardeners for such a large park?

Why are there no stop signs, speed bumps, bike lanes or crosswalks on the Shelley Drive loop? Broken glass in the parking lots, overflowing garbage cans, broken and dangerous asphalt paths, porta potties instead of real toilets, and erosion due to trails not being maintained?

I love McLaren Park and so do many local residents. We are tired of being ignored and underfunded.

**Evans, Derek**

---

**From:** Aaron Goodman <amgodman@yahoo.com>  
**Sent:** Wednesday, December 09, 2015 2:35 PM  
**To:** Evans, Derek  
**Subject:** McLaren park

Writing in support of the McLaren park collaborative and the issue that park funding be equitable in all districts including d11 d7 and d10

Expenditures and funding must be transparent and info on equitable expenditure accounted for in maintenance and built projects for the communities use

Thank you  
Aaron Goodman D11

Sent from my iPhone

## Evans, Derek

---

**From:** TRILCE & CHARLES <helpmlpark@gmail.com>  
**Sent:** Wednesday, December 09, 2015 10:08 AM  
**To:** Evans, Derek  
**Subject:** Maintenance of McLaren Park

Dear Mr. Evans,

I am writing you today in hopes I can convince you to take meaningful and possibly even controversial measures changing the way SF Rec and Park deals with McLaren Park. As you are aware McLaren Park has finally, after many decades of neglect and oversight, been the recipient of several large capitol improvement measures. These measures through long and hard battles involving several volunteer groups will finally get McLaren its fair share of money for improvement of its streets, paths, fields, playgrounds, among many others significant resources there. However with no increase in its maintenance budget and currently a significantly substandard maintenance crew, we will risk a quick demise to all we have worked so hard for.

The park has currently five very senior gardeners, completely inadequate for its needs. The gardener apprenticeship program located at the Gleneagles golf course is restricted to only working the golf course itself. This is, without a doubt, a huge waste of manpower and expertise that can be used by within the park to train, maintain and improve the entire park! The gardeners apprentices work under the direct command of Phil Ginsburg. Hopefully Phil can see the opportunity to share this incredible resource with the entire park and city as he does in Golden Gate Park.

Lastly, its time that junior gardeners under energetic supervisors are allowed to work the parks that are normally unavailable but to senior gardeners looking at the end of their careers. Under the current standard the parks with senior gardeners never receive the equal amount of care and attention due to the physical nature of the job itself. As in all jobs that require more physical strength there should always a mix of young and old laborers which creates an atmosphere of learning and guidance but also gets the job done expediently and efficiently. McLaren has not been afforded this opportunity in its gardening staff in several decades. A bonus to implementing this standard would increase transparency and accountability going forward saving the city money and making the park more enjoyable for all its visitors.

I sincerely appreciate your time in reading my letter and hope the necessary changes required will bring equity in maintenance to all the parks in the SF park system.

Happy holidays to you and yours Derek,

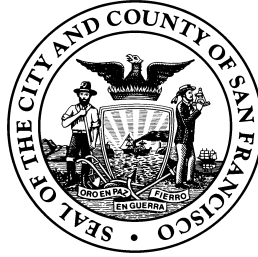
Charles Farrugia

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Help McLaren Park  
Facebook - Help McLaren Park  
<https://www.facebook.com/JohnMcLarenPark>  
[www.helpmlpark.weebly.com](http://www.helpmlpark.weebly.com)

Member of the SF Parks Alliance

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: Nicole Elliott, Mayor's Office  
Jon Givner, Office of the City Attorney  
Naomi Kelly, City Administrator  
Jesse Mainardi, Acting Executive Director, Ethics Commission  
John Rahaim, Director, Planning Department  
Harvey Rose, Budget and Legislative Analyst  
Phil Ginsburg, General Manager, Recreation and Park Department  
Margaret McArthur, Secretary, Recreation and Park Commission  
Olive Gong, Park, Recreation and Open Space Advisory Committee

FROM: Derek Evans, Clerk, Rules Committee  
Board of Supervisors

DATE: January 22, 2016

SUBJECT: CHARTER AMENDMENT INTRODUCED  
June 7, 2016 Election

---

The Board of Supervisors' Rules Committee has received the following Charter Amendment for the June 7, 2016, Election, introduced by Supervisor Farrell on September 22, 2015, and amended by the Rules Committee on January 14, 2016. This matter is being referred to you in accordance with Rules of Order 2.22.4.

**File No. 150940 Charter Amendment - Park, Recreation and Open Space Fund**

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, extend the annual set-aside and the baseline appropriation for 15 years to FY2045-2046, and modify the Recreation and Park Department's planning obligations to include equity analysis and Board of Supervisors review, at an election to be held on June 7, 2016.

Please review and submit any reports or comments you wish to be included with the legislative file.

If you have any questions or concerns, please call me at (415) 554-7702 or email: [derek.evans@sfgov.org](mailto:derek.evans@sfgov.org). To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

- c: AnMarie Rodgers, Planning Department
- Aaron Starr, Planning Department
- Debra Newman, Office of the Budget and Legislative Analyst
- Severin Campbell, Office of the Budget and Legislative Analyst
- Gabriela Loeza, Office of the Budget and Legislative Analyst
- Sarah Ballard, Recreation and Park Department

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## MEMORANDUM

TO: Ben Rosenfield, City Controller

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Board of Supervisors

DATE: January 22, 2016

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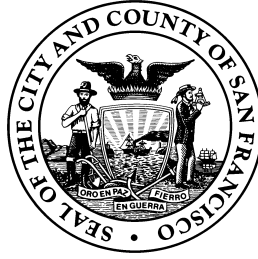
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Please review and prepare a financial analysis of the proposed measure prior to the first Rules Committee hearing.

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January 22, 2016

**File No. 150940**

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

Dear Ms. Jones:

On September 22, 2015, Supervisor Farrell introduced, and the Rules Committee amended on January 21, 2016, the following proposed Charter Amendment for the June 7, 2016, Election:

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This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

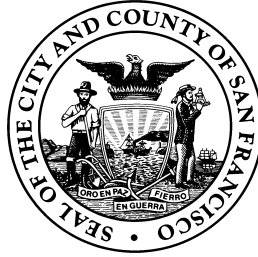
By: Derek Evans, Committee Clerk  
Rules Committee

Attachment

c: Joy Navarrete, Environmental Planner  
Jeanie Poling, Environmental Planner



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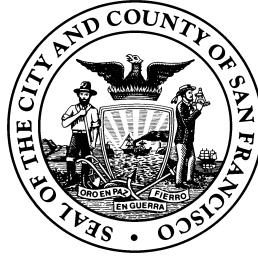
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January 15, 2016

**File No. 150940**

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Environmental Review Officer  
Planning Department  
1650 Mission Street, 4<sup>th</sup> Floor  
San Francisco, CA 94103

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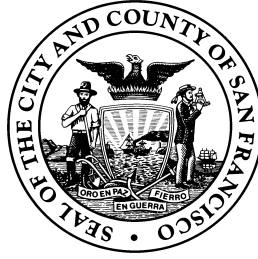
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By: Derek Evans, Committee Clerk  
Rules Committee

Attachment

c: Joy Navarrete, Environmental Planner  
Jeanie Poling, Environmental Planner

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- Severin Campbell, Office of the Budget and Legislative Analyst
- Gabriela Loeza, Office of the Budget and Legislative Analyst
- Sarah Ballard, Recreation and Park Department



DENNIS J. HERRERA  
City Attorney

THOMAS J. OWEN  
Deputy City Attorney

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

## MEMORANDUM

TO: Derek Evans  
Office of the Clerk of the Board of Supervisors

FROM: Thomas J. Owen  
Deputy City Attorney

DATE: November 12, 2015

RE: *Park, Recreation and Open Space Fund*  
Charter Amendment, Second Draft, with committee changes, dated 11/12/2015  
(Board File No. 150940; Our File No. 1500695)

---

Enclosed are the signed original and two copies of the Second Draft of the Charter Amendment, including the changes made in committee, dated 11/12/2015, as well as a legislative digest. I will also send you electronic copies separately.

Encl.

cc (by e-mail): Margaux Kelly  
Jon Givner  
Paul Zarefsky  
Melissa Millsaps  
Drew Murrell  
Katie Petrucione

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**CITY AND COUNTY OF SAN FRANCISCO**  
**OFFICE OF THE CONTROLLER**

**Ben Rosenfield**  
**Controller**

**Monique Zmuda**  
**Deputy Controller**

November 16, 2015

Ms. Angela Calvillo  
Clerk of the Board of Supervisors  
1 Dr. Carlton B. Goodlett Place Room 244  
San Francisco, CA 94102-4689

RE: File 150940 – Charter amendment regarding Recreation and Park Funding

Dear Ms. Calvillo,

Should the proposed charter amendment be approved by the voters, in my opinion, it would have a significant impact on the cost of government.

The proposed amendment would change the current Parks, Recreation and Open Space Fund requirements in the Charter by creating a new baseline maintenance of effort funding requirement that would grow over time. Overall, the City's general fund contribution to parks, recreation and open space would grow by approximately \$49 million over the 15 year period from FY2016-2017 through the end of FY2030-2031.

The current set-aside of property taxes for parks, recreation and open space is two and one-half cents per hundred dollars of assessed property value, equal to \$47 million as of FY 2015-16. The amendment would not change the current set-aside.

The new baseline maintenance of effort requirement would be established based on the amount of general fund support currently appropriated for Recreation and Parks, approximately \$64 million in the FY2015-16 budget. The baseline would be increased by \$3 million each year for the ten year period from FY2016-17 to FY2025-26. Subsequently the baseline would be increased at the same rate of growth as the City's discretionary revenues, estimated to be about 3.7% annually, for the five year period from FY2026-27 to FY2030-2031. By the end of FY2030-2031, the baseline amount is estimated to grow to \$113 million.

General fund revenue is currently available for any public purpose and as these funds are shifted to parks, recreation and open space, other City spending would have to be reduced or new revenues identified to maintain current service levels. The Charter amendment allows the City to temporarily suspend growth in the baseline funding in years when a City budget deficit of \$200 million or greater is forecast.

The amendment specifies that Recreation and Park may not increase its workorder budgets with other City departments unless those departments provided services to Recreation and Park in FY2015-16 or for new requested services going forward.

The amendment requires Recreation and Park to develop a strategic plan for each five year period and an operational plan for each annual or biennial budget cycle. These plans would set goals and measures and guide expenditures from the Parks, Recreation and Open Space Fund, and the plans must be approved by the Recreation and Park Commission, Mayor and Board of Supervisors. A performance audit of the Department's compliance with the goals and measures in these plans is required from the Controller's City Services Auditor in the fourth year of the strategic plan cycle.

The proposed measure would set aside funds for recreation and parks that would otherwise be available for any public purpose. The amendment does not identify new revenue sources for this set-aside and other City spending would therefore have to be reduced or new sources of funding identified to maintain current service levels. This proposed Charter amendment is not in compliance with a non-binding, voter-adopted city policy which states that any new set-aside shall identify adequate new revenue sources to cover its cost and shall expire after ten years.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ben Rosenfield', is written over a large, horizontal, oval-shaped scribble.

Ben Rosenfield  
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

## Evans, Derek

---

**From:** Carpenter, Adele  
**Sent:** Tuesday, November 17, 2015 5:11 PM  
**To:** Evans, Derek  
**Cc:** Guzman, Monica (BOS); Calvillo, Angela (BOS)  
**Subject:** YC Referral Responses to 150940, 150944, 151109  
**Attachments:** 1516-RBM-08.pdf; 1516-RBM-09.pdf; 1516-RBM-10.pdf

Hi, Derek,

Happy Tuesday. Attached, please find three YC responses to three pieces of legislation under consideration by the BOS Rules committee (150940, 150944, 151109): the Parks Charter Amendment, Sexual Assault Task Force Ordinance, and the Filipino Heritage District Resolution. Please let me know if you have any questions or I can provide any further documentation.

Best,

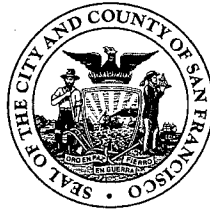
Adele Failes-Carpenter  
Director  
San Francisco Youth Commission  
Office: (415) 554-7112 | Fax: (415) 554-6140

Visit the official [Youth Commission site](#) and [YC facebook page](#).  
Sign up for [our newsletter](#).

Complete a Board of Supervisors [Customer Satisfaction form](#).



**Youth Commission**  
 City Hall ~ Room 345  
 1 Dr. Carlton B. Goodlett Place  
 San Francisco, CA 94102-4532



(415) 554-6446  
 (415) 554-6140 FAX  
[www.sfgov.org/youth\\_commission](http://www.sfgov.org/youth_commission)

## YOUTH COMMISSION

### MEMORANDUM

**TO:** Derek Evans, Clerk, Rules Committee  
**FROM:** Youth Commission  
**DATE:** Tuesday, November 17, 2015  
**RE:** Referral response to BOS Files No. 150940

At our **Monday, November 16, 2015 meeting**, the Youth Commission voted to support the following motion:

**To support BOS File No. 150940**—Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, and modify the Recreation and Park Department's planning obligations, at an election to be held on June 7, 2016.

\*\*\*

**During discussion on this item, youth commissioners submitted the following comments regarding this legislation:**

Creating a parks and open space equity analysis was among youth commissioners 2014-15 priorities. Youth commissioners are strongly supportive of bringing an equity lens to funding for parks. Youth commissioners are hopeful increasing the size and stability of funds for the Recreation and Park department will reduce the department's revenue-generating demands that have led to reservation policies that reduce youth access to popular facilities. Youth commissioners recommended that safety considerations be included in the foregoing considerations about priorities for the fund, noting that safety concerns reduce young people's access to parks, and specifically citing concerns following the shooting death of a Balboa student in the Excelsior's McLaren park earlier this year, as well as safety concerns in District 10 parks in general.

Youth Commissioners thank the Board of Supervisors for their attention to issue. If you have any questions, please contact our office at (415) 554-6446, or your Youth Commissioner.

A handwritten signature in cursive script, appearing to read "Luis Avalos-Nunez".

Chair, Luis Avalos-Nunez  
 Adopted on November 16, 2015  
 2015-2016 San Francisco Youth Commission

BOARD of SUPERVISORS



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

# MEMORANDUM

TO: Adele Failes-Carpenter, Director, Youth Commission  
FROM: Derek Evans, Clerk, Rules Committee  
DATE: November 13, 2015  
SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following legislation, which at the request of the Youth Commission is being referred as per Charter Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

**File No. 150940**

**Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, and modify the Recreation and Park Department's planning obligations, at an election to be held on June 7, 2016.**

Please return this cover sheet with the Commission's response to **Derek Evans, Clerk, Rules Committee.**

\*\*\*\*\*

**RESPONSE FROM YOUTH COMMISSION**      Date: \_\_\_\_\_

- No Comment
- Recommendation Attached

\_\_\_\_\_  
Chairperson, Youth Commission

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

November 12, 2015

File No. 150940

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

Dear Ms. Jones:

On September 22, 2015, Supervisor Farrell introduced, and the Rules Committee amended on November 12, 2015, the following proposed Charter Amendment for the June 7, 2016, Election:

**File No. 150940 Charter Amendment - Park, Recreation and Open Space Fund**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, and modify the Recreation and Park Department's planning obligations, at an election to be held on June 7, 2016.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink, appearing to read "Derek Evans".

By: Derek Evans, Committee Clerk  
Rules Committee

Attachment

c: Joy Navarrete, Environmental Planner  
Jeanie Poling, Environmental Planner

BOARD of SUPERVISORS



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

## MEMORANDUM

TO: Ben Rosenfield, City Controller

FROM: Derek Evans, Clerk, Rules Committee  
Board of Supervisors

DATE: November 12, 2015

SUBJECT: CHARTER AMENDMENT INTRODUCED  
June 7, 2016 Election

---

The Board of Supervisors Rules Committee has received the following Charter Amendment for the June 7, 2016, Election, introduced by Supervisor Farrell on September 22, 2015, and amended by the Rules Committee on November 12, 2015. This matter is being referred to you in accordance with Elections Code, Section 305(B)(2), and Rules of Order 2.22.3.

**File No. 150940 Charter Amendment - Park, Recreation and Open Space Fund**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, and modify the Recreation and Park Department's planning obligations, at an election to be held on June 7, 2016.

Please review and prepare a financial analysis of the proposed measure prior to the first Rules Committee hearing.

If you have any questions or concerns please call me at (415) 554-4447 or email: [alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org). To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Rec'd in Committee 11/12/15 File No. 150940  
Amendments by Supervisor Farrell

Page 1. Line 21

(a) Establishment of Fund. There is hereby established the Park, Recreation and Open Space Fund ("Fund") to be administered by the Recreation and Park Department ("Department") as directed by the Recreation and Park Commission ("Commission"). Monies *in the Fund therein* shall be expended or used solely by the Department, subject to the budgetary and fiscal provisions of the Charter, to provide *enhanced* park and recreational services and facilities. *The Department embraces socio-economic and geographic equity as a guiding principle and commits to expending the funds across its open space and recreational programs to provide park and recreational access to all of San Francisco's diverse neighborhoods and communities.*

The Operational Plan shall include an equity analysis of Recreation and Park Department programs and resources. The analysis shall compare existing and proposed programs and resources for low-income neighborhoods and disadvantaged communities with programs and resources available to the City as a whole.

File 150940

Charter Amendment – Park, Recreation and Open Space Fund  
Amendment proposed by Supervisor Tang

Page 6-7 – Capital Plan

2. Capital Plan. *The Department shall cooperate in the development of the City's Capital Expenditure Plan under Administrative Code 3. 20, as amended, or any successor legislation. Before the Department submits its capital priorities for consideration as part of the Capital Expenditure Plan, the Department shall propose a plan, including development, renovation, replacement and maintenance of capital assets and acquisitions, to the Parks, Recreation, and Open Space Advisory Committee discussed in subsection (i) for review and to the Commission for approval. The Capital Expenditure Plan shall include the deferred maintenance plan, which takes into consideration the following: a) Physical condition of Department assets; b) needs that, if continued to be left unaddressed, would result in additional costs and hazards in the future; c) prioritization of highly utilized assets; d) citywide community input; e) geographic equity; and f) socio-economic equity. The Capital Expenditure Plan shall also address irrigation, water conservation, and urban forestry, on park lands.*

November 2015

Dear Supervisor:

San Franciscans love our beautiful parks. On public opinion surveys, residents consistently rank parks as a very important contributor to quality of life in the City. And yet, City funding for our parks has failed to keep pace with needs. City funding for the Recreation and Park Department has stagnated compared to the growth in the overall City budget -- in the period between 2001-02 and 2015-16, the City's General Fund grew 43 percent, but general operating support for parks only grew 30 percent. And yet, a recent study of the economic benefits of the park system demonstrated that San Francisco's parks generate almost \$1 billion in economic benefits annually.

This stagnation has hurt the park department's ability to keep on top of routine maintenance--fixing swings, re-roofing buildings, resurfacing paths and basketball courts--as well as caring for trees and other important assets of the park system. Analysis of the Recreation and Park Department budget has found that the vast majority of maintenance spending now goes toward emergency needs, not routine upkeep. Over the past few months the Parks Alliance has heard from hundreds of community members that better care of parks is a priority. In two separate polls, more than three-quarters of voters surveyed said they would support a ballot measure to stabilize and increase park funding.

Parks need a sustainable, stable source of revenue so that the City can offer every resident access to a clean, safe, fun and beautiful park and recreation system in San Francisco. That's why we are strongly supporting Supervisor Farrell's park funding charter amendment introduced September 22. This legislation will provide much needed fiscal stability for the Recreation and Park Department, and improve accountability by adding more rigorous reporting and planning requirements.

We are grateful to Supervisor Farrell's co-sponsors (President Breed and Supervisors Cohen, Christensen, Mar, Tang, Wiener and Yee) for signing on to the measure, and urge remaining Supervisors to support it as well.

Sincerely,

The San Francisco Parks Alliance  
The Recreation and Park Commission  
San Francisco Parks Alliance Park Policy Council  
Friends of Ina Coolbrith Park  
Friends of West Portal Playground  
Friends of Geneva Office Building and Powerhouse  
Friends of the Japanese Tea Garden  
Friends of Alta Plaza Park  
Friends of Joe DiMaggio Playground  
Residents For Noe Valley Town Square  
Friends of Youngblood Coleman  
Golden Gate Angling & Casting Club  
San Francisco Lawn Bowling Club  
Friends of Grattan Playground  
Buena Vista Neighborhood Association  
Jacqui Bos  
Jen Fetner  
Amanda Hamilton  
Tom Kanaley  
John Ware  
Daniel Weaver  
Tim Wirth  
Lawrence Cuevas  
Danny Bicknell

Andrew Dennis  
Lee Anne Weldon  
Bear Silber  
Aaron Pope  
Nan McGuire  
Stephanie Linder  
Linda Litehiser  
Sheila Gropper-Nelson  
Edward Sullivan  
Janet Gamble  
Marjorie Stanton  
Kelly Nice  
Christine Raher  
Queen Vanessa Banks  
Chris Keene  
David Burke  
Lawrence Murphy  
Matt O'Grady  
Kitty Teerling  
Daniel Gorelick  
Steven Walker  
Aaron Rezendez  
David Burke



TO: BOARD OF SUPERVISORS RULES COMMITTEE  
Attention: Derek Evans

For hearing November 12, 2015

Re: 150940

Draft language for charter amendment to address funding needs of the  
Recreation and Park Department

Dear Committee members:

There are many flaws in this legislation that must be worked out before this measure is ready for the voters. This measure should not be voted out of Rules until a number of key provisions are examined more closely, for example,

1. Despite its stated purpose, there is nothing in the legislation that actually allocates money for maintenance in the parks;
2. the money designated for open space acquisition as voted by the electorate in 2000 should not be siphoned away from its intended purpose of acquiring new park land, as envisioned by the voters in creating the Open Space Fund.

Please put this matter over until there has been thorough outreach to the community. For example, our name is not on the list of community groups contacted by Supervisor Farrell and we have been speaking for park and recreation funding for more than forty years.

Everyone uses parks. Everyone wants new funding to be applied to maintenance of parks, but not at the expense of the Open Space acquisition fund.



Mary Anne Miller,  
President, SPEAK  
Sunset-Parkside Education and Action Committee

**Evans, Derek**

---

**From:** Denis Mosgofian <denismosgofian@gmail.com>  
**Sent:** Thursday, November 12, 2015 1:24 AM  
**To:** Evans, Derek  
**Cc:** Linda D'Avirro  
**Subject:** amendments to item 3, Rules, 11-12-15  
**Attachments:** DM Amendments-Chart Amd-11-12-15.docx

Derek Evans,

This copy of Second draft of the proposed charter amendment contains proposed amendments highlighted in orange, and deletions highlighted in yellow.

For the Committee members and the record.

Thank you,

Denis Mosgofian  
PROSAC D5 representative

Rec'd via email (Denis Moskofian)  
11/12/15

1 [Charter Amendment - Park, Recreation and Open Space Fund]

2 **From: Denis Moskofian, PROSASC D5 representative**  
3 **(Orange) Additions including retaining existing language** (Yellow) Deletions

4 **Describing and setting forth a proposal to the voters to amend the Charter of the City and**  
5 **County of San Francisco to require an annual baseline appropriation for the Park,**  
6 **Recreation and Open Space Fund based on City spending for park and recreation purposes**  
7 **in fiscal year 2015-2016, and modify the Recreation and Park Department's planning**  
8 **obligations, at an election to be held on June 7, 2016.**

9  
10 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City  
11 and County, at an election to be held on June 7, 2016, a proposal to amend the Charter of the  
12 City and County by revising Section 16.107, to read as follows:

13 NOTE: **Unchanged Charter text and uncodified text** are in plain font.  
14 **Additions** are *single-underline italics Times New Roman font.*  
15 **Deletions** are ~~*strike-through italics Times New Roman font.*~~  
16 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Charter  
17 subsections.

18 **SEC. 16.107. PARK, RECREATION AND OPEN SPACE FUND.**

19 (a) Establishment of Fund. There is hereby established the Park, Recreation and Open  
20 Space Fund ("Fund") to be administered by the Recreation and Park Department ("Department")  
21 as directed by the Recreation and Park Commission ("Commission"). Monies *in the Fund*  
22 *therein* shall be expended or used solely by the Department, subject to the budgetary and fiscal  
23 provisions of the Charter, to provide *enhanced* park and recreational services and facilities.

24 (b) Annual Set-aside. The City will continue to set aside from the annual tax levy, for a  
25 period of thirty years starting with the fiscal year ~~2000-2001~~ *2016-2017*, an amount equivalent to  
an annual tax of two and one-half cents (\$0.025) for each *one hundred dollars* ~~(\$100)~~ assessed  
valuation. *Beginning in fiscal year 2016-2017, revenues from the set-aside, together with*

1 interest, shall be deposited into the Park, Recreation and Open Space Fund. Revenues obtained  
2 thereby from the set-aside shall be in addition to the baseline appropriation required by  
3 subsection (c), and not in place of, any sums normally budgeted for the Department and,  
4 together with interest, shall be deposited into the Park, Recreation and Open Space Fund.

5 The Controller shall set aside and maintain such an amount, together with any interest  
6 earned thereon, in the Fund, and any amount unspent or uncommitted at the end of the fiscal year  
7 shall be carried forward to the next fiscal year and, subject to the budgetary and fiscal limitations  
8 of this Charter, shall be appropriated then or thereafter for the purposes specified in this  
9 Section 16.107.

10 (c) Baseline Maintenance of Effort. The annual set-aside shall be used exclusively to  
11 increase the aggregate City appropriations to and expenditures by the Recreation and Park  
12 Department for Department purposes. To this end, beginning in fiscal year 2016-2017 and  
13 thereafter through fiscal year 2030-2031, the City shall not reduce the baseline general fund  
14 support amount appropriated to the Department below the amount appropriated in fiscal  
15 year 2015-2016, as calculated by the Controller, except that the baseline amount shall be  
16 adjusted as follows:

17 (1) Each year in fiscal years 2016-2017 through 2025-2026, the City shall  
18 increase the baseline appropriation by \$3 million over the prior year.

19 (2) Each year in fiscal years 2026-2027 through 2030-2031, the City shall adjust  
20 the baseline by the percentage increase or decrease in aggregate City discretionary revenues, as  
21 determined by the Controller, based on calculations consistent from year to year. In determining  
22 aggregate City discretionary revenues, the Controller shall only include revenues received by  
23 the City which are unrestricted and may be used at the option of the Mayor and the Board of  
24 Supervisors for any lawful City purpose. The Controller is authorized to increase or reduce  
25

1 budgetary appropriations as required by this subsection (c) to align the baseline amount to the  
2 amount required by formula based on actual revenues received during the fiscal year.

3 (3) The City may suspend growth in the baseline funding pursuant to subsections  
4 (c)(1) and (c)(2) in fiscal year 2016-2017 if the City's projected budget deficit for that year at  
5 the time of the Joint Report or Update to the Five Year Financial Plan as prepared jointly by the  
6 Controller, the Mayor's Budget Director, and the Board of Supervisors' Budget Analyst exceeds  
7 \$200-million 5% of the City overall budget. For fiscal year 2017-2018 through fiscal year  
8 2030-2031, the City may suspend growth in baseline funding pursuant to subsections (c)(1) and  
9 (c)(2) when the projected budget deficit for the upcoming fiscal year at the time of the Joint  
10 Report or Update to the Five Year Financial Plan as prepared jointly by the Controller, the  
11 Mayor's Budget Director, and the Board of Supervisors' Budget Analyst exceeds \$200-million  
12 5% of the City overall budget adjusted annually by changes in aggregate City discretionary  
13 revenues.

14 (4) The City shall not increase Departmental appropriations for services of other  
15 City departments or agencies, except for departments or agencies for whose services the  
16 Department appropriated funds in fiscal year 2015-2016 or for new requested services from  
17 departments or agencies not provided to the Department in that year.

18 (5) At the end of the fiscal year 2015-2016 and every year thereafter, any excess  
19 general fund Departmental revenue, including any Department retained expenditure savings and  
20 revenue surpluses from prior fiscal years, shall be reserved to be used for one-time  
21 Departmental expenditures; "General fund Departmental revenue" is defined as all revenues  
22 credited to the Department's general fund budget other than the baseline contribution defined in  
23 subsection (c).

24 (e) ~~Enhanced~~ Revenue and Efficiency Incentives for the Department. It is the policy  
25 of the City and County of San Francisco to give the Department greater incentives to improve

1 *operational efficiencies and to increase revenue. ~~Increases in revenues and savings~~ At the end*  
2 *of the fiscal year 2015-2016 and every year thereafter, any excess general fund Departmental*  
3 *revenue, including any Department retained expenditure savings and revenue surpluses from*  
4 *prior fiscal years, shall be reserved and ~~shall be~~ dedicated as follows:*

5 *1. Actual net increases in Department-generated revenues, compared to the*  
6 *previous fiscal year, shall be dedicated to capital and/or facility maintenance improvements to*  
7 *park and recreational facilities; and,*

8 *2. New revenues from outside sources, such as grant or foundation support,*  
9 *shall be used only for enhancement of park and recreational programs, including, but not*  
10 *limited to, capital and/or facility maintenance improvements; and*

11 *3. Overall Department expenditure savings shall be retained by the Department*  
12 *to be dedicated to one-time expenditures.*

13 *(d)* The City shall implement its efforts to increase revenues in a manner consistent with  
14 the City's policy of charging City residents a lower fee than that charged nonresidents for the use  
15 and enjoyment of Department property.

16 *(e) ~~(d)~~* Revenue Bond Authority. Notwithstanding the limitations set forth in  
17 Sections 9.107, 9.108, and 9.109 of this Charter, the Commission may request, and upon  
18 recommendation of the Mayor the Board of Supervisors may authorize, the issuance of revenue  
19 bonds or other evidences of indebtedness, or the incurrence of other obligations, secured by the  
20 Park, Recreation and Open Space Fund for acquisition, construction, reconstruction,  
21 rehabilitation and/or improvement of real property and/or facilities and for the purchase of  
22 equipment.

23 *(f) ~~(e)~~* Fund Expenditures on Commission Property. Any real property acquired with  
24 monies from the Fund, including the proceeds of obligations issued pursuant to subsection *(e)*  
25 *~~(d)~~*, above, shall be placed under the jurisdiction of the Commission within the meaning of

1 Section 4.113. Fund expenditures to improve, construct, reconstruct or rehabilitate real property  
2 shall be limited to property under the jurisdiction of the Commission or property under the  
3 jurisdiction of another City department or public agency and subject to an agreement with the  
4 Department for its use, management and maintenance.

5 ~~(g)~~ ~~(f)~~ Use and Allocation of the Fund. Each year, the Commission shall adopt a budget  
6 for the allocation and expenditure of the Fund in compliance with the budget and fiscal  
7 provisions of the Charter, *which shall be adopted by the Commission only after a written*  
8 *determination by the Planning Department of conformity with the City's General Plan.*

9 The annual budget for allocation of the Fund that is adopted by the Commission and  
10 submitted by the Mayor to the Board of Supervisors shall include:

11 ~~(1-)~~ Allocations for after-school recreation programs, urban forestry, community  
12 gardens, volunteer programs, and a significant natural areas management program in the amounts  
13 allocated for each of those programs from the Park and Open Space Fund in the Department's  
14 fiscal year 2015-2016 ~~1999-2000~~ budget, to the extent that such programs are not so funded in  
15 the Department's operating budget or in the budget of another City department.

16 ~~(2-)~~ An allocation necessary to ensure that 3% of the monies to be deposited in  
17 the Fund during the upcoming fiscal year pursuant to subsection (b), above, be available at the  
18 start of the fiscal year as an undesignated contingency reserve.

19 ~~(3-)~~ An allocation of not less than ~~5%~~ **20-25%** of the monies to be deposited in  
20 the Fund during the upcoming fiscal year pursuant to subsection (b), above. These monies shall  
21 be dedicated to the acquisition of real property identified in the Capital Plan discussed in  
22 subsection ~~(h)(2)~~ ~~(g)~~, below. Any portion of these monies that remains unspent or uncommitted  
23 at the end of any fiscal year shall be carried forward, with interest thereon, to the next fiscal year  
24 for the purposes set forth herein. *The 5% allocation need not be included in the budget*  
25 *submitted to the Board of Supervisors for an upcoming fiscal year to the extent that the total City*

1 expenditure for acquisition of property to be placed under the jurisdiction of the Commission for  
2 the period commencing with fiscal year 2000-2001 2000-01 and ending with the close of the  
3 immediately preceding fiscal year exceeds an amount equal to 5% of the total amount  
4 appropriated, or to be appropriated, to the Fund for the period commencing with fiscal  
5 year 2000-2001 2000-01 and ending with the close of the upcoming fiscal year. Starting in fiscal  
6 year 2016-2017 and in any year thereafter through fiscal year 2030-2031, the Commission may  
7 use the property acquisition allocation under this subsection (g)(3) for the planning and  
8 construction of properties added to the Commission's jurisdiction through the Fund.

9 Prior to the adoption of the annual budget by the Recreation and Park Commission, the  
10 Department, in conjunction with the Citizens Parks, Recreation, and Open Space Advisory  
11 Committee discussed in subsection (i) ~~(h)~~, below, shall conduct two public hearings in the  
12 evenings or on weekends to permit the public to comment on the Department's full budget and  
13 programming allocations.

14 ~~(h)~~ ~~(g)~~ Planning and Reporting Measures. The Commission shall adopt several  
15 long-term plans that include, but are not limited to, the following:

16 ~~(1-)~~ Strategic Plan. By January 1, 2017, and every five years thereafter  
17 December 1, 2000, the Department shall **prepare for Parks, Recreation, and Open Space**  
18 **Advisory Committee to review, and** for Commission consideration and approval, a five-year  
19 Strategic Plan, ~~to be updated annually~~, that establishes or reaffirms the mission, vision, goals and  
20 objectives for the Department. The Department will use this Strategic Plan to guide its work  
21 over each five-year period. Every two years after the approval of a Strategic Plan, the  
22 Department will report to the Commission on the Department's progress under the Plan and,  
23 subject to the Commission's approval, shall amend the Plan as appropriate. This Strategic  
24 Plan will be used to guide the Department's work over the next five years.



1                   (2-) Capital Plan. The Department shall cooperate in the development of the  
2 City's Capital Expenditure Plan under Administrative Code 3.20, as amended, or any successor  
3 legislation. Before the Department submits its capital priorities for consideration as part of the  
4 Capital Expenditure Plan, the Department shall propose a plan, including development,  
5 renovation, replacement and maintenance of capital assets and acquisitions, to the Parks,  
6 Recreation, and Open Space Advisory Committee discussed in subsection (i) for review and to  
7 the Commission for approval. The Capital Expenditure Plan shall **address equitable**  
8 **distribution of improvements and maintenance** for irrigation, water conservation, and urban  
9 forestry, and park lands, **prioritized for high needs neighborhoods.**

10                   ~~By December 1, 2000, the Department shall prepare, for Commission~~  
11 ~~consideration and approval, a five-year Capital Plan, to be updated annually, for the~~  
12 ~~development, renovation, replacement and maintenance of capital assets, and the acquisition of~~  
13 ~~real property. In its Capital Plan the Department shall propose specific properties to be~~  
14 ~~acquired for open space, recreation facilities, significant natural areas, and other recreational~~  
15 ~~purposes and shall prioritize capital and maintenance improvements and provide budgets~~  
16 ~~associated with such improvements. Capital and acquisition projects will be designated by the~~  
17 ~~Department based upon highest needs identified by the Department and the community.~~  
18 ~~Capital projects will include the planning, design and construction of projects that~~  
19 ~~rehabilitate, restore or replace existing facilities or that develop new facilities. Acquisition~~  
20 ~~projects will include, but will not be limited to, purchase, lease, exchange, eminent domain,~~  
21 ~~license or any other vehicle giving the City a right, whether revocable or not, to use real~~  
22 ~~property, or any interest therein, or any improvement or development rights thereon, for~~  
23 ~~recreational purposes, including, but not limited to, protection of natural resources,~~  
24 ~~development of community gardens and development of urban trails, provided that,~~  
25

1 *notwithstanding anything herein to the contrary, no acquisition of less than fee simple title*  
2 *may be for a term of less than ten years.*

3 *(3-) Operational Plan. By February 1, 2017, and for each annual or biennial*  
4 *budgetary cycle thereafter, as determined under Charter Section 9.101, the Department shall*  
5 *prepare, for Parks, Recreation, and Open Space Advisory Committee to review, and for*  
6 *Commission consideration and approval, an Operational Plan. The Department shall base the*  
7 *Operational Plan on the then-current Strategic Plan, and the Operational Plan shall be in*  
8 *addition to the Department's budget. The Department shall include in the Operational Plan a*  
9 *statement of the objectives and initiatives within the Strategic Plan that the Department plans to*  
10 *undertake and/or accomplish during the next budgetary period, including performance*  
11 *indicators and targets, prioritizing equity in park and facility improvements and maintenance.*  
12 *Each Operational Plan shall include an assessment of the Department's progress on the*  
13 *previous Operational Plan. Following Commission approval, the Department shall submit the*  
14 *Operational Plan to the Mayor and the Board of Supervisors, as part of the Department's*  
15 *justification for requested resources.*

16 *The Department shall appropriate, as a separate line item, funds required for*  
17 *preparation, monitoring, and evaluation of the plans required under this subsection (h).*

18 *~~By December 1, 2001, the Department shall prepare, for Commission~~*  
19 *~~consideration and approval, a five-year Operational Plan, to be updated annually, detailing~~*  
20 *~~proposed improvements to the Department's services and responsiveness to customer needs. The~~*  
21 *~~annual Operational Plan will serve as a tool for improving the operational efficiency of the~~*  
22 *~~Department and will include measurable performance standards for the Department. The~~*  
23 *~~Department shall prepare the initial Operational Plan after conducting a performance audit of~~*  
24 *~~Departmental operations. Thereafter, the Department will conduct periodic performance audits.~~*

1           The Commission shall establish a community input process, which ~~shall~~ *may* include the  
2 Parks, Recreation, and Open Space Citizens Advisory Committee discussed in section ~~(i) (A)~~,  
3 below, through which citizens of the City and County of San Francisco will provide assistance to  
4 the Commission as it develops criteria and establishes the plans required by this subsection.  
5 Prior to the adoption of any Strategic Plan each five-year plan, the Department shall conduct at  
6 least five hearings in locations distributed geographically throughout the City to receive and to  
7 consider the public's comments upon the plan. The Commission shall ensure that at least two of  
8 these hearings are held in the evenings or on weekends for the public's convenience.

9           ~~The Department shall report regularly annually, as a part of the City's budget process, to~~  
10 ~~the Mayor and to the Board of Supervisors, on the status of the plans and on the status of~~  
11 ~~Department goals, objectives and capital project timelines for the current fiscal year, as well as~~  
12 ~~provide reports on performance measures required by this Section.~~

13           During the fourth year of each Strategic Plan under subsection (h)(1), the Controller's  
14 City Services Auditor shall conduct a performance audit of the Department to assess the  
15 Department's progress under the Strategic Plan and to inform the development of the  
16 Department's next Strategic Plan. The audit shall include an analysis of the Department's  
17 compliance with the planning and reporting measures in this subsection (h). The costs of the  
18 audit may be charged to the baseline established in subsection (c).

19           If the audit finds that the Department has not complied with the requirements in this  
20 subsection (h), the Board of Supervisors may place up to 5% of the baseline appropriation under  
21 subsection (c) for the next fiscal year on reserve, pending subsequent release of the reserve by  
22 Board action upon finding progress toward these requirements. The preceding sentence is not  
23 intended to modify the Board's authority under the fiscal and budgetary provisions of the  
24 Charter.

1           The Commission may modify any deadlines contained in this subsection (h) by resolution  
2 adopted by a two-thirds' vote of its members, and a resolution recommended by the Mayor and  
3 approved by the Board of Supervisors.

4           (i) ~~(h)~~ Parks, Recreation, and Open Space Citizens Advisory Committee. The Board of  
5 Supervisors shall establish, by ordinance, a Parks, Recreation, and Open Space Citizens  
6 Advisory Committee, such as the committee established in Administrative Code Section 13.01,  
7 as amended, or any successor legislation.

8           (i) **Environmental and Design Guidelines.** *The Commission shall adopt written*  
9 *general environmental and design guidelines for new facilities, parks, and open spaces and*  
10 *the renovation or rehabilitation of existing facilities, parks, and open spaces. These guidelines*  
11 *shall be immediately accessible to the public and shall be consistent with any applicable*  
12 *standards of the Art and Planning Commissions.*

13           (j) Capital Projects. Notwithstanding the provisions of Section 3.104 of this Charter, the  
14 Commission shall have the authority to prepare and approve the plans, specifications and  
15 estimates for all contracts and orders, and to award, execute and manage all contracts and orders,  
16 for capital projects on real property under its jurisdiction or management. Capital projects  
17 supported by the Fund, other than those projects identified by the Department as long-term  
18 projects, must be fully constructed within three years of the initial budget allocation for those  
19 projects. Long-term projects must be fully constructed within five years of the initial budget  
20 allocation. Any exceptions to this provision must be authorized by a two-thirds vote of the  
21 Commission.

22           ~~Why is this deleted?—The Recreation and Park Department and the Department of Public~~  
23 ~~Works ("DPW") shall establish a committee to develop a written, capital implementation~~  
24 ~~program, for the consideration of both Departments, that will govern DPW's involvement in~~  
25 ~~capital projects undertaken by the Recreation and Park Department. In developing this~~

1 *program, the committee shall consider the Capital Plan discussed in subsection (g), above,*  
2 *staffing levels in both Departments, and the availability of other resources.*

3 *(k) Unspent Funds. All unspent funds in the Park and Open Space Fund on June 30,*  
4 *2000 each fiscal year, shall continue to be held for the use and benefit of by the Department.*  
5 *These monies shall be expended in a manner consistent with the general purposes for which*  
6 *they were originally appropriated for deferred maintenance of parks and facilities, and for*  
7 *increasing tree care.*

8 / / /

9 / / /

10 / / /

11 / / /

12 / / /

13 / / /

14 *(k) In addition to the requirements set forth by this Section 16.107, all expenditures from*  
15 *the Fund shall be subject to the budget and fiscal provisions of the Charter.*

16  
17  
18 APPROVED AS TO FORM:  
19 DENNIS J. HERRERA, City Attorney

20  
21 By: \_\_\_\_\_  
22 THOMAS J. OWEN  
23 Deputy City Attorney

24 n:\legana\as2015\1500695\01053168.docx

**Evans, Derek**

---

**From:** Hsieh, Frances (BOS)  
**Sent:** Wednesday, November 11, 2015 11:57 PM  
**To:** Evans, Derek  
**Subject:** Fwd: Don't pass the park funding bill yet -- it needs more work

FYI

Begin forwarded message:

**From:** Sally Stephens <[sally.stephens.sf@gmail.com](mailto:sally.stephens.sf@gmail.com)>  
**Date:** November 11, 2015 4:08:56 PM PST  
**To:** [frances.hsieh@sfgov.org](mailto:frances.hsieh@sfgov.org)  
**Subject:** Don't pass the park funding bill yet -- it needs more work

Dear Supervisor Avalos,

We all know RPD has huge deferred maintenance requirements. RPD does indeed need a reliable source of sustainable funding. But the legislation you will be discussing at the Rules Committee tomorrow (11/12/15) does not adequately address these needs. It needs additional safeguards inserted into it to ensure the added money is used for maintenance and other critical needs, and not for things like hiring more RPD planning staff or to fund the Natural Areas Program's highly unpopular plans to destroy existing habitat to create native plant gardens. Please do not pass this legislation on to the full Board at Thursday's meeting. It needs more work. It's better to take the time now to make it the best legislation it can be, than to hurry it along and not get it right.

Here are just a few problems to consider:

1) The baseline that will set a minimum that RPD will get from the general fund is okay. The problem is that there is no guarantee that it will be used for maintenance. What we don't want to happen is for RPD to get all this extra money and not use any of it for deferred maintenance. It is being sold to the public as a way to pay for maintenance of parks and rec centers, but there's nothing in the legislation to ensure the money will actually be used for maintenance. They need to ensure any new money is used for maintenance and, until that is done, the legislation should not move forward.

2) The existing Open Space Fund budget set aside can probably use some tweaking to make it better, but the changes proposed will not correct the problems and will instead make them worse. For example, both the existing and the proposed Open Space Fund budget set aside designates 5% of the money generated each year for acquisitions. In the existing situation, this money can accumulate from year to year and can only be used for acquisitions. In the proposed legislation this same 5% will still be put in a pot for acquisitions. But, unfortunately, the new legislation adds that this pot of money can, for the first time, also be used for planning and construction. It is easy to think of a situation where this money is used to hire 10 new planners for RPD or for construction of something that had cost overruns, with no money left in the pot to go toward acquisition of new parkland. We need the protection that the acquisition pot can only be used for acquisitions, not for planning or construction, put back into the legislation. Until that change is made, the proposal cannot go forward.

These are just two reasons why you need to continue the item. This is clearly a situation where it's more important to get this right than to get it done quickly. Please vote to continue the legislation and work with Supervisor Farrell and the Parks Alliance to get the legislation done right.

Sincerely,

Sally Stephens  
Chair, SFDOG

President, Golden Gate Heights Neighborhood Association

Vice-President, West of Twin Peaks Central Council

415-577-9646 cell

[sally.stephens.sf@gmail.com](mailto:sally.stephens.sf@gmail.com)

**Evans, Derek**

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**From:** Denis Mosgofian <denismosgofian@gmail.com>  
**Sent:** Thursday, November 12, 2015 1:11 AM  
**To:** Evans, Derek  
**Cc:** Linda D'Avirro  
**Subject:** comments on Nov. 12, Rules, item 3  
**Attachments:** 11-12-15Rules Committee-OSFund.docx

Derek Evans,

These are my comments for the record on Nov. 12, 2015 agenda item 3, and for the Committee members.

Thank you,

Denis Mosgofian

Rules Committee

November 12, 2015

Item 3, Charter Amendment

Good Morning, Supervisors. My name is Denis Mosgofian. I am a District 5 representative on PROSAC. I want to share my concerns about the proposed Charter Amendment to the Open Space Fund. In general I have long supported greater funding for RPD. But I will support this measure only if it specifies priority spending principles. What is main purpose for this funding increase? Is it to address neglected maintenance? Which areas acquire land first? Which areas are prioritized for maintenance improvements? Are expenditures prioritized for the highest needs neighborhoods to ensure equity in distribution of parks, and facilities and maintenance improvements?

The Second draft deletes important language directing expenditures, justified by the claim that specificity ties the hands of the Dept.

I want to share with you specific language in the original Open space and Park Renovation Fund, adopted Nov. 1974.

*“The recreation and open space element...shall continue to identify neighborhoods which are in special need of recreation and open space facilities, and shall designate such neighborhoods as “high-need neighborhoods.””*



*“Monies in the fund shall be used for (1) the acquisition and development of lands within or contiguous to “high-need neighborhoods”...*

There is no language in the Second Draft that speaks to parity or equity among neighborhoods. It lacks any language that speaks of the high needs neighborhoods.

Existing language in the Open Space Fund provides direction, speaks of maintenance improvements, and enables accountability. Deleting prescriptive and specifying language precludes accountability.

Deleting all directive language provides tax dollars without direction, which will continue the same lop sided priorities that have led to decades of neglect of specific neighborhoods and of long term maintenance.

Please continue this measure for further amendments and input from the public. It is not ready to be placed on the ballot.

Thank you.

309 words

# Statement of SF Forest Alliance

ANASTASIA WIKITERN

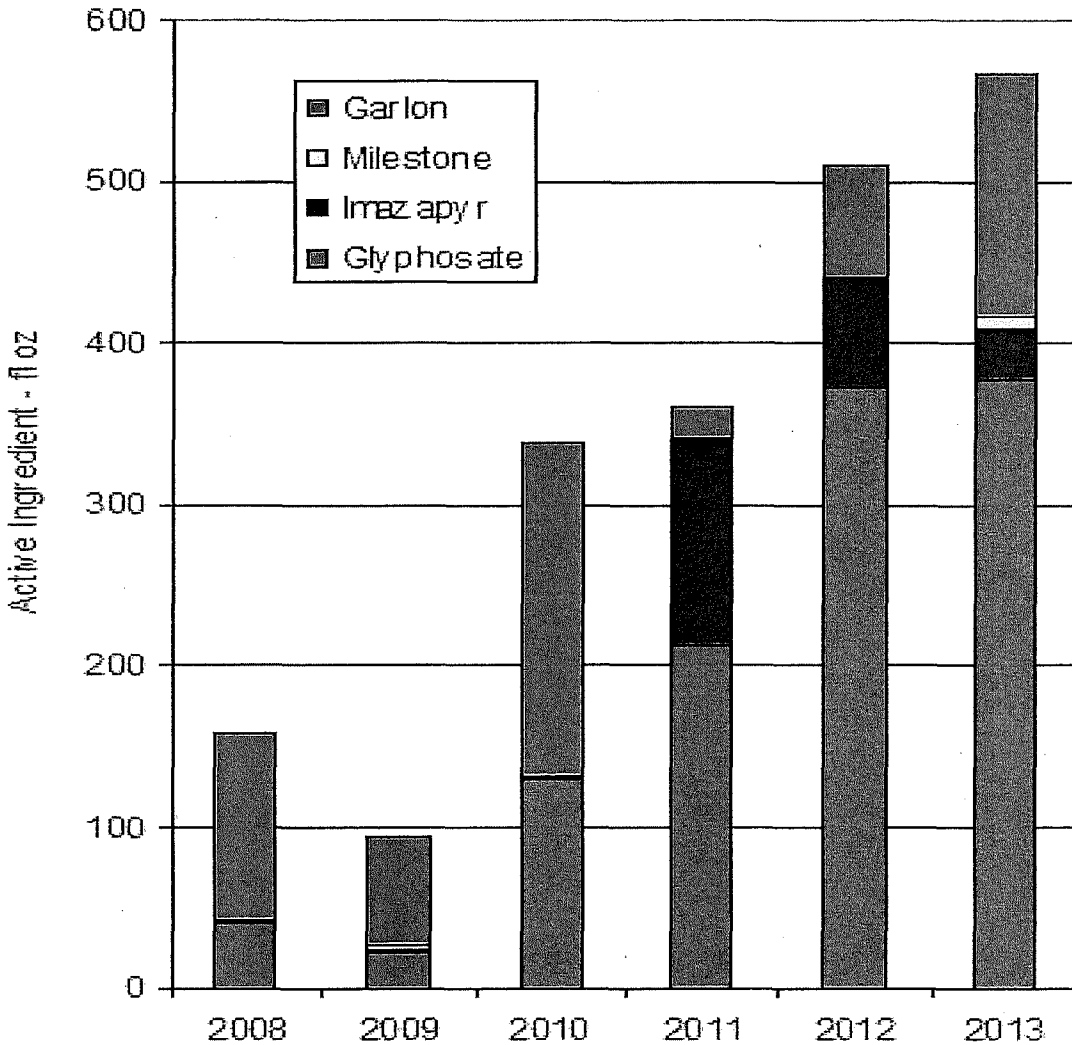
LAND ACQUISITION FUNDS ARE UNPROTECTED: The existing Open Space Fund budget set-aside probably needs some changes to make it better, but the changes proposed will not correct the problems and will instead make them worse. The Open Space Fund budget set-aside designates 5% of the money generated each year for acquisitions. Currently this money can accumulate from year to year and can only be used for acquisitions. In the proposed language the same 5% will be set aside for acquisitions. But, the new language says that this pot of money can also be used for planning and construction. It is easy to think of a situation where this money is used to hire 10 new planners for RPD or for construction of something that had cost overruns, instead of for acquisition of new parkland, despite enormous needs in some areas of the city. The language stating that the acquisition money can only be used for acquisitions, not for planning or construction, should be in the Charter Amendment before **it goes before the Board of Supervisors.**

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NAP should not be allowed to cut healthy trees – just because some misguided people consider them “non-native”; the use of Category I & II Toxicity herbicides by RPD should be forbidden.

# NAP USES MORE AND MORE HERBICIDES!

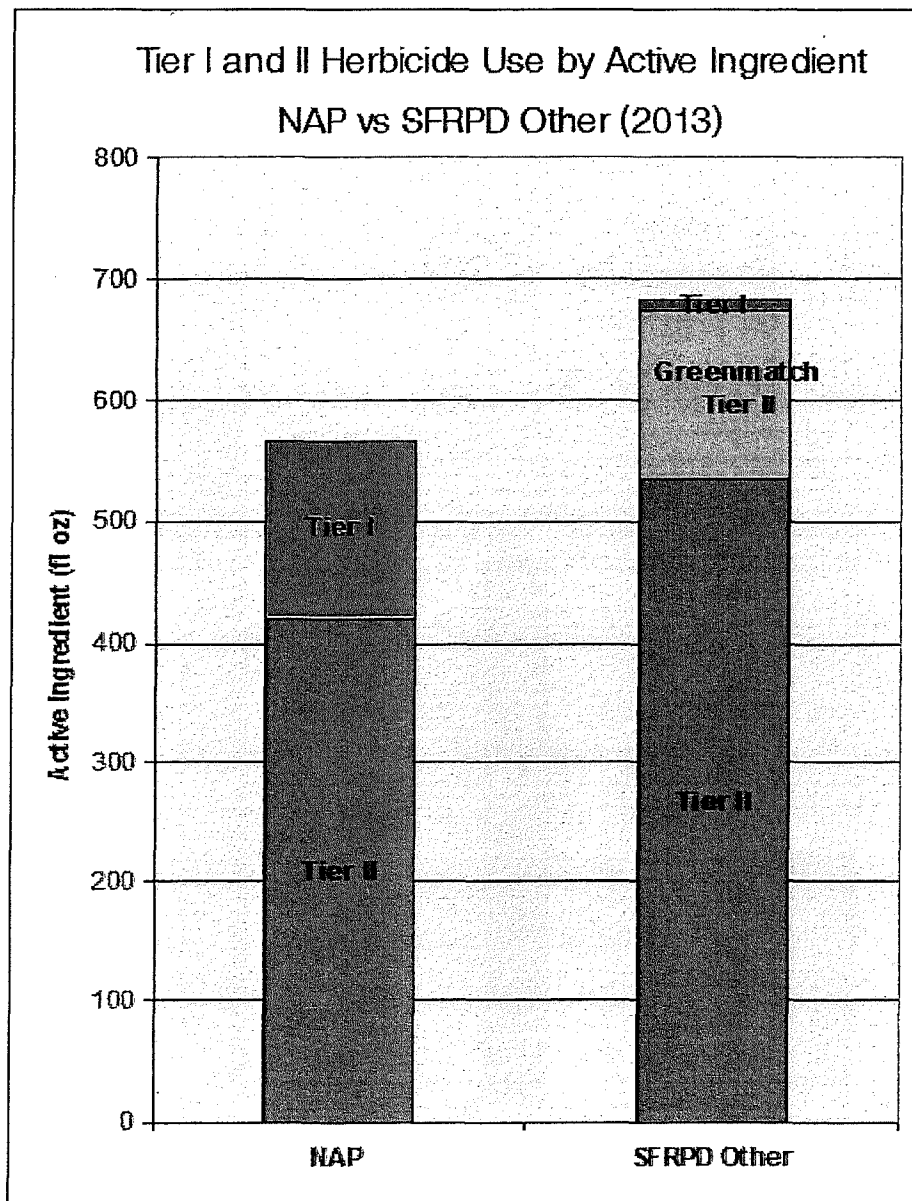
## Natural Areas Herbicide Use Went Up (By Active Ingredient)



- These herbicides are epidemiologically linked to prostate, non-Hodgkin lymphoma, leukemia, multiple myeloma, and breast cancer.
- Milestone (Amino-pyralid) is banned in New York State.
- Imazapyr is banned in Europe since 2007 (in Norway since 2001).
- Monsanto was fined in France for false advertisement - claims that Glyphosate is safe.

Read more at [WWW.SFFOREST.NET](http://WWW.SFFOREST.NET)

# Tier I & II Herbicide Use: NAP vs the rest of SFRPD including golf courses except Harding



- Greenmatch, a botanical herbicide based on lemongrass oil, is acceptable for organic gardening. It was reclassified from Tier III (least hazardous) to Tier II (more hazardous) in 2013 because it might cause allergic reaction in applicators.
- With the inclusion of Greenmatch the rest of RPD used a little more Tier I & II herbicides than NAP in 2013, without Greenmatch the rest of RPD used less dangerous toxins than NAP.
- The volume used per unit of land is about 3 times greater for “Natural” Areas – since they comprise  $\frac{1}{4}$  of the city park land.
- The OTHER category includes all city golf courses except Harding.

Read more at [WWW.SFFOREST.NET](http://WWW.SFFOREST.NET)

Speaker: Dee Seligman

3<sup>rd</sup> person: Dee: INADEQUATE PUBLIC OVERSIGHT OF USE OF MONEY:  
This proposed amendment lacks sufficient PUBLIC oversight of the purposes for which the money in the Open Space Fund is spent. Thus, we ask:

**A) We ask that RPD be required to make available to the public in a readily found place on their website the annual budgets and the purposes for these funds on each of the 5 primary programs of the Open Space Fund:**

1) after school programs; 2) urban forestry; 3) community gardens; 4) volunteer programs; 5) SNRAMP.

**B) We ask that the Strategic Plan be published annually on RPD's website.**

**B) We ask for public hearings, not 2 presentations, about RPD's budget and the choices on which it will spend these additional funds. These hearings should engage the public by a series of meetings around the City, not just 2 presentations, in order for RPD to have public input on what is desired with the additional \$3M/year.**

**D) We ask that RPD Commission reviews the Strategic Plan annually, not biennially, and reviews the Operational Plan annually, with full disclosure on RPD's website.**

**\* E) We ask that the Controller reviews the Strategic Plan annually.** Otherwise, for these changes so that the review takes place before the horse has gotten out of the barn.

from Kathleen Hallinan : for the record 11-12-2015  
San Francisco Forest Alliance member,  
Sierra Club Member

## **USE BEST PRACTICES;**

**Our Library system has a set-aside fund from property taxes and baseline funding from the General Fund. But the Library in the Charter must specify where the unspent set-aside funds will be spent.**

**We ask that the Controller publish the actual amount of money unspent and carried over annually for RPD, and RPD should publish their spending priorities.**

Rules Committee meeting Thursday, Nov. 12th at 11 am in room 263, City Hall, Supervisor Farrell presents his amendment to our City Charter's about guaranteed (baseline) funding for the Open Space Fund.

## Evans, Derek

---

**From:** Somera, Alisa (BOS)  
**Sent:** Tuesday, November 10, 2015 11:23 AM  
**To:** Evans, Derek  
**Subject:** FW: Rules Committee November 12 - File 150940 - Charter Amendment - Park, Recreation, and Open Space Fund

### *Alisa Somera*

Assistant Clerk  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
415.554.4447 direct | 415.554.5163 fax  
[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)

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The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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**From:** Richard Ivanhoe [mailto:[richardivanhoe@sbcglobal.net](mailto:richardivanhoe@sbcglobal.net)]  
**Sent:** Tuesday, November 10, 2015 11:21 AM  
**To:** Somera, Alisa (BOS) <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>; Avalos, John (BOS) <[john.avalos@sfgov.org](mailto:john.avalos@sfgov.org)>; Tang, Katy (BOS) <[katy.tang@sfgov.org](mailto:katy.tang@sfgov.org)>; Cohen, Malia (BOS) <[malia.cohen@sfgov.org](mailto:malia.cohen@sfgov.org)>; Farrell, Mark (BOS) <[mark.farrell@sfgov.org](mailto:mark.farrell@sfgov.org)>; Christensen, Julie (BOS) <[Julie.Christensen@sfgov.org](mailto:Julie.Christensen@sfgov.org)>; Mar, Eric (BOS) <[eric.mar@sfgov.org](mailto:eric.mar@sfgov.org)>; Wiener, Scott <[scott.wiener@sfgov.org](mailto:scott.wiener@sfgov.org)>; Yee, Norman (BOS) <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>; Breed, London (BOS) <[london.breed@sfgov.org](mailto:london.breed@sfgov.org)>  
**Subject:** Rules Committee November 12 - File 150940 - Charter Amendment - Park, Recreation, and Open Space Fund

**I respectfully request that the hearing on this matter be continued to the next meeting of the Rules Committee.** As you know, the last day for the Board of Supervisors to submit a Charter Amendment is 102 days before the election, or February 26 for the June 7, 2016 election, so there should be sufficient time to fully consider this matter. Although I am a member of PROSAC (Parks, Recreation and Open Space Advisory Committee) I am making this request as an individual and not on behalf of PROSAC or any other organization. I have addressed this email to the members of the Rules Committee, the sponsoring Supervisors, and to my District Supervisor.

I believe that this measure could be improved and that additional time is necessary to make those improvements.

**The proposed ballot measure does not provide any means of ensuring that any funds are used for deferred maintenance.** The concept of this measure was introduced to PROSAC on July 7, with an agenda item, "Ballot Measure to Fund Park Maintenance." It reappeared at PROSAC on October 6, with an agenda item, "PROSAC discussion on desired elements to include in the proposed 2016 Maintenance Initiative." and again on November 4, with the agenda item, "Proposed 2016 Maintenance Initiative Discussion and Possible Action." These agenda items recognize that one of the most pressing needs of the Recreation and Parks Department is for deferred maintenance--assets have been allowed to deteriorate until they have to be replaced, and the replacement is usually with interest-bearing bond money. But the proposed ballot measure does not provide any means for ensuring that any funds are used for deferred maintenance. Section 16.107(h)(2), as proposed, does require the Recreation and Parks Department to "propose a plan, including development, renovation, replacement, and maintenance of capital assets" to PROSAC for review and to the Recreation and Parks Commission for approval, but the current Charter section has also required a Capital Plan. The Capital Plan has not been produced and Recreation and Park assets (which are City assets) have deteriorated because of lack of maintenance.

I have other concerns with the committee packet:

**The Legislative Digest is not accurate.** The second paragraph of "Existing Law" under the legislative digest begins "The Recreation and Parks Commission ("Commission") must annually adopt five-year strategic, capital, and operating plans for the Fund. My reading of section 16.107(h) is that each of these reports is for the Recreation and Parks Department as a whole, and not only for the Open Space Fund.

**The Committee should consider proposed revisions by the PROSAC working group.** I understand that a PROSAC working group met with Supervisor Farrell's office on November 9 with proposed revisions to the Charter Amendment. I am not a member of this working group and was not at this meeting, but I understand that none of the proposed revisions were accepted, with the exception of a revision language naming PROSAC. PROSAC did vote to support the measure in October--as I understand it, this was a vote supporting an increase in the Open Space Fund, because, with the purchase of the Francisco Reservoir and the increase in the price of real estate over the past few years, there is not enough money left to purchase park-sized parcels in high-needs areas. There was a motion on the floor at PROSAC's November meeting to rescind PROSAC's approval of the Charter Amendment, but there was no second because PROSAC was advised that the language would be amended, and PROSAC members wanted to see the new language. Again, this is my individual opinion, and I am not commenting on behalf of PROSAC.

I believe that with more time, I would have additional comments. This is a short week, with City Hall closed on Wednesday, and the Committee Meeting on Thursday.

Thank you for considering these concerns.

--Richard Ivanhoe--  
516 Clatyon Street  
San Francisco



## Major, Erica (BOS)

---

**From:** Major, Erica (BOS)  
**Sent:** Wednesday, November 04, 2015 9:46 AM  
**To:** Zarefsky, Paul (CAT)  
**Cc:** 'Jon.Givner@sfgov.org'; Calvillo, Angela (BOS); Somera, Alisa (BOS)  
**Subject:** FW: Request for a correction to a Leg Digest report  
**Attachments:** 150940 Leg Dig Ver1.docx; 150940.docx

Greetings,

We have received a complaint about the following legislative digest (legislation attached) in regards to the language used in the digest. Please review the details of below. This has been recorded in the official file.

Best,

### Erica Major

#### Assistant Committee Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244

San Francisco, CA 94102

Phone: (415) 554-4441 | Fax: (415) 554-5163

[Erica.Major@sfgov.org](mailto:Erica.Major@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)



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**From:** Nancy Wuerfel [<mailto:nancenum1@aol.com>]  
**Sent:** Tuesday, November 03, 2015 3:53 PM  
**To:** Major, Erica (BOS) <[erica.major@sfgov.org](mailto:erica.major@sfgov.org)>  
**Subject:** RE: Request for a correction to a Leg Digest report

To the Clerk, Board of Supervisors:

I wish to bring to your attention an error in the Legislative Digest analysis of file # 150940. Below is A) the sentence containing the error, and B) the Farrell legislation being digested.

In A, you will see that the analysis states the Commission would be authorized "to spend up to 5% of the property acquisition allocation..." However, in B, you will see that 5% of the monies in the "shall be dedicated to the acquisition of real property..." and that "the Commission may use the property acquisition allocation under this subsection (q)(3) for the planning and construction of properties." **There is no limit shown** (much less 5%) on how much of the acquisition allocation may be used for planning and construction of properties. Therefore, it is conceivable that all the acquisition money could be redirected towards planning and construction, instead of the intended acquisition of land.

Having served on the Park, Recreation Open Space Advisory Committee for 9 years appointed by 3 supervisors for District 4, I am very familiar with Section 16.107 of the Charter. I am also very aware of the difficulty in finding money to buy open space for RPD. Therefore, the small 5% allocation of the fund for acquisitions must be protected. The current digest states that there is a limitation on the "non-acquisition use" of the acquisition money that is not actually in the First Draft of the legislation.

I request that a digest correction be issued that clearly explains that the draft language does not protect the use of the 5% for acquisitions only, the way the current Charter language does. The impact of this draft language is that acquisitions money may be used entirely for non-acquisition uses without limitation.

I realize my request may be unusual, but people rely on the Leg Digest to understand the draft proposal. The Digest should be accurate. If I can provide any additional information, please let me know. Thank you for your attention to this issue. Please advise me if a correction to the digest will be made, and if so, when it will be published - hopefully before the Rules Committee hearing on Nov. 12 to discuss this draft.

Sincerely,

Nancy Wuerfel  
415-731-6432

**A) LEGISLATIVE DIGEST**

[Charter Amendment - Park, Recreation and Open Space Fund] File 150940  
Page 2, second to last paragraph:

"The proposal would authorize the Commission, starting in fiscal year 2016-2017, to spend up to 5% of the property acquisition allocation for the planning and construction of properties added to the Commission's jurisdiction through the Fund."

.n:\legana\as2015\1500695\01048702.docx

\* \* \* \* \*

**B) Charter Amendment - Park, Recreation and Open Space Fund] File 150940**

page 5, line 15 begins:

~~(3-) An allocation of not less than 5% of the monies to be deposited in the Fund during the upcoming fiscal year pursuant to subsection (b), above. These monies shall be dedicated to the acquisition of real property identified in the Capital Plan discussed in subsection (h)(2) (g), below. Any portion of these monies that remains unspent or uncommitted at the end of any fiscal year shall be carried forward, with interest thereon, to the next fiscal year for the purposes set forth herein. The 5% allocation need not be included in the budget submitted to the Board of Supervisors for an upcoming fiscal year to the extent that the total City expenditure for acquisition of property to be placed under the jurisdiction of the Commission for the period commencing with fiscal year 2000-2001 and ending with the close of the immediately preceding fiscal year exceeds an amount equal to 5% of the total amount appropriated, or to be appropriated, to the Fund for the period commencing with fiscal~~

page 6, line 1 begins:

~~year 2000-2001 2000-01 and ending with the close of the upcoming fiscal year. Starting in fiscal year 2016-2017 and in any year thereafter through fiscal year 2030-2031, the Commission may use the property acquisition allocation under this subsection (g)(3) for the planning and construction of properties added to the Commissi~~

PROSAC RESOLUTION SUPPORTING CHARTER AMENDMENT -  
PARK, RECREATION AND OPEN SPACE FUND AND INCLUDING THE  
EXTENSION OF THE OPEN SPACE FUND TO 2046

PROSAC supports the charter amendment as written and urges Supervisor Farrell to include the extension of the Open Space Fund for an additional fifteen years to 2046, so that there will be more funds available and means of securing funding for the acquisition of open space and recreation space in high-needs area in the near future.

The above resolution was proposed by Toby Levy (District 6), seconded by Jane Weil (District 6) and passed unanimously by members of the Park and Recreation Open Space Fund (PROSAC) on October 6, 2015

Submitted by Linda D'Avirro, Chair, Park and Recreation Open Space Fund (PROSAC)

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

September 29, 2015

File No. 150940

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

Dear Ms. Jones:

On September 22, 2015, Supervisor Farrell introduced the following proposed Charter Amendment for the June 7, 2016, Election:

**File No. 150940 Charter Amendment - Park, Recreation and Open Space Fund**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, and modify the Recreation and Park Department's planning obligations, at an election to be held on June 7, 2016.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink that reads "Alisa Somera".

By: Alisa Somera, Committee Clerk  
Rules Committee

Attachment

c: Joy Navarrete, Environmental Planner  
Jeanie Poling, Environmental Planner

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

Joy  
Navarrete

Digitally signed by Joy Navarrete  
DN: cn=Joy Navarrete, o=Planning,  
ou=Environmental Planning,  
email=joy.navarrete@sfgov.org,  
c=US  
Date: 2015.11.05 16:54:30 -08'00'

BOARD of SUPERVISORS



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

# MEMORANDUM

TO: Adele Failes-Carpenter, Director, Youth Commission  
FROM: Derek Evans, Clerk, Rules Committee  
DATE: November 10, 2015  
SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following legislation, which at the request of the Youth Commission is being referred as per Charter Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

**File No. 150940**

**Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, and modify the Recreation and Park Department's planning obligations, at an election to be held on June 7, 2016.**

Please return this cover sheet with the Commission's response to **Derek Evans, Clerk, Rules Committee.**

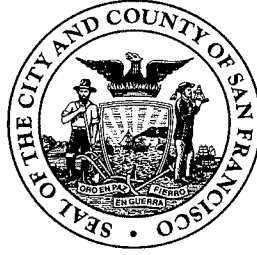
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**RESPONSE FROM YOUTH COMMISSION**      Date: \_\_\_\_\_

- No Comment
- Recommendation Attached

\_\_\_\_\_  
**Chairperson, Youth Commission**

BOARD of SUPERVISORS



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September 29, 2015

File No. 150940

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

Dear Ms. Jones:

On September 22, 2015, Supervisor Farrell introduced the following proposed Charter Amendment for the June 7, 2016, Election:

**File No. 150940 Charter Amendment - Park, Recreation and Open Space Fund**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, and modify the Recreation and Park Department's planning obligations, at an election to be held on June 7, 2016.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

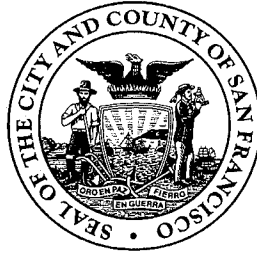
A handwritten signature in cursive script that reads "Alisa Somera".

By: Alisa Somera, Committee Clerk  
Rules Committee

Attachment

c: Joy Navarrete, Environmental Planner  
Jeanie Poling, Environmental Planner

BOARD of SUPERVISORS



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San Francisco 94102-4689  
Tel. No. 554-5184  
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TDD/TTY No. 554-5227

## MEMORANDUM

TO: Ben Rosenfield, City Controller

FROM: *AS* Alisa Somera, Clerk, Rules Committee  
Board of Supervisors

DATE: September 29, 2015

SUBJECT: CHARTER AMENDMENT INTRODUCED  
June 7, 2016 Election

---

The Board of Supervisors' Rules Committee has received the following Charter Amendment for the June 7, 2016, Election, introduced by Supervisor Farrell on September 22, 2015. This matter is being referred to you in accordance with Elections Code, Section 305(B)(2), and Rules of Order 2.22.3.

**File No. 150940 Charter Amendment - Park, Recreation and Open Space Fund**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, and modify the Recreation and Park Department's planning obligations, at an election to be held on June 7, 2016.

Please review and prepare a financial analysis of the proposed measure prior to the first Rules Committee hearing.

If you have any questions or concerns please call me at (415) 554-4447 or email: [alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org). To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.


BOARD of SUPERVISORS



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## MEMORANDUM

TO: Nicole Elliott, Mayor's Office  
Jon Givner, Office of the City Attorney  
Naomi Kelly, City Administrator  
Jesse Mainardi, Acting Executive Director, Ethics Commission  
John Rahaim, Director, Planning Department  
Harvey Rose, Budget and Legislative Analyst  
Phil Ginsburg, General Manager, Recreation and Park Department  
Margaret McArthur, Secretary, Recreation and Park Commission  
Olive Gong, Park, Recreation and Open Space Advisory Committee

FROM:  Alisa Somera, Clerk, Rules Committee  
Board of Supervisors

DATE: September 29, 2015

SUBJECT: CHARTER AMENDMENT INTRODUCED  
June 7, 2016 Election

---

The Board of Supervisors' Rules Committee has received the following Charter Amendment for the June 7, 2016, Election, introduced by Supervisor Farrell on September 22, 2015. This matter is being referred to you in accordance with Rules of Order 2.22.4.

**File No. 150940 Charter Amendment - Park, Recreation and Open Space Fund**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to require an annual baseline appropriation for the Park, Recreation and Open Space Fund based on City spending for park and recreation purposes in FY2015-2016, and modify the Recreation and Park Department's planning obligations, at an election to be held on June 7, 2016.

Please review and submit any reports or comments you wish to be included with the legislative file.



If you have any questions or concerns, please call me at (415) 554-4447 or email: [alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org). To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: AnMarie Rodgers, Planning Department  
Aaron Starr, Planning Department  
Debra Newman, Office of the Budget and Legislative Analyst  
Severin Campbell, Office of the Budget and Legislative Analyst  
Gabriela Loeza, Office of the Budget and Legislative Analyst  
Sarah Ballard, Recreation and Park Department

# 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. [ ]
- 9. Reactivate File No. [ ]
- 10. 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 Form.**

**Sponsor(s):**


Supervisor Mark E. Farrell; Supervisors Christensen, Mar, Tang, Wiener, Yee

**Subject:**

[Charter Amendment - Park, Recreation and Open Space Fund]

**The text is listed below or attached:**

See attached.

Signature of Sponsoring Supervisor: 

**For Clerk's Use Only:**