

File No. 110775

Committee Item No. _____
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Rules

Date 7/14/11

Board of Supervisors Meeting

Date _____

Cmte Board

- Motion
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OTHER (Use back side if additional space is needed)

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Completed by: Linda Wong
Completed by: _____

Date 7/8/11
Date _____

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

SAN FRANCISCO
FILED

2011 JUN 21 PM 4:41

DEPARTMENT OF ELECTIONS
**PROPOSED INITIATIVE ORDINANCE TO BE SUBMITTED BY FOUR OR MORE
SUPERVISORS TO THE VOTERS AT THE NOVEMBER 8, 2011 ELECTION.**

[Under Charter Sections 3.100(15) and 2.113(b), this measure must be submitted to the Board of Supervisors and filed with the Department of Elections no fewer than *45 days prior* to deadline for submission of such initiatives to the Department of Elections set in Municipal Elections Code Section 300(b)]

[Park Code—Parks for the Public]

**Ordinance amending the San Francisco Park Code by adding Section 12.49 to: 1)
ensure equal public access to parks and recreation facilities and prevent privatization
of our public parks and facilities; and 2) set an effective date.**

NOTE: Additions are *single-underline italics Times New Roman*;
deletions are *strike-through italics Times New Roman*.

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

Section 1. The San Francisco Park Code is hereby amended by adding Section 12.49,
to read as follows:

SECTION 1. Title. This ordinance shall be known and may be cited as the "Parks for the Public".

SECTION 2. Findings and Purpose.

a) The people of San Francisco have long supported our parks, passing previous bond measures by a two-thirds majority and establishing the Open Space Fund. Voters' strong support for public funding of our parks is based on the San Francisco value of having high quality parks and clubhouses that are accessible to everyone and free to the public.

b) For years there have been severe cuts to the Recreation and Parks Department, compromising the public interest and ushering in the policy of privatization of parklands and

1 recreation facilities. The Department has spent millions of tax dollars to refurbish public clubhouses,
2 only to close them and lease them out to private entities.

3 c) In 2010 the Recreation and Parks Department laid-off recreation directors and eliminated
4 recreation staff positions to the great detriment of our recreation facilities. As the City lost recreation
5 directors, the Department hired new property managers and facility supervisors.

6 Afterwards, the public saw an increase of clubhouses that have been leased out as the City
7 outsourced more park programming to private entities.

8 d) Escalating fees cannot replace General Fund support nor enable the hiring of adequate
9 gardening and recreation staff. Escalating fees are separating City residents into those who can afford
10 to pay for recreation programs and those who are losing access.

11 e) Invaluable natural spaces and the health and recreation needs of San Franciscans are being
12 sacrificed for short term revenue. San Francisco parks are for general public recreational access, for
13 experiencing nature and for social gathering. As recreation facilities become reserved for more
14 exclusive and private use, the public loses access to vital public assets.

15 SECTION 3. New Park Code Section 12.49 Parks for the Public. Section 12.49 is added to
16 Section 12 of the San Francisco Park Code, to read as follows:

17
18 **SECTION 12.49. PARKS FOR THE PUBLIC**

19 Notwithstanding any other provision of law, as of the Effective Date of this Ordinance, all parks
20 or portions thereof and park and recreation facilities, shall remain accessible to the public and those
21 that are currently without entry fee shall remain without entry fee. All recreation facilities, including
22 but not limited to clubhouses, not leased on the effective date of this measure, shall not be leased to
23 private entities but shall remain open and accessible to the public.

24 Nothing in this section shall diminish, interfere with or otherwise alter the Recreation and Park
25 Commission authority under Article IV, section 4.113(3) of the Charter.

1 Nothing in this section shall prevent neighborhood groups or community based non-profit
2 organizations from providing programming in recreation facilities, including clubhouses.

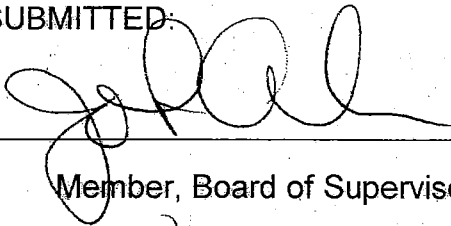
3 SECTION 4. Effective Date. The provisions of this ordinance shall take effect as of the date of
4 introduction of this measure.

5 SECTION 5. Severability. If any provision of this ordinance or the application thereof to any
6 person or circumstances is held invalid or unconstitutional, such invalidity or unconstitutionality shall
7 not affect other provisions or applications of this ordinance that can be given effect without the invalid
8 or unconstitutional provision or application; and to this end the provisions of this ordinance are
9 severable.

10 SECTION 6. Amendments. The provisions of this initiative, once enacted, may not be amended
11 except by a subsequent initiative ordinance.

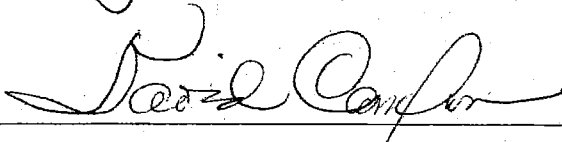
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DEPARTMENT OF ELECTIONS

13 SUBMITTED:

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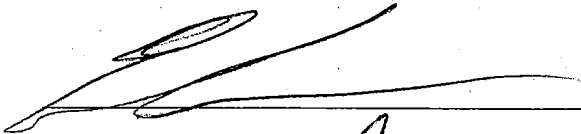
15 Member, Board of Supervisors

14 Date: 6/20/11

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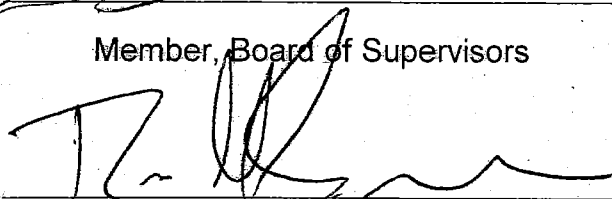
18 Member, Board of Supervisors

17 Date: 6/21/11

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21 Member, Board of Supervisors

20 Date: 6/21/11

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24 Member, Board of Supervisors

23 Date: 6/21/11