

1 [Park Code - Amending Golden Gate Park Concourse Underground Parking Facility and  
2 Other Certain Fees; and Changing Controller Reporting Requirements]

3 **Ordinance amending the San Francisco Park Code, Article 12, by (1) amending Section**  
4 **12.35 to increase certain parking rates and eliminate the Early Bird Rate at the Golden**  
5 **Gate Park Concourse Underground Parking Facility, (2) amending Section 12.20 to**  
6 **revise the Controller's reporting requirement regarding cost recovery, and (3) adding a**  
7 **new Section 12.49 to ratify prior fees and fee adjustments; and making environmental**  
8 **findings and findings of consistency with general plan.**

9 NOTE: Additions are *single-underline italics Times New Roman*;  
10 deletions are *strike-through italics Times New Roman*.  
11 Board amendment additions are double-underlined;  
12 Board amendment deletions are ~~strike-through normal~~.

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

14 Section 1. The Planning Department has determined that the actions contemplated in  
15 this ordinance comply with the California Environmental Quality Act (California Public  
16 Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the  
17 Board of Supervisors in File No. 120274 and is incorporated herein by reference.

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19 Section 2. The San Francisco Park Code is hereby amended by amending Sections  
20 12.35 and 12.20 to read as follows:

21 **SEC. 12.35. GOLDEN GATE PARK CONCOURSE UNDERGROUND PARKING FACILITY.**

22 (a) The rates for parking in the Golden Gate Park Underground Parking Facility shall  
23 be as follows:

	Each hour	Maximum
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1	Weekdays	<del>\$3.50</del> <u>4.50</u>	\$25.00
2	Weekends	<del>\$4.00</del> <u>5.00</u>	\$28.00
3	Flat Rate After 6:00 p.m.		<del>\$12.00</del> <u>15.00</u>
4	<del>“Early Bird” Rate: In between</del>		<del>\$11.00</del>
5	<del>7:00 a.m. and 8:30 a.m., out by</del>		
6	<del>6:00 p.m.</del>		
7	Monthly Rate (daytime)		\$200.00

8 (b) The deposit and expenditure of all amounts collected from this facility are subject to  
9 the provisions of the "Golden Gate Park Revitalization Act of 1998," Appendix 41 of the  
10 Administrative Code.

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12 **SEC. 12.20. ADJUSTMENT OF FEES.**

13 (a) Beginning with fiscal year 2003-2004, fees set forth in this Article 12, unless  
14 otherwise specified, may be adjusted each year, without further action by the Board of  
15 Supervisors, to reflect changes in the relevant Consumer Price Index (CPI), as determined by  
16 the Controller.

17 No later than April 15th of each year, the Recreation and Parks Department shall  
18 submit its current fee schedule to the Controller, who shall apply the price index adjustment to  
19 produce a new fee schedule for the following year.

20 No later than May 15th of each year, the Controller shall file a report with the Board of  
21 Supervisors (i) reporting the new fee schedule, ~~and certifying that: (a) the fees produce sufficient~~  
22 ~~revenue to support the costs of providing the services for which each fee is assessed, and (b) the~~ (ii)  
23 identifying any fees do not that produce revenue which is significantly more than the costs of  
24 providing the services for which each fee is assessed and describing how such revenue is  
25 used by the Department or the City.

1 (b) All golf fees for San Francisco residents, juniors, seniors may be increased  
2 annually by the CPI, or up to \$1.00, upon approval of the Recreation and Park Commission.  
3 All golf fees for non-S.F. residents and tournaments may be increased by two times (2X) the  
4 CPI, or up to \$1.00, whichever is greater, upon approval of the Recreation and Park  
5 Commission.

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7 Section 3. The San Francisco Park Code is hereby amended by adding Section 12.49  
8 to read as follows:

9 **SEC. 12.49. RATIFICATION OF PRIOR FEES.**

10 All fees previously set under this Article 12, and all prior adjustments made thereto pursuant to  
11 Section 12.20, are hereby ratified.

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13 Section 4. Effective Date. This ordinance shall become effective 30 days from the  
14 date of passage.

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16 Section 5. In enacting this Ordinance, the Board intends to amend only those words,  
17 phrases, paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams,  
18 or any other constituent part of the Park Code that are explicitly shown in this legislation as  
19 additions, deletions, Board amendment additions, and Board amendment deletions in  
20 accordance with the "Note" that appears under the official title of the legislation.

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22 Section 6. Severability. If any section, subsection, sentence, clause, or phrase of this  
23 ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of  
24 competent jurisdiction, such decision shall not affect the validity of the remaining portions of  
25 the ordinance. The Board of Supervisors hereby declares that it would have passed this

1 ordinance and each and every section, subsection, sentence, clause, or phrase not declared  
2 invalid or unconstitutional without regard to whether any portion of this ordinance would be  
3 subsequently declared invalid or unconstitutional.

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

7 By: \_\_\_\_\_  
8 FRANCESCO GESSNER  
9 Deputy City Attorney

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