Date: Jan. 5, 2010

Item No. 7 & 8
File No. 09072

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

☒	**Anmarie Mabbutt against Clerk of the Board**
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Completed by: Chris Rustom **Date:** Dec. 30, 2009

***This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

** The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.

<complaints@sfgov.org>
10/22/2009 11:12 AM

To <sotf@sfgov.org>
cc
bcc
Subject Sunshine Complaint

To:sotf@sfgov.orgEmail:complaints@sfgov.orgDEPARTMENT:Office of the Clerk of the Board of Supervisors
CONTACTED:Angela Calvillo
PUBLIC_RECORDS_VIOLATION:No
PUBLIC_MEETING_VIOLATION:Yes
MEETING_DATE:6/18/07, 6/25/07, 7/10/07, 7/17/07
SECTIONS_VIOLATED:67.7(a), 67.7(b)
DESCRIPTION:The short-title description of Ordinance #070815 appears to be a clear violation of numerous sections of the Sunshine Ordinance. Ordinance authorized a newly created fee category of for profit vs not for profit for rental of the public athletic fields. This never before considered for profit fee effectively opened up the public athletic fields of San Francisco to virtually unchecked privatization and was clearly not properly described in its short title. Ordinance #070815 was described as a ordinance "to revise the fee schedule for use of athletic fields." This description is neither clear nor meaningful and does not in any way alert a person of average intelligence and education whose interests might be effected. Having posted an inadequate and improper short-title description of Ordinance #070815, the Clerk's Office of the Board of Supervisors posted agendas in violation of Sections 67.7(a) and 67.7(b) of the Sunshine Ordinance. Please contact me as soon as the hearing date is known. Thank you for your attention to this matter. Sincerely, Anmarie Mabbutt
HEARING:Yes
PRE-HEARING:No
DATE:10/22/09
NAME:anmarie mabbutt
ADDRESS:
CITY:san francisco
ZIP:
PHONE:
CONTACT_EMAIL:[redacted]@yahoo.com
ANONYMOUS:
CONFIDENTIALITY_REQUESTED:Yes

Anmarie Mabbutt
<tenniselement@yahoo.com>

11/23/2009 10:17 PM

To SOTF@sfgov.org
cc
bcc
Subject EXHIBIT #1 - COPY OF SIGNED ORDINANCE #070815 and #050990 - COMPLAINT #09072 - 12/1/9 HEARING

Dear SOTF,

Please consider signed copies of Ordinance #070815 and Ordinance #050990 as EXHIBIT #1 for Complaint #09072 scheduled for a full hearing on December 1, 2009.

Here is a direct link to a copy of Ordinance #070815 signed by Mayor Newsom:
http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances07/o0185-07.pdf

Please review it carefully and then also review carefully Ordinance #050990. Ordinance #050990 is the last time, prior to Ordinance #070815, that the fees for the rental of the athletic fields were addressed and/or revised.

Here is a direct link to a copy of Ordinance #050990 signed by Mayor Newsom:
http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances05/o0182-05.pdf

In fact, Ordinance #050990 appears to be the first official codification of Athletic Field permit fees. **Please note that nowhere in Ordinance #050990 or in Park Code Section 12.36 that was created by Ordinance #050990 does there exist a for-profit or not for-profit fee category.**

This for-profit/not for profit distinction did not exist! The only distinctions contained in Ordinance #050990 are for resident/non-resident and lighted or not lighted. **Yet, in the Recreation & Park Department staff report by Dr. Terry Schwartz dated May 10, 2007, in the minutes of the May 17, 2007 Recreation & Park Commission meeting and in their presentation to the Board of Supervisors Budget & Finance Committee at its June 25, 2007 meeting, various Department employees present as current and already existing a for profit business fee category.**

The question is why this apparent deception. Could it be that they were trying to quietly sneak past the public and possibly even the Board of Supervisors the legislation needed to open up the Recreation & Park Department in general and the rental of the public athletic fields in particular to widespread and largely unregulated privatization?

Whatever the motivation, to label the legislation opening up the city's athletic fields to full blown and largely unregulated privatization as simply an "Ordinance to revise the fee schedule for the use of athletic fields." is completely unclear and vague almost to the point of being meaningless.

The short-title description of Ordinance #070815 is neither clear nor specific and does not in any way alert a person of average intelligence and education to this newly established privatization of the public athletic fields and its possible effect on their interests. As such, I respectfully request that after a careful review of the facts and evidence presented, the SOTF wil issue a written Order of Determination finding violations of Sections 67.7(a) and 67.7(b) of the Sunshine Ordinance.

Please review Exhibit A entitled Current Cost for Permits on pg 2 of the May 10, 2007 report. This same exhibit is presented and contained in the May 17, 2007 Recreation & Park Commission meeting minutes and in the Budget Analyst Memo to the Board of Supervisors' Budget and Finance Committee for its June 25, 2007 meeting.

I will provide a direct link to the May 17, 2007 Recreation & Park Commission meeting minutes as Exhibit #2.

Please be sure to include this in the agenda item packet for Complaint #09072 scheduled for a full hearing on December 1, 2009.

Thank you,

Anmarie Mabbutt

FILE NO. 070815 ORDINANCE NO. 185-07

[Recreation and Park Department – Athletic Fees.]

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.36, to revise the fee schedule for use of athletic fields.

Note: Additions are *single-underline italics Times New Roman*; deletions are ~~*strikethrough italics Times New Roman*~~. Board amendment additions are double underlined. Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. Findings

The Planning Department has determined that the actions contemplated in this Ordinance are in compliance with the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.).

Section 2. The San Francisco Park Code is hereby amended by amending Section 12.36, to read as follows:

SEC. 12.36. ATHLETIC FIELD FEES FOR ADULTS.

~~*(a) Single Softball Field (1.5 hours)*~~

~~*S.F. Residents*~~	~~*Non-Residents*~~
~~*$25.00 non-lighted*~~	~~*$50.00 non-lighted*~~
~~*$35.00 lighted*~~	~~*$65.00 lighted*~~

~~*(b) Multiple Softball Fields (1.5 hours)*~~

~~*S.F. Residents*~~	~~*Non-Residents*~~
~~*$28.00 non-lighted*~~	~~*$55.00 non-lighted*~~
~~*$40.00 lighted*~~	~~*$70.00 lighted*~~

~~*(e) Single Field Usage (2 hours)*~~

~~*S.F. Residents*~~	~~*Non-Residents*~~
~~*$40.00 non-lighted*~~	~~*$60.00 non-lighted*~~
~~*$50.00 lighted*~~	~~*$70.00 lighted*~~

~~*(d) Single Field Usage (3 hours)*~~

~~*S.F. Residents*~~	~~*Non-Residents*~~
~~*$65.00 non-lighted*~~	~~*$75.00 non-lighted*~~
~~*$75.00 lighted*~~	~~*$85.00 lighted*~~

~~*(e) Multiple Fields (2 hours)*~~

~~*S.F. Residents*~~	~~*Non-Residents*~~
~~*$45.00 non-lighted*~~	~~*$65.00 non-lighted*~~
~~*$55.00 lighted*~~	~~*$75.00 lighted*~~

~~*(f) Multiple Fields (3 hours)*~~

~~*TABLE INSET:*~~

~~*S.F. Residents*~~	~~*Non-Residents*~~
~~*$70.00 non-lighted*~~	~~*$80.00 non-lighted*~~
~~*$80.00 lighted*~~	~~*$90.00 lighted*~~

~~*(g) Twilight Fields (April to September, 6 p.m. to dusk)*~~

~~*S.F. Residents*~~	~~*Non-Residents*~~
~~*$30.00*~~	~~*$40.00*~~

~~(h) Winter Rates (November to March)~~

~~(1) Single Field (per hour)~~

~~S.F. Residents~~	~~Non-Residents~~
~~$20.00 non-lighted~~	~~$25.00 non-lighted~~
~~$25.00 lighted~~	~~$30.00 lighted~~

~~(2) Multiple Fields (per hour)~~

~~S.F. Residents~~	~~Non-Residents~~
~~$25.00 non-lighted~~	~~$30.00 non-lighted~~
~~$30.00 non-lighted~~	~~$35.00 non-lighted~~

~~(i) Lining Fees~~

~~(1) Baseball and Softball~~

~~S.F. Residents~~	~~Non-Residents~~
~~$30.00~~	~~$30.00~~

~~(2) Soccer~~

~~S.F. Residents~~	~~Non-Residents~~
~~$80.00~~	~~$80.00~~

~~(3) Lacrosse~~

~~S.F. Residents~~	~~Non-Residents~~
~~$90.00~~	~~$90.00~~

~~(4) Rugby~~

~~S.F. Residents~~	~~Non-Resident~~
~~$90.00~~	~~$90.00~~

~~(5) Football - every 10 yards~~

~~S.F. Residents~~	~~Non-Residents~~
~~$80.00~~	~~$80.00~~

~~(6) Football - every 5 yards~~

~~S.F. Residents~~	~~Non-Residents~~
~~$120.00~~	~~$120.00~~

~~(7) Gaelic Football~~

~~S.F. Residents~~	~~Non-Residents~~
~~$160.00~~	~~$160.00~~

~~(j) Scheduling Fees (for more than 25 reservations per league season)~~

~~S.F. Residents~~	~~Non-Residents~~
~~$3.00~~	~~$3.00~~

(a) *Facility Fee Per Hour*

S.F. Residents: $25.00

Non-resident: $65.00

Not-for-Profit: $25.00

Profit: $65.00

(b) *Additional Charges*

Lighted $10.00 per hour

Exclusive Use/Tournaments	*$45.00 per day*
Baselines: Softball, Baseball	*$60.00 per booking*
Fieldlines: Soccer, Football, Rugby, Lacrosse	*$120.00 per booking*
Gaelic Football	*$180.00 per booking*
Football (5 yards)	*$160.00 per booking*

(c) Not for Profit Fees are available to organized programs that serve San Francisco residents and that do not generate income or compensation to the organizers and/or sponsors. The Commission shall establish criteria for the determination of organizations eligible for this fee. Organizations shall pay an application fee of $150.00 for certification for eligibility for Not for Profit fees.

(d) For Profit Fees apply to organized programs that generate income or compensation to organizers, fundraisers or subsidies to other programs. The Commission shall establish criteria for the determination of organizations subject to this fee.

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

By: _____
VIRGINIA DARIO ELIZONDO
Deputy City Attorney

City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 070815 **Date Passed:**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.36, to revise the fee schedule for use of athletic fields.

July 10, 2007 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

July 17, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

July 24, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

File No. 070815

I hereby certify that the foregoing Ordinance was FINALLY PASSED on July 24, 2007 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

8/3/07
Date Approved

Mayor Gavin Newsom

FILE NO. 050990 ORDINANCE NO. 182-05

[Recreation and Park Department – Athletic Field Permit Fees for Adults.]

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.36 to increase the fees for use of the athletic fields by adults.

Note: Additions are *single-underline italics Times New Roman*; deletions are ~~*strikethrough italics Times New Roman*~~. Board amendment additions are double underlined. Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. Findings.

The Planning Department has determined that the actions contemplated in this Ordinance are in compliance with the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.).

Section 2. The San Francisco Park Code is hereby amended by adding Section 12.36, to read as follows:

Sec. 12.36. ATHLETIC FIELD FEES FOR ADULTS.

(a) Single Softball Field (1.5 hours)	*S.F. Residents*	*Non-Residents*
	$25.00 non-lighted	*$50.00 non-lighted*
	$35.00 lighted	*$65.00 lighted*
(b) Multiple Softball Fields (1.5 hours)	*S.F. Residents*	*Non-Residents*
	$28.00 non lighted	*$55.00 non-lighted*
	$40.00 lighted	*$70.00 lighted*
(c) Single Field Usage (2 hours)	*S.F. Residents*	*Non-Residents*
	$40.00 non-lighted	*$60.00 non lighted*
	$50.00 lighted	*$70.00 lighted*

(d) Single Field Usage (3 hours)	*S.F. Residents*	*Non-Residents*
	$65.00 non-lighted	*$75.00 non-lighted*
	$75.00 lighted	*$85.00 lighted*
(e) Multiple Fields (2 hours)	*S.F. Residents*	*Non-Residents*
	$45.00 non-lighted	*$65.00 non-lighted*
	$55.00 lighted	*$75.00 lighted*
(f) Multiple Fields (3 hours)	*S.F. Residents*	*Non-Residents*
	$70.00 non-lighted	*$80.00 non-lighted*
	$80.00 lighted	*$90.00 lighted*
(g) Twilight Fields	*S.F. Residents*	*Non-Residents*
(April to September, 6 pm to dusk)		
	$30.00	*$40.00*
(h) Winter Rates(November to March)	*S.F. Residents*	*Non-Residents*
(1) Single Field (per hour)	*$20.00 non-lighted*	*$25.00 non-lighted*
	$25.00 lighted	*$30.00 lighted*
(2) Multiple Fields (per hour)	*S.F. Residents*	*Non-Residents*
	$25.00 non-lighted	*$30.00 non-lighted*
	$30.00 lighted	*$35.00 lighted*
(3) All day per Field	*$30.00*	*$40.00*
(i) Lining Fees	*S.F. Residents*	*Non-Residents*
(1) Baseball & Softball	*$30.00*	*$30.00*
(2) Soccer	*$80.00*	*$80.00*
(3) Lacrosse	*$90.00*	*$90.00*
(4) Rugby	*$90.00*	*$90.00*
(5) Football – every 10 yards	*$80.00*	*$80.00*

(6) Football – every 5 yards	*$120.00*	*$120.00*
(7) Gaelic Football	*$160.00*	*$160.00*

(j) Scheduling Fees	*S.F. Residents*	*Non-Residents*
(for more than 25 reservations per league season)	*$3.00*	*$3.00*

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

By: _____
VIRGINIA DARIO ELIZONDO
Deputy City Attorney

City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050990 **Date Passed:**

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.36 to increase the fees for use of the athletic fields by adults.

July 12, 2005 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

July 19, 2005 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

July 26, 2005 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

File No. 050990

I hereby certify that the foregoing Ordinance was FINALLY PASSED on July 26, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JUL 29 2005

Date Approved

Mayor Gavin Newsom

Anmarie Mabbutt
<tenniselement@yahoo.com>

11/23/2009 11:08 PM

To SOTF@sfgov.org
cc
bcc
Subject EXHIBIT #2 - COMPLAINT # 09072 - 12/01/09 HEARING

Dear SOTF,

Please consider the minutes of the May 17, 2007 Recreation & Park Commission meeting as EXHIBIT #2 for Complaint #09072.

Here is a direct link to the minutes:

http://www.parks.sfgov.org/wcm_recpark/RPC_Minutes/051707.pdf

Please review the entries for Resolution #0705-009 carefully. In particular, please note Exhibit A which supposedly reflects the current fee schedule for the Department. The information listed and presented at the May 17, 2007 Commission meeting in support of Ordinance #070815 is clearly incorrect.

As a review of the then current Park Code will demonstrate, there is absolutely no mention or existence in Section 12.36 of a for profit business fee category for the rental of the city's athletic fields.

Please be sure to include this in the agenda item packet for Complaint #09072 scheduled for a full hearing on December 1, 2009.

Thank you,

Anna Mabbutt

Gavin Newsom, Mayor
Recreation and Park Commission
Minutes
May 17, 2007

President Martin called the regular meeting of the Recreation and Park Commission to order on Thursday, May 17, 2007 at 2:08 p.m.

ROLL CALL
Present
Gloria Bonilla
Tom Harrison
David Lee
Meagan Levitan
Larry Martin

Absent
Jim Lazarus

President Martin announced that items 10 and 11 were removed from calendar.

GENERAL MANAGER'S REPORT
General Manager Agunbiade gave an update on the Capital Planning Committee meeting.

CONSENT CALENDAR
On motion by **Commissioner Levitan** and duly seconded that following resolution was unanimously adopted:

RES. NO. 0705-005

RESOLVED, That this Commission does approve the minutes from the Special meeting of January 31, 2007.

GENERAL CALENDAR

NOE COURTS PLAYGROUND – AWARD OF CONTRACT
Staff Report
Noe Courts Playground is located at 24th and Elizabeth Streets in Noe Valley. In April 2005, the Recreation and Park Commission approved a conceptual plan to renovate the children's play area.

The Recreation and Park Department advertised a bid package for competitive bids. Three bids were received that ranged from $292,220 to $338,000. The average bid is $309,845, which is higher than the engineer's estimate of $269,098. The apparent lowest responsible bid was submitted by Valetta Construction in the amount of $292,220.

Valetta Construction is an LBE firm located in San Francisco. It has performed on City sewer projects in the past, and recently as a sub-contractor on the Little Hollywood Phase 1 project. Award of contract is also pending HRC review and approval.

Source of Funds and Amounts

General Fund 05/06	$15,220
General Fund 06/06	$225,000
General Fund ADA	$52,000
Total	$292,220

On motion by **Commissioner Levitan** and duly seconded the following resolution was unanimously adopted:

RES. NO. 0705-006

RESOLVED, That this Commission does award a construction contract to Valletta Construction in the base bid amount of $292,220 to renovate the children's play area at Noe Courts Playground.

GOLDEN GATE PARK – AMENDMENT FOR PERMIT FOR PUSHCARTS

Staff Report

On May 30, 2006, the Commission approved (Resolution 0605-005) awarding a permit for the operation of pushcart vending in Golden Gate Park to Loyal3, Inc. Since beginning operations in July 2006 LoyalS, Inc. has operated pushcarts at all four permitted locations in Golden Gate Park. One of the permitted locations, the Big Rec Ballfield location, has unfortunately proven to produce insufficient foot traffic to sustain pushcart food vending.

Proposal:

The Permittee desires to modify the permit to exchange the Big Rec Ballfield location for an alternate location in the Ocean Beach parking lot between Fulton Street and John F Kennedy Drive. Staff is recommending substituting the location in the Ocean Beach parking lot between Fulton Street and John F Kennedy Drive for Big Rec Ballfield location effective May 1, 2007.

This amendment will also serve to discourage unauthorized food vendors from coming into that location of the parking lot at Ocean Beach.

Financial Impact/Source of Funds:

The current Monthly Guarantee will not be reduced as a result of this amendment. The annual revenue received from Happy Belly under their current Permit is $94,000.

Pros: By relocating to Ocean Beach the public in that area will be better served. The additional foot traffic will also give Permittee the opportunity to generate increased revenue from the new location to be able to maintain the rental payment schedule.

Cons: None at this time.

On motion by **Commissioner Harrison** and duly seconded the following resolution was unanimously adopted:

RES. NO. 0705-007

RESOLVED, That this Commission does approve the First Amendment to the existing Permit for Pushcarts in Golden Gate Park to change one Site Location from the Big Rec Ballfield (in Golden Gate Park),to the Great Highway between Fulton Street and John F. Kennedy Drive.

RECREATION AND PARK DEPARTMENT – FACILITY USE FEE STRUCTURE AND SFREC ONLINE (CLASS) ADMINISTRATIVE FEES

Staff Report

As the Recreation and Park Department (RPD) implements the sfRecOnline (Class) system, it has identified several changes to department business practices to improve efficiency and maximize the effectiveness of Class. Among these changes are revisions to the department's fee structure.

The Department's current fee structure for wedding sites and recreation facilities is not compatible with the sfRecOnline (Class) system. Under the existing structure the hourly rate changes after the second hour of rental. The internal logic of Class requires, among other things, that the hourly rate be consistent. The proposed changes are designed to make the fees more rational and workable in Class. The proposal also includes a slight increase to the rental rates which were last raised in 2003.

In addition to modifying the facility rental fee structure, staff proposes the creation of several fees to facilitate administration of the sfRecOnline system. The fees, which will include charges for actions such as

withdrawal from a program and cancellation of a facility reservation, are designed to capture administrative costs and make the department's business run more smoothly.

Proposal

Wedding Sites

The Department divides its wedding sites into two groups depending on capacity and desirability. Staff proposes to change the fee structure from one in which the first two hours cost one rate and the succeeding hours cost another rate. The new structure would include both a mandatory reservation fee and a standard hourly rate. All sites require a two hour minimum reservation. Fees would be increased by either 10 or 20 percent, depending on the site. Fees for wedding sites were last increased in spring of 2003. The following table illustrates the new fee structure for each of the department's eight wedding sites.

Weddings	Proposed Fees			Current	
Site	Reservation Fee	Hourly Rate	Total Fee	Fee	% Increase
Chain of Lakes (Middle Lake)	200	50	300	250	20%
Fuschia Garden	200	50	300	250	20%
Portals of the Past/Lloyd's Lake	200	50	300	250	20%
Rose Garden	200	50	300	250	20%
Chinese Pavilion	350	100	550	500	10%
Queen Wilhelmina Garden	350	100	550	500	10%
Shakespeare Garden	350	100	550	500	10%
Palace of Fine Arts Rotunda	350	100	550	500	10%
All sites have a two hour minimum rental					

Recreation Facilities

Recreation facility rental rates differ depending on the type of facility. The Trocadero Clubhouse at Stern Grove is a premiere site, as are the newly renovated clubhouses at Julius Kahn and West Portal playgrounds. Staff proposes to change the recreation facility rental fee structure to mirror the proposed structure for weddings. All sites would have a mandatory reservation fee with a standard hourly rate and a minimum rental period. Fees would be increased between 12 and 18 percent depending on the facility. Fees for recreation facility rentals were last increased in spring 2003. The following table illustrates the new fee structure for recreation facilities.

Recreation Facilities	Proposed Fees Reservation		Current		
	Fee	Hourly Rate	Total Fee	Fee	% Increase
Stern Grove (Trocadero)					
Monday - Thursday	40	110	700	600	17%
Friday - Sunday	150	115	840	750	12%
Legal Holidays	150	115	840	750	12%
Six hour minimum rental					
Julius Kahn Clubhouse	15	65	145	125	16%

West Portal Clubhouse	15	65	145	125	16%
Two hour minimum rental					
Class A Recreation Center	5	40	85	75	13%
Class B Large Clubhouse	5	30	65	55	18%
Class C Small Clubhouse	5	20	45	40	13%
Two hour minimum rental					

sfRecOnline (Class) Administrative Fees
Efficient implementation of the sfRecOnline system requires the creation of several administrative fees. These fees are designed to capture administrative costs, drive customer behavior and encourage smoother business processes. Implementation of administrative fees is unlikely to generate any significant revenue due to the relatively small amount being charged and the relative infrequency of their use.

Refund processing fee: $10 or 20% of the fee, whichever is greater. This fee would apply whenever a customer requests a refund. The fee captures a portion of the administrative time associated with processing a refund. It also encourages customers to leave a credit within the sfRecOnline system to apply to another program at a later date.

Program withdrawal/cancellation processing fee: $10 or 20% of the fee, whichever is greater. This fee would apply whenever a customer wishes withdraw from a program. It will capture a portion of the administrative time needed to make changes to program enrollment. Additionally the fee discourages customers from enrolling in multiple overlapping programs and withdrawing just prior to the start of the programs.

Facility Use Cancellation fee: $20 or 20% of the rental fee, whichever is higher. This fee would apply to cancellation of facility rental reservations. The fee would help to capture revenue lost when potential customers have been turned away when a site is booked but then cancelled.

Pros:
These changes to the Department's fee structure will allow the department to run a more efficient business renting its facilities and maximize the potential of the sfRecOnline system. In addition the enhanced fee structure is expected to generate between $50,000 and $100,000 in additional revenue for the department in the next fiscal year.

Cons:
Slightly increased fees may result in a reduction in facility rentals.

Chloe Good commended the Department on changing the fees and supported the reasonable increase. She also stated that in the future Neighborhood Parks Council would recommend a bit more outreach to the community.

On motion by **Commissioner Levitan** and duly seconded the following resolution was unanimously adopted: **RES. NO. 0705-008**
RESOLVED, That this Commission does approve changes to the facility use fee structure for wedding venues, recreation centers and clubhouses as well as discussion and possible action to add new administrative fees for the sfRecOnline system.

RECREATION AND PARK DEPARTMENT- ATHLETIC FIELD USE POLICIES AND FEES
Staff Report

With the implementation of CLASS recreation management software, the Department has undertaken a redesign of the permit and reservation system used to manage the allocation of athletic fields to users. As a part of this process it was imperative for the staff to conduct a study of the current use of City managed fields. The study analyzed the existing supply of the fields and the subsequent demand from users.

A combination of the CLASS implementation and the results of the field use study require the need to change the existing field use process. This Agenda Item addresses some of those policies that are needed to standardize the use and distribution of the fields and to clarify the fees that are to be administered when individuals, groups and organizations rent these athletic facilities.

Issues that are important to users are:
To have a level of confidence that the fields that are rented are administered in a fashion that is transparent to the users. To feel that when they secure a contract for the use of a field, they have the confidence that the field will be in suitable condition and properly prepared for their activity.
To have a clear understanding of the costs to reserve the athletic facilities managed by the city Permits and Reservations Division. (The last time fees were altered was the fall of 2005)

Field Use Transparency
Exhibit A reflects the current fee schedule for the department. You will note the complexity of the options as you review the exhibit. With this schedule the consumer has no idea what the costs will be when they submit their reservation interests. In addition, the current structure is cumbersome.

Exhibit A

Hourly Rates for Fees	RESIDENTS	NON-RESIDENTS	PROFIT BUSINESS
SINGLE USE RESERVATION			
SOFTBALL LIGHTED (1.5 hours)	$35.00	$65.00	$85.00
SOFTBALL NON-LIGHTED (1.5 hours)	$25.00	$50.00	$70.00
BB/GS LIGHTED (2 hours)	$50.00	$70.00	$90.00
BB/GS NON-LIGHTED (2 hours)	$40.00	$60.00	$80.00
BB/GS LI GHTED (3 hours)	$75.00	$85.00	$95.00
BB/GS NON-LIGHTED (3 hours)	$65.00	$75.00	$85.00
TWILIGHT (April - September)	$30.00	$40.00	$80.00
MULTIPLE USE RESERVATIONS			
SOFTBALL LIGHTED (1.5 hours)	$40.00	$70.00	$100.00
SOFTBALL NON-LIGHTED (1.5 hours)	$28.00	$55.00	$90.00
BB/GS LIGHTED (2 hours)	$55.00	$75.00	$120.00
BB/GS NON-LIGHTED (2 hours)	$45.00	$65.00	$110.00
BB/GS LIGHTED (3 hours)	$80.00	$90.00	$140.00
BB/GS NON-LIGHTED (3 hours)	$70.00	$80.00	$130.00
WINTER RESERVATIONS (November -March)			
LIGHTED - SINGLE (1 hour)	$25.00	$30.00	$70.00
INDIRECT LIGHT - SINGLE (1 hour)	$20.00	$25.00	$40.00
LIGHTED - MULTIPLE (per hour)	$30.00	$35.00	$75.00
INDIRECT LIGHT - MULTIPLE (per hour)	$25.00	$30.00	$45.00
THE FOLLOWING ASSOCIATED FEES APPLY TO RESIDENTS, NON-RESIDENTS & PROFIT BUSINESS			
EXCLUSIVE USE	$45.00		
WEEKEND EVENING - After 5:OOPM (3 hour minimum)	$80.00 + Staff		

SOFTBALL/BASEBALL LINES	$20.00		
BASE LINES AND BATTERS BOX	$40.00		
SOCCER/LACROSSE/RUGBY/FOOTBALL #1	$80.00		
GAELIC FOOTBALL (Twice the size of soccer)	$160.00		
FOOTBALL #2 (Every 5 yards)	$120.00		
SCHEDULING FEE (Over 25 reservations)	$10.00		
ENVIRONMENTAL FEE (Applied to leagues weekly)	$100.00		

Exhibit B reflects that our current structure (Exhibit A) ranges from $16.70 per hour to $66.70 per hour with a variety of ranges in between. For instance the cost of renting a soccer field for 2 hours versus 3 hours for a resident is $20 per hour increasing to $21.70 per hour but the cost for a For Profit enterprise reduces from $40 to $28 per hour. In addition there are a variety of fees that users find confusing.

Exhibit B

Current Scenarios	Current Unit	Price Current Structure			Cost Per Hour		
Single Use	In Hours	Resident	Non Res	Profit	Resident	Non Res	Profit
Softball Non-Lighted	1.5	$25	$50	$70	$ 16.67	$ 33.33	$ 46.67
Softball Lighted	1.5	$35	$65	$85	$ 23.33	$ 43.33	$ 56.67
BB/GS Non-Lighted	2	$40	$60	$80	$ 20.00	$ 30.00	$ 40.00
BB/GS Lighted	2	$50	$70	$90	$ 25.00	$ 35.00	$ 45.00
BB/GS Non-Lighted	3	$65	$75	$85	$ 21.67	$ 25.00	$ 28.33
BB/GS Lighted	3	$75	$85	$95	$ 25.00	$ 28.33	$ 31.67

Current Scenarios	Current Unit	Price Current Structure			Cost Per Hour		
Multiple Use Reservation	In Hours	Resident	Non Res	Profit	Resident	Non Res	Profit
Softball Non-Lighted	1.5	$28	$55	$90	$ 18.70	$ 36.67	$ 60.00
Softball Lighted	1.5	$40	$70	$100	$ 26.67	$ 46.67	$ 66.67
BB/GS Non-Lighted	2	$45	$65	$110	$ 22.50	$ 32.50	$ 55.00
BB/GS Lighted	2	$55	$75	$120	$ 27.50	$ 37.50	$ 60.00
BB/GS Non-Lighted	3	$70	$80	$130	$ 23.33	$ 26.67	$ 43.33
BB/GS Lighted	3	$80	$90	$140	$ 26.67	$ 30.00	$ 46.67

The intent of the proposed new schedule is to make the process simple enough so that a person who wants to rent the outdoor athletic facilities can go to the categories that apply to them, determine fees based on a simplified schedule. It is also designed to improve fee consistency.

Field Suitability

One element of frustration field users have is the inconsistency of the field conditions when they are given a permit. When we allocate fields, we need to create a funding stream to ensure a field will be in good condition. Field condition can be separated into two considerations; proper seasonal conditioning and game day preparation.

Field conditioning is a cost that is incurred by the City and would cover the general care and maintenance of the field prior to the beginning of the season. These preparations might include gopher remediation, the repair of ruts and holes in the turf resulting from the gopher population, annual aerification and seeding, turf replacement and backfilling cinder on the infield of softball and baseball fields. These practices have not kept pace with the increase in field use given the shortage of gardener staff. Increasing the number of gardeners who work in these areas to improve the condition of our fields is highly desirable.

Field preparation costs are associated with the appearance of the fields on the day of the game. Many times permit users elect to have the fields marked for the games. The revenues to support these costs are to be generated from the permit holder if they elect to have the service completed. In the ideal world, the employee costs to complete these cosmetic and game day services are recovered from these fees. This is a line of

business that can be capitalized on if the department can ensure high quality and consistency when completing the work. This would play a significant role when increasing our credibility among users.

Exhibit C

		Current Price New Structure	New Fees	Change
Facility Fees	Unit			
Resident	Per Hour	$20	$25	$5
Non Resident	Per Hour	$30	$65	$35
Non Profit	Per Hour	$20	$25	$5
Profit	Per Hour	$50	$65	$15
Extra Fees/Additional Charges				
Multiple Use/Hour (after 1sthr)	Per Hour	$5	$0	-$5
Lighted	Per Hour	$5	$10	$5
Exclusive User/Booking/Tournamants/leagues	Per Day	$45	$45	$0
Off Hours (After 5 Weekend)	Per Hour	Staff/ $50 + $80/ booking	Staff / $50 + $80/ booking	Staff/ $50 + $80/ booking
Base Lines Softball/Baseball	Per Booking	$20/60	$60	$40/0
Soccer/Lacro/Rugby/Football	Per Booking	$80	$120	$40
Gaelic Football	Per Booking	$160	$180	$20
Football (5 Yards)	Per Booking	$120	$160	$40

Exhibit C represents the rates that are recommended for the Fiscal Year 2007/2008. The first column labeled Current Price New Structure reflects the need in Class to have a single hourly rate structure and a melding of the current rates to as closely as possible match existing rates. The New Fees reflects changes to this New Structure. The essential recommendations of the New Fees are:

- To eliminate the Multiple Use Fee, Environmental Fee and Scheduling Fee
- To offset the elimination of the multiple use and Environmental Fee by raising fees for Residents and Non-Profits by $5
- To increase fee for Non-Resident to same fee paid as the For Profit
- To apply the Exclusive Use fee to tournaments and weekend leagues as a one time per day charge for the exclusive use of the fields
- To increase fees for lights to $10 per hour

Exhibit D illustrates the percentage each of these groups will experience from the recommended changes.

Exhibit D

	Current	Change Per Hour from Current Fees				% Change from Current Fees			
Single Use	Hours	Resident	Non Res	NonProfit	Profit	Resident	Non Res	NonProfit	Profit
Softball Non-Lighted	1.5	$ 8.33	$ 31.67	$ 8.33	$ 18.33	50%	95%	50%	39%
Softball Lighted	1.5	$ 11.67	$ 31.67	$ 11.67	$ 18.33	50%	73%	50%	32%
BB/GS Non-Lighted	2	$ 5.00	$ 35.00	$ 5.00	$ 25.00	25%	117%	25%	63%
BB/GS Lighted	2	$ 10.00	$ 40.00	$ 10.00	$ 30.00	40%	114%	40%	67%
BB/GS Non-Lighted	3	$ 3.33	$ 40.00	$ 3.33	$ 36.67	15%	160%	15%	129%
BB/GS Lighted	3	$ 10.00	$ 46.67	$ 10.00	$ 43.33	40%	165%	40%	137%

	Current	Change Per Hour from Current Fees				% Change from Current Fees			
Multiple Use	Hours	Resident	Non Res	NonProfit	Profit	Resident	Non Res	NonProfit	Profit

Softball Non-Lighted	1.5	$ 6.33	$ 28.33	$ 6.33	$ 5.00	34%	77%	34%	8%
Softball Lighted	1.5	$ 8.33	$ 28.33	$ 8.33	$ 8.33	31%	61%	31%	13%
BB/GS Non-Lighted	2	$ 2.50	$ 32.50	$ 2.50	$ 10.00	11%	100%	11%	18%
BB/GS Lighted	2	$ 7.50	$ 37.50	$ 7.50	$ 15.00	27%	100%	27%	25%
BB/GS Non-Lighted	3	$ 1.67	$ 38.33	$ 1.67	$ 21.67	7%	144%	7%	50%
BB/GS Lighted	3	$ 8.33	$ 45.00	$ 8.33	$ 28.33	31%	150%	31%	61%

BB=Ball Fields
GS=Ground Sports

While the percentage is an interesting number to review it is important to know that the change is relatively small except for the non-resident groups.

Definition of Renters

One area of continuing confusion has been the lack of definitions for our renters so that it is clearly defined who is eligible for which category of fees. We are asking the Commission to approve the following categories:

- Resident Fees: Resident fees are intended to be available for individual residents for occasional use (not to exceed 4 hours per month). These fees are not intended to be applicable to leagues or organizations and are only available for booking through the walk-up window.
- Not For Profit Fees: Not For Profit fees are available for programs administered by Approved Not For Profit Organizations. These organizations provide organized access to fields for San Francisco residents and are not used to generate income to organizers or sponsors. In order to determine who is eligible for these fees, the Department intends to have groups file applications for approval to ensure that these groups are meeting these requirements (as described below).
- For Profit Fees: For Profit Fees are intended to apply to any renter who is generating income from the use of the field including compensation to organizers, fundraisers or subsidies to other programs.
- Non-Resident Fees: Nonresident fees are intended to apply to any user of fields by nonresidents.
- School Use: SFRP does not charge San Francisco schools for fields used for PE programs during the school days (before 3 pm) or for school leagues for grades 6 and up who use the fields before after school on weekdays.

- Youth Leagues: The Department does not charge ANFP's serving San Francisco youth with after school and weekend programs.
- SFRPD Programs: Programs offered by the Department receive access to fieldsat no cost.
- Regional, State, National, International Sporting Events: The fee for these events will be determined using the ANFP criteria and must be approved by the Commission.

Approved Not for Profits

The Department seeks approval for authority for the Staff to create an application and approval process to determine if an organization is an Approved Not for Profit.

Definitions of Approved Not For Profits

- Volunteer-based or obtain funding from independent fundraising sources.
- Provide programs priced at or near the direct cost-recovery level to San Francisco residents.
- Department has learned that some organizations run programs that have paid large salaries to sponsors or administrators or generated profits that have been used to fund other organizational operations or to make charitable donations. Approved Not For Profits must demonstrate that they are not using their operations for these purposes or they will have to pay the For Profit Fees.

Application Process - The Staff will finalize the application process but it will include at a minimum:

- Annual application and fee of up to $250 per year
- Must be 501 c3 or serve fewer than 125 participants

- Must provide financials statements and details of fees and expenses as well as Budget
- Board of Directors certify no officer, director, or administrator is benefiting financially directly or indirectly from this program except as disclosed in detail O Evidence that they are serving San Francisco residents
- Due to field limitations, new ANFP applicants will only be permitted if they are meeting a need not covered by other groups

Approval Conditions - The Staff will finalize the approval conditions but they will focus on two elements:

- Not Generating Income: Organizations must demonstrate that the programs are not generate income to pay salaries to sponsors or coordinators or generating profits that are used to fund other aspects of the organizations' operations or to make charitable donations.
- Who is receiving compensation in connection with the program? Are directors and officers all volunteers? Programs administered or coordinated by paid coaches will be presumed not to meet this standard. Is the program operating at a relative breakeven and what is the program doing with any excess revenues?
- Has the program in the past followed SFRPD requirements including those regarding field clean-up, recognizing rainout closures, returning unused fields in a timely manner?
- Is the program open to all in San Francisco and does it provide scholarships for those who can not afford to pay? Is there a nonbiased method for determining who will participate (first come, first serve, lottery)?

Serving Residents: At least 90% of the participants in each program must be San Francisco residents If the program also uses fields outside San Francisco in a proportion at least equal to the percentage of non San Francisco residents, the program will be eligible for the not for profit rate.

Policy

In concert with these recommended adjustments, we continue to review the policies that are associated with the operations of the Permits and Reservations Division. Some of the policies that we assess and will offer recommendations for in the future include:

20% Rule- This rule was created to prevent the fields from being reserved 100% of the time in any given week. 20% of the available fields in any given week were held back and distributed each Tuesday morning. The intent would be that these fields would be available for individual occasional users. While the rule was a good one in theory, in practice it was abused frequently by organizations that could not get enough fields to conduct their leagues. Every Tuesday morning the league representatives waited in line to attempt to get as many bookings as they needed to conduct their respective league. In addition, it allowed for profit groups to rent at lower rates. We will recommend a reduction in the percentage holdback to improve this condition.

Priority Guidelines for Field Allocations

The priority guidelines for how fields are allocated will be refined. The most difficult times for the distribution of fields is between 3:30 and 7:30 on weekdays and weekends in the fall and spring. We will be looking at how the fields will be allocated among several groups including recreation and park programs, an increase in the number of fields that need to be allocated for recreation and park girls programs, public and private schools, youth group leagues, not for profit groups, and private organizations.

Tightening of Schedules

There needs to be guidelines as to when people are scheduling their programs to comply more closely with the recreation and park department seasonal schedule (4-13 week program cycles).

Punitive Measures

There are a number of individuals who are openly ignoring the policies of the reservation system. Measures will need to be determined to discipline individuals and organizations that attempt to circumvent or ignore the established policies for field reservations.

Monitoring Use

We need to establish a system that monitors the use of facilities and the revenues that are generated by revenue type. We also need to set up the system for the no pays (schools, youths etc), no one can be a no pay unless they are in the system as an approved no pay. Then at the end of the year you could look at the total subsidy to that group. In addition, we want to ensure that fields that are reserved are actually utilized. For the no pay group, there is currently no incentive to return unused fields.

Financial Impact: It is unknown what the financial impact of these recommendations will be in relationship with previous operations. One purpose of the CLASS software is to provide the Department with a tool that will allow us to begin to measure the results of these decisions. In the future we will be able to provide detailed financial history of each revenue line that is used to collect fees.

Pros:

- The fee schedule is proposed to simplify and clarify the fees that are charged to permit holders for the use of the fields.
- The policies that are under consideration will help to standardize the administration of the use of the fields.
- Fees have not been increased for two years. This schedule is intended to keep up with the cost of operations and improve field operations.

Cons:

- Fee increases and policy changes may promote users who use our facilities to object to these changes and may cause push back.
- The new system will have the potential to influence some users in a negative way.

Chloe Good stated that the Neighborhood Parks Council was impressed with the thoughtful, sophisticated and transparent product, the process that this product has undergone and that they were looking forward to seeing the results in two years.

On motion by **Commissioner Harrison** and duly seconded, the following resolution was unanimously adopted:

RES. NO. 0705-009

RESOLVED, That this Commission does: 1) approve the Athletic Field Use Policies and 2) recommend that the Board of Supervisors approves changes to the Athletic Field Fees for the administration of the use of the athletic fields managed by the Recreation and Park Department.

RECREATION AND PARK DEPARTMENT – ARTICLE 12 – FEES OF THE PARK CODE
Staff Report

RPD currently has over 440 different types of fees including program fees. Annually the Recreation and Park Department (RPD) considers modifications to the Park Code Article 12, FEES to update the Code to incorporate changes to existing fees and to consider addition of new fees. Proposed fee changes are reviewed by the Recreation and Park Commission and recommended to the Board of Supervisors for consideration within the context of the RPD budget.

Under the current business model, the Department's planned expansion of programming will increase the number and variety of program fees and would add additional complexity to the current fee structure, hi addition, new recreation programs will be created throughout the course of the fiscal year in response to residents' changing demand for new programs that may require associated program fees. The current policy and annual program fee approval process significantly reduces program planning and development flexibility; hinders RPD responsiveness to changing trends and residents' demands; and is inconsistent with current industry practices.

The 2006 Management Audit conducted by the Board of Supervisors Budget Analyst validated recommendations of the 2004 Recreation Assessment and recommended RPD review, simplify, consolidate and standardize the Department's fee structure. The Audit also recommended standardizing existing program content and increasing the number and variety of program offerings to meet the needs of the City's population.

The Recreation Assessment also found that the pricing of recreation services needed to be done with more consistency and legibility and recommended that recreation programs be priced based on the cost of services and a subsidy considered appropriate for the program based on the level of benefit received and community values supported.

Expanding priorities for limited City financial resources and increasing operation costs necessitate that RPD consider generating program revenues to offset program expenses, increase program quality and potential reductions in General Fund support. General Fund support for the RPD recreation programs has decreased for five fiscal years resulting in a 10% reduction in recreation staff; over 20% budget reduction for program related materials and services to support program effort; and an overall net reduction in program offerings.

Currently Neighborhood Service Area budgets for recreation supplies and program related contractual services average between $12,000 and $15,000 per year and total only $100,000 to $120,000 annually for the Neighborhood Services Division. There are over 130 recreation program staff in the Neighborhood Services Division. On the average, each staff member has a program budget of less than $1,000 annually for up to 1,560 contact hours of programming. This amounts to less than $0.65 per contact hour for program expenses. Clearly this funding level can be a significant deterrent to program quality and content.

RPD currently charges for some specialty programs such as Latch Key and Tiny-Tots at neighborhood facilities and for intermediate/advanced and advance programs offered at citywide facilities like the Randall Museum and Sharon Art Studios. RPD can increase program revenues and enhance program quality by expanding the number and variety of program opportunities and by charging activity fees on new programs.

The Recreation and Park Department (RPD) is proposing revisions to subsections of Article 12, of the Park Code, to be applied to future new programs to support improvements to the quality, consistency and variety of existing recreation programming. The proposal would create a new simple single program fee structure that could eventually be used for recreation programs department-wide.

This strategy involves recovering a portion of the direct program expenses through activity fees charged program participants. Activity fees could be charged for new intermediate, advanced/intermediate and advanced programs consistent with general public agency standards and industry program practices. No fees are recommended for existing free beginning and intermediate programs. The adopted Departmental Scholarship Program would defray 50% of program fees for eligible participants.
The change would be implemented effective September 2007, in concert with full implementation of CLASS program registration which would include an expanded catalog of new programs currently under development.

Proposed Fee Structure
Newly developed programming standards will require Recreation Directors to provide an average six (6) contact program hours of every eight (8) hour day (equals 30 program hours per week). Under this proposal, each Recreation Director will be developing new beginning, intermediate, advanced / intermediate and/or advanced program levels. Each staff has been directed to create the equivalent of one contact hour per day (five contact hours per week) in fee generating programs within one of the program levels.

Under this proposal each new program would be evaluated for its revenue generating potential based upon direct program costs such as travel, instructional services, materials and supplies, equipment rental identified in the each program proposal. This proposal does not include a component to recover staff wages and benefits which are estimated to comprise 80% or more of program delivery costs.

The development of each new program will require staff preparation of a program proposal which details program content, schedule, and costs. Proposals will be reviewed by the Neighborhood Service Area Manager and the Superintendent. If appropriate, the new program would be approved as a revenue program and a fee would be determined based upon direct costs. The program would be assigned to a program experience level on a new program fee schedule.

The proposed Program Fee Schedule would have four levels; beginning, intermediate, advanced / intermediate and/or advanced base upon program content. Each fee schedule band will have a range of five (5) price points. Fees will be set at a price-point within the band based upon consideration of program content and duration, direct program costs and fees for similar programs. A copy of the proposed Program Fee Schedule is attached as Exhibit A.

The Program Fee Schedule would be defined in Section 12 of the Park Code and reviewed by the Recreation and Parks Commission and the Board of Supervisors annually, as necessary during the budget process. Program fees will be used to offset reductions in General Fund support and to defray activity expenses for materials, supplies and other services directly associated with the activity.

Program Fee Examples

The following are examples of how the Program Fee Schedule would be used to calculate a program fee:

Program A Example

- A new beginning program with a fee set at Beginning Level, Step 3 ($0.50/contact hour) meeting fifteen (15) hours per week for eight (8) weeks (120 program hours) would result in a total fee of $60.00 per eight (8) week session for each participant.
- That same program with 12 participants would then generate $720.00 per session in gross revenue.

Program B Example

- A new intermediate program with a fee set at Intermediate Level, Step 1 ($1.25/contact hour) meeting three (3) hours per week for eight (8) weeks (24 program hours) would result in a total fee of $30.00 per eight (8) week session for each participant.
- That same program with 12 participants would then generate $360.00 per session in gross revenue.

Program C Example

- A new advanced intermediate program with a fee set at Advanced Intermediate, Step 1 ($3.00/contact hour) meeting five (5) hours per week for eight (8) weeks (40 program hours) and would result in a total fee of $120.00 per eight (8) week session per participant.
- Program C with 12 participants would generate $1440.00 per session in gross revenue.

Fiscal Impact

The Department conservatively estimates $50,000 in new revenue to the General Fund from this proposal in the first year of operation based on approximately 42,000 participant hours created by 131 FTE Recreation Director and Assistant Recreation Director positions.

The impact to participants could be mitigated by the adopted Departmental Scholarship Program which could defray 50% of program fees for eligible participants.

Chloe Good with the Neighborhood Parks Council stated that the proposal reflected analysis and they were encouraged by the fair and equitable fee structure. However, they encouraged more public outreach when the programs were more delineated and specific to gain additional feedback.

On motion by **Commissioner Levitan** and duly seconded, the following resolution was unanimously adopted:

RES. NO. 0705-010

RESOLVED, That this Commission does recommend that the Board of Supervisors adopts the revision to Article 12. FEES of the Park Code to restructure the recreation program and activity fees schedule to be enacted with the approval of the Fiscal Year 2007/08 Department budget.

NATURAL RESOURCE AREAS MANAGEMENT PLAN - ENVIRONMENTAL ANALYSIS AWARD OF CONTRACT

This item was removed from calendar.

WASHINGTON SQUARE

This item was removed from calendar.

PUBLIC COMMENT

Pat Skein with the Pine Lake Park Neighborhood Association addressed the Commission on his concerns of graffiti and the need for improvements to the Pink Lake Field House. He stated that in a few weeks the

Summer Camp was due to open for the season and the building and grounds were in need of repair. He urged the Commission to find the necessary resources to make immediate improvements. Sally Stevens with S.F. Dog spoke on the proposal to allow parking during the Stern Grove Festival on the Pink Lake Meadow. She also stated that in February the Dog Advisory Committee passed a proposal for time use of dog play areas. She commented that although this was passed in February, timed use was not listed under the New Business/Agenda Setting item on the calendar and asked that timed use be heard before the Commission. Ernestine Weiss listed her concerns with Ferry Park: 1) volleyball players, 2) holes in the broken concrete on Block 202 and 3) amplified sound. Steven Worsley gave some history on Coit Tower and stated it should be a respite for people to come and learn about the great depression. Jim Salinas commended the President of this Commissioner as someone he had a great deal of respect for and thanked him for all of his contributions. He also complimented staff members, Rose Dennis and Sandy Lee and asked the Commission to try wherever possible to meet staff and listen to their issues.

The Commission adjourned into Closed Session at 3:50 p.m.
The Commission reconvened into Open Session at 4:00 p.m.

On motion by **Commissioner Bonilla** and duly seconded, the following resolution was unanimously adopted: **RES.NO. 0705-011**
RESOLVED, That this Commission votes not to disclose any or all discussions held in closed session. (San Francisco Administrative Code Section 67.12 (a)).

ADJOURNMENT

The Regular meeting of the Recreation and Park Commission was adjourned in memory of Charles Patrick Shea and Carl Poch at 4:17 p.m.
Respectfully submitted,

Margaret A. McArthur
Commission Liaison

Fees 0705 - 009

San Francisco Recreation & Parks

McLaren Lodge, Golden Gate Park, 501 Stanyan Street, San Francisco CA 94117
TEL 415.831.2700 FAX 415.668.3330 WEB parks.sfgov.org

5/17/07
EXHIBIT #3 - #09072

Date: May 10, 2007

To: San Francisco Recreation and Park Commission

From: Terry G. Schwartz,
Superintendent of Citywide Services

Subject: Proposed Changes in Fees to Reserve Athletic Fields and Categories of Users

Agenda Item Wording: Discussion and possible action to: 1) approve the Athletic Field Use Policies and 2) recommend that the Board of Supervisors approve changes to the Athletic Field Fees for the administration of the use of the athletic fields managed by the Recreation and Park Department.

Background: With the implementation of CLASS recreation management software, the Department has undertaken a redesign of the permit and reservation system used to manage the allocation of athletic fields to users. As a part of this process it was imperative for the staff to conduct a study of the current use of City managed fields. The study analyzed the existing supply of the fields and the subsequent demand from users.

A combination of the CLASS implementation and the results of the field use study require the need to change the existing field use process. This Agenda Item addresses some of those policies that are needed to standardize the use and distribution of the fields and to clarify the fees that are to be administered when individuals, groups and organizations rent these athletic facilities.

Issues that are important to users are:

- To have a level of confidence that the fields that are rented are administered in a fashion that is transparent to the users.
- To feel that when they secure a contract for the use of a field, they have the confidence that the field will be in suitable condition and properly prepared for their activity.
- To have a clear understanding of the costs to reserve the athletic facilities managed by the city Permits and Reservations Division. (The last time fees were altered was the fall of 2005)

Field Use Transparency

Exhibit A reflects the current fee schedule for the department. You will note the complexity of the options as you review the exhibit. With this schedule the consumer has no idea what the costs will be when they submit their reservation interests. In addition, the current structure is cumbersome.

San Francisco Recreation & Parks

McLaren Lodge, Golden Gate Park, 501 Stanyan Street, San Francisco CA 94117
TEL 415.831.2700 FAX 415.668.3330 WEB parks.sfgov.org

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Exhibit A
Current Costs for Permits

Hourly Rates for Fees	RESIDENTS	NON-RESIDENTS	PROFIT BUSINESS
SINGLE USE RESERVATION			
SOFTBALL LIGHTED (1.5 hours)	$35.00	$65.00	$85.00
SOFTBALL NON-LIGHTED (1.5 hours)	$25.00	$50.00	$70.00
BB/GS LIGHTED (2 hours)	$50.00	$70.00	$90.00
BB/GS NON-LIGHTED (2 hours) Soccer	$40.00	$60.00	$80.00
BB/GS LIGHTED (3 hours)	$75.00	$85.00	$95.00
BB/GS NON-LIGHTED (3 hours) Soccer	$65.00	$75.00	$85.00
TWILIGHT (April - September)	$30.00	$40.00	$80.00
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INDIRECT LIGHT - SINGLE (1 hour)	$20.00	$25.00	$40.00
LIGHTED - MULTIPLE (per hour)	$30.00	$35.00	$75.00
INDIRECT LIGHT - MULTIPLE (per hour)	$25.00	$30.00	$45.00
THE FOLLOWING ASSOCIATED FEES APPLY TO RESIDENTS, NON-RESIDENTS & PROFIT BUSINESS			
EXCLUSIVE USE (All day use or exclusive use of facility)	$45.00		
WEEKEND EVENING - After 5:00PM (3 hour minimum)	$80.00 + Staff Salary		
SOFTBALL/BASEBALL LINES	$20.00		
BASE LINES AND BATTERS BOX	$40.00		
SOCCER/LACROSSE/RUGBY/FOOTBALL #1 (Every 10 yards)	$80.00		
GAELIC FOOTBALL (Twice the size of soccer)	$160.00		
FOOTBALL #2 (Every 5 yards)	$120.00		
SCHEDULING FEE (Over 25 reservations)	$10.00		
ENVIRONMENTAL FEE (Applied to leagues weekly)	$100.00		

profit
55/hr
43/hr

Exhibit B reflects that our current structure (Exhibit A) ranges from $16.70 per hour to $66.70 per hour with a variety of ranges in between. For instance the cost of renting a soccer field for 2 hours versus 3 hours for a resident is $20 per hour increasing to $21.70 per hour but the cost for a For Profit enterprise reduces from $40 to $28 per hour. In addition there are a variety of fees that users find confusing.

84

San Francisco Recreation & Parks

McLaren Lodge, Golden Gate Park, 501 Stanyan Street, San Francisco CA 94117
TEL 415.831.2700 FAX 415.668.3330 WEB parks.sfgov.org

'07

Exhibit A
Current Costs for Permits

Hourly Rates for Fees	RESIDENTS	NON-RESIDENTS	PROFIT BUSINESS
SINGLE USE RESERVATION			
SOFTBALL LIGHTED (1.5 hours)	$35.00	$65.00	$85.00
SOFTBALL NON-LIGHTED (1.5 hours)	$25.00	$50.00	$70.00
BB/GS LIGHTED (2 hours)	$50.00	$70.00	$90.00
BB/GS NON-LIGHTED (2 hours) Soccer	$40.00	$60.00	$80.00
BB/GS LIGHTED (3 hours)	$75.00	$85.00	$95.00
BB/GS NON-LIGHTED (3 hours) Soccer	$65.00	$75.00	$85.00
TWILIGHT (April - September)	$30.00	$40.00	$80.00
MULTIPLE USE RESERVATIONS			
SOFTBALL LIGHTED (1.5 hours)	$40.00	$70.00	$100.00
SOFTBALL NON-LIGHTED (1.5 hours)	$28.00	$55.00	$90.00
BB/GS LIGHTED (2 hours)	$55.00	$75.00	$120.00
BB/GS NON-LIGHTED (2 hours) Soccer	$45.00	$65.00	$110.00
BB/GS LIGHTED (3 hours)	$80.00	$90.00	$140.00
BB/GS NON-LIGHTED (3 hours) Soccer	$70.00	$80.00	$130.00
WINTER RESERVATIONS (November through March)			
LIGHTED - SINGLE (1 hour)	$25.00	$30.00	$70.00
INDIRECT LIGHT - SINGLE (1 hour)	$20.00	$25.00	$40.00
LIGHTED - MULTIPLE (per hour)	$30.00	$35.00	$75.00
INDIRECT LIGHT - MULTIPLE (per hour)	$25.00	$30.00	$45.00
THE FOLLOWING ASSOCIATED FEES APPLY TO RESIDENTS, NON-RESIDENTS & PROFIT BUSINESS			
EXCLUSIVE USE (All day use or exclusive use of facility)	$45.00		
WEEKEND EVENING - After 5:00PM (3 hour minimum)	$80.00 + Staff Salary		
SOFTBALL/BASEBALL LINES	$20.00		
BASE LINES AND BATTERS BOX	$40.00		
SOCCER/LACROSSE/RUGBY/FOOTBALL #1 (Every 10 yards)	$80.00		
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Exhibit B reflects that our current structure (Exhibit A) ranges from $16.70 per hour to $66.70 per hour with a variety of ranges in between. For instance the cost of renting a soccer field for 2 hours versus 3 hours for a resident is $20 per hour increasing to $21.70 per hour but the cost for a For Profit enterprise reduces from $40 to $28 per hour. In addition there are a variety of fees that users find confusing.

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Exhibit B

Current Scenarios	Current Unit	Price Current Structure			Cost Per Hour		
Single Use	In Hours	Resident	Non Res	Profit	Resident	Non Res	Profit
Softball Non-Lighted	1.5	$25	$50	$70	$ 16.67	$ 33.33	$ 46.67
Softball Lighted	1.5	$35	$65	$85	$ 23.33	$ 43.33	$ 56.67
BB/GS Non-Lighted	2	$40	$60	$80	$ 20.00	$ 30.00	$ 40.00
BB/GS Lighted	2	$50	$70	$90	$ 25.00	$ 35.00	$ 45.00
BB/GS Non-Lighted	3	$65	$75	$85	$ 21.67	$ 25.00	$ 28.33
BB/GS Lighted	3	$75	$85	$95	$ 25.00	$ 28.33	$ 31.67

Current Scenarios	Current Unit	Price Current Structure			Cost Per Hour		
Multiple Use Reservation	In Hours	Resident	Non Res	Profit	Resident	Non Res	Profit
Softball Non-Lighted	1.5	$28	$55	$90	$ 18.70	$ 36.67	$ 60.00
Softball Lighted	1.5	$40	$70	$100	$ 26.67	$ 46.67	$ 66.67
BB/GS Non-Lighted	2	$45	$65	$110	$ 22.50	$ 32.50	$ 55.00
BB/GS Lighted	2	$55	$75	$120	$ 27.50	$ 37.50	$ 60.00
BB/GS Non-Lighted	3	$70	$80	$130	$ 23.33	$ 26.67	$ 43.33
BB/GS Lighted	3	$80	$90	$140	$ 26.67	$ 30.00	$ 46.67

The intent of the proposed new schedule is to make the process simple enough so that a person who wants to rent the outdoor athletic facilities can go to the categories that apply to them, determine fees based on a simplified schedule. It is also designed to improve fee consistency.

Field Suitability

One element of frustration field users have is the inconsistency of the field conditions when they are given a permit. When we allocate fields, we need to create a funding stream to ensure a field will be in good condition. Field condition can be separated into two considerations; proper seasonal conditioning and game day preparation.

Field conditioning is a cost that is incurred by the City and would cover the general care and maintenance of the field prior to the beginning of the season. These preparations might include gopher remediation, the repair of ruts and holes in the turf resulting from the gopher population, annual aerification and seeding, turf replacement and backfilling cinder on the infield of softball and baseball fields. These practices have not kept pace with the increase in field use given the shortage of gardener staff. Increasing the number of gardeners who work in these areas to improve the condition of our fields is highly desirable.

Field preparation costs are associated with the appearance of the fields on the day of the game. Many times permit users elect to have the fields marked for the games. The revenues to support these costs are to be generated from the permit holder if they elect to have the service completed. In the ideal world, the employee costs to complete these cosmetic and game day services are recovered from these fees. This is a line of business that can be capitalized on if the department can ensure high quality and consistency when completing the work. This would play a significant role when increasing our credibility among users.

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Exhibit C –

Facility Fees	Unit	Current Price New Structure	New Fees	Change
Resident 25	Per Hour	$20	$25	$5
Non Resident 50	Per Hour	$30	$65	$35
Non Profit ?	Per Hour	$20	$25	$5
Profit ?	Per Hour	$50	$65	$15
Extra Fees/Additional Charges				
Multiple Use/Hour (after 1st hr)	Per Hour	2.50 $5	$0	-$5
Lighted	Per Hour	$5	$10	$5
Exclusive User/Booking/Tournamants/leagues	Per Day	$45	$45	$0
Off Hours (After 5 Weekend)	Per Hour	Staff / $50 + $80 per booking	Staff / $50 + $80 per booking	Staff / $50 + $80 per booking
Base Lines Softball/Baseball	Per Booking	$20/60	$60	$40/0
Soccer/Lacro/Rugby/Football 80	Per Booking	$80	$120	$40
Gaelic Football 90	Per Booking	$160	$180	$20
Football (5 Yards)	Per Booking	$120	$160	$40

Exhibit C represents the rates that are recommended for the Fiscal Year 2007/2008. The first column labeled Current Price New Structure reflects the need in Class to have a single hourly rate structure and a melding of the current rates to as closely as possible match existing rates. The New Fees reflects changes to this New Structure. The essential recommendations of the New Fees are:

- To eliminate the Multiple Use Fee, Environmental Fee and Scheduling Fee
- To offset the elimination of the multiple use and Environmental Fee by raising fees for Residents and Non-Profits by $5
- To increase fee for Non-Resident to same fee paid as the For Profit
- To apply the Exclusive Use fee to tournaments and weekend leagues as a one time per day charge for the exclusive use of the fields
- To increase fees for lights to $10 per hour – already been done in '05

Exhibit D illustrates the percentage each of these groups will experience from the recommended changes.

Exhibit D

	Current	Change Per Hour from Current Fees				% Change from Current Fees			
Single Use	Hours	Resident	Non Res	NonProfit	Profit	Resident	Non Res	NonProfit	Profit
Softball Non-Lighted	1.5	$ 8.33	$ 31.67	$ 8.33	$ 18.33	50%	95%	50%	39%
Softball Lighted	1.5	$ 11.67	$ 31.67	$ 11.67	$ 18.33	50%	73%	50%	32%
BB/GS Non-Lighted	2	$ 5.00	$ 35.00	$ 5.00	$ 25.00	25%	117%	25%	63%
BB/GS Lighted	2	$ 10.00	$ 40.00	$ 10.00	$ 30.00	40%	114%	40%	67%
BB/GS Non-Lighted	3	$ 3.33	$ 40.00	$ 3.33	$ 36.67	15%	160%	15%	129%
BB/GS Lighted	3	$ 10.00	$ 46.67	$ 10.00	$ 43.33	40%	165%	40%	137%

	Current	Change Per Hour from Current Fees				% Change from Current Fees			
Multiple Use	Hours	Resident	Non Res	NonProfit	Profit	Resident	Non Res	NonProfit	Profit
Softball Non-Lighted	1.5	$ 6.33	$ 28.33	$ 6.33	$ 5.00	34%	77%	34%	8%
Softball Lighted	1.5	$ 8.33	$ 28.33	$ 8.33	$ 8.33	31%	61%	31%	13%
BB/GS Non-Lighted	2	$ 2.50	$ 32.50	$ 2.50	$ 10.00	11%	100%	11%	18%
BB/GS Lighted	2	$ 7.50	$ 37.50	$ 7.50	$ 15.00	27%	100%	27%	25%
BB/GS Non-Lighted	3	$ 1.67	$ 38.33	$ 1.67	$ 21.67	7%	144%	7%	50%
BB/GS Lighted	3	$ 8.33	$ 45.00	$ 8.33	$ 28.33	31%	150%	31%	61%

BB=Ball Fields
GS=Ground Sports

While the percentage is an interesting number to review it is important to know that the change is relatively small except for the non-resident groups.

Definition of Renters

One area of continuing confusion has been the lack of definitions for our renters so that it is clearly defined who is eligible for which category of fees. We are asking the Commission to approve the following categories:

- **Resident Fees:** Resident fees are intended to be available for individual residents for occasional use (not to exceed 4 hours per month). These fees are not intended to be applicable to leagues or organizations and are only available for booking through the walk-up window.
- **Not For Profit Fees:** Not For Profit fees are available for programs administered by Approved Not For Profit Organizations. These organizations provide organized access to fields for San Francisco residents and are not used to generate income to organizers or sponsors. In order to determine who is eligible for these fees, the Department intends to have groups file applications for approval to ensure that these groups are meeting these requirements (as described below).
- **For Profit Fees:** For Profit Fees are intended to apply to any renter who is generating income from the use of the field including compensation to organizers, fundraisers or subsidies to other programs.
- **Non-Resident Fees:** Nonresident fees are intended to apply to any user of fields by nonresidents.
- **School Use:** SFRP does not charge San Francisco schools for fields used for PE programs during the school days (before 3 pm) or for school leagues for grades 6 and up who use the fields before after school on weekdays.

implies never done before

- **Youth Leagues:** The Department does not charge ANFP's serving San Francisco youth with after school and weekend programs.
- **SFRPD Programs**: Programs offered by the Department receive access to fields at no cost
- **Regional, State, National, International Sporting Events**: The fee for these events will be determined using the ANFP criteria and must be approved by the Commission.

Approved Not for Profits

The Department seeks approval for authority for the Staff to create an application and approval process to determine if an organization is an Approved Not for Profit.

Definitions of Approved Not For Profits

- Volunteer-based or obtain funding from independent fundraising sources.
- Provide programs priced at or near the direct cost-recovery level to San Francisco residents.
- Department has learned that some organizations run programs that have paid large salaries to sponsors or administrators or generated profits that have been used to fund other organizational operations or to make charitable donations. Approved Not For Profits must demonstrate that they are not using their operations for these purposes or they will have to pay the For Profit Fees.

Application Process – The Staff will finalize the application process but it will include at a minimum:

- Annual application and fee of up to $250 per year
- Must be 501c3 or serve fewer than 125 participants
- Must provide financials statements and details of fees and expenses as well as budget
- Board of Directors certify no officer, director, or administrator is benefiting financially directly or indirectly from this program except as disclosed in detail
- Evidence that they are serving San Francisco residents
- Due to field limitations, new ANFP applicants will only be permitted if they are meeting a need not covered by other groups

Approval Conditions – The Staff will finalize the approval conditions but they will focus on two elements:

- **Not Generating Income:** Organizations must demonstrate that the programs are not generate income to pay salaries to sponsors or coordinators or generating profits that are used to fund other aspects of the organizations' operations or to make charitable donations.
  - Who is receiving compensation in connection with the program? Are directors and officers all volunteers? Programs administered or coordinated by paid coaches will be presumed not to meet this standard.

- Is the program operating at a relative breakeven and what is the program doing with any excess revenues?
- Has the program in the past followed SFRPD requirements including those regarding field clean-up, recognizing rainout closures, returning unused fields in a timely manner?
- Is the program open to all in San Francisco and does it provide scholarships for those who can not afford to pay? Is there a nonbiased method for determining who will participate (first come, first serve, lottery)?

- **Serving Residents:** At least 90% of the participants in each program must be San Francisco residents
  - If the program also uses fields outside San Francisco in a proportion at least equal to the percentage of non San Francisco residents, the program will be eligible for the not for profit rate.

eliminate

Policy

In concert with these recommended adjustments, we continue to review the policies that are associated with the operations of the Permits and Reservations Division. Some of the policies that we assess and will offer recommendations for in the future include:

20% Rule- This rule was created to prevent the fields from being reserved 100% of the time in any given week. 20% of the available fields in any given week were held back and distributed each Tuesday morning. The intent would be that these fields would be available for individual occasional users. While the rule was a good one in theory, in practice it was abused frequently by organizations that could not get enough fields to conduct their leagues. Every Tuesday morning the league representatives waited in line to attempt to get as many bookings as they needed to conduct their respective league. In addition, it allowed for profit groups to rent at lower rates. We will recommend a reduction in the percentage holdback to improve this condition.

Priority Guidelines for Field Allocations

The priority guidelines for how fields are allocated will be refined. The most difficult times for the distribution of fields is between 3:30 and 7:30 on weekdays and weekends in the fall and spring. We will be looking at how the fields will be allocated among several groups including recreation and park programs, an increase in the number of fields that need to be allocated for recreation and park girls programs, public and private schools, youth group leagues, not for profit groups, and private organizations.

Tightening of Schedules

There needs to be guidelines as to when people are scheduling their programs to comply more closely with the recreation and park department seasonal schedule (4-13 week program cycles).

Punitive Measures

There are a number of individuals who are openly ignoring the policies of the reservation system. Measures will need to be determined to discipline individuals and organizations that attempt to circumvent or ignore the established policies for field reservations.

Monitoring Use

We need to establish a system that monitors the use of facilities and the revenues that are generated by revenue type. We also need to set up the system for the no pays (schools, youths etc), no one can be a no pay unless they are in the system as an approved no pay. Then at the end of the year you could look at the total subsidy to that group. In addition, we want to ensure that fields that are reserved are actually utilized. For the no pay group, there is currently no incentive to return unused fields.

why?

Financial Impact: It is unknown what the financial impact of these recommendations will be in relationship with previous operations. One purpose of the CLASS software is to provide the Department with a tool that will allow us to begin to measure the results of these decisions. In the future we will be able to provide detailed financial history of each revenue line that is used to collect fees.

Pros:

- The fee schedule is proposed to simplify and clarify the fees that are charged to permit holders for the use of the fields.
- The policies that are under consideration will help to standardize the administration of the use of the fields.
- Fees have not been increased for two years. This schedule is intended to keep up with the cost of operations and improve field operations.

Cons:

- Fee increases and policy changes may promote users who use our facilities to object to these changes and may cause push back.
- The new system will have the potential to influence some users in a negative way.

what does that mean?

Recommendation: Approve the proposed fee schedule for the use of the Recreation and Park Department athletic fields.

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. 544-5227

MEMORANDAUM

DATE: December 4, 2009

TO: Sunshine Ordinance Task Force

FROM: Angela Calvillo, Clerk of the Board

SUBJECT: Sunshine Ordinance Complaint Nos. 09072 and 09073 – Anmarie Mabbutt vs. COB

This is a response to Complaint Nos. 09072 and 09073 filed by Anmarie Mabbutt against the Clerk of the Board.

In both of the above referenced complaints, Ms. Mabbutt indicates that the short-title descriptions of File Nos. 070815 and 090717 are in violation of Sections 67.7(a) and 67.7(b) of the Sunshine Ordinance. The short- and long-titles are depicted below:

> **File No. 070815 [Recreation and Park Department – Athletic Fees]**
> Ordinance makign environmental findings and amending San Francisco Park Code, Article 12, Section 12.36, to revise the fee schedule for use of athletic fields.
>
> **File No. 090717 [Recreation and Park Department – Athletic Field Fees]**
> Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.36 to increase the fees for use of athletic fields and making environmental findings.

Section 67.7(a) of the Sunshine Ordinance specifies that 'at least 72 hours before a regular meeting, a policy body shall post an agenda containing a meaningful description of each item of business to be transacted or discussed at the meeting, and agendas shall specify for each item of business the proposed action or a statement the item is for discussion only, and the policy body shall post a current agenda on its Internet site at least 72 hours before a regular meeting.'

In response to Ms. Mabbutt's complaint relating to posting requirements in Section 67.7(a) of the Sunshine Ordinance, agendas for File No. 070815 were posted in advance of the 72 hour regulation, in the hallway outside of Room 244, at the main library, and on the Board of Supervisors Website, for the following meeting dates: June 18, 2007 (Budget & Finance Committee); June 25, 2007 (Budget & Finance Committee; July 10, 2007 (Board of Supervisors); July 17, 2007 (Board of Supervisors); and July 24, 2007 (Board of Supervisors. Agendas for File No. 090717 were posted in advance of the 72 hour regulation, in the hallway outside of Room 244, at the main library, and on

the Board of Supervisors Website, for the following meeting dates: June 2, 2009 (Budget & Finance Committee); June 24, 2009 (Budget & Finance Committee); June 30, 2009 (Board of Supervisors); and July 7, 2009 (Board of Supervisors).

In response to Ms. Mabbutt's complaint relating to 'meaningful description' requirements in Section 67.7(a) of the Sunshine Ordinance, the titles referenced above clearly indicate the description that athletic fees were being discussed, including amendments to the fee schedules. I would like to clarify that proposed legislation is **not** created by the Clerk of the Board, it is submitted by departments, and in this instance, was introduced by the Office of the Mayor. Both of these files are ordinances which are prepared for the departments by the City Attorney's Office and were both approved as to form by a Deputy City Attorney. The Clerk of the Board's Office utilizes the titles provided to prepare the agendas for meetings of the Board of Supervisors. It is worth mentioning that the Clerk of the Board does provide templates for departments to utilize when drafting legislation, which are available on the City's Intranet site, indicating the titles should be in 'plain English and clearly state the purpose of the legislation.'

In addition, both of these files were fee items and in accordance with Government Code Section 6062(a) were duly published in our newpaper of general circulation twice prior to being heard by the Board of Supervisors as follows:

File No. 070815 – Published on June 8, 2007 and June 16, 2007 *(Attachment A)*
File No. 090717 – Published on June 14, 2009 and June 21, 2009 *(Attachment B)*

It is our opinion that both of these files were duly noticed, posted, and published with a 'meaningful description' from what was submitted by the department, City Attorney's Office, and Office of the Mayor.

Section 67.7(b) of the Sunshine Ordinance specifies that 'a description is meaningful if it is sufficiently clear and specific to alert a person of average intelligence and education whose interests are affected by the item that he or she may have reason to attend the meeting or seek more information on the item, be brief, concise and written in plain, easily understood English, and made available for public inspection and copying at a location indicated on the agenda during normal office hours.'

As clearly stated above, both of these files were duly noticed, posted, and published with a 'meaningful description' from what was submitted by the City Attorney's Office, department, and Office of the Mayor. In addition, both the agendas and published notices indicated that additional information was available for public inspection and copying at the Office of the Clerk of the Board, not to mention drafted legislation is available on the Board of Supervisors website, in its entirety, for review by the public with the posting of the agenda in advance of the 72 hour noticing requirement.

In closing, it is our position that both of these files were processed by the Clerk of the Board in accordance with the regulations depicted in Sections 67.7(a) and 67.7(b) and therefore these complaints have no merit.

Pub. 6/8/07
6/16/07

Attachment A

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. 544-5227

NOTICE OF PUBLIC HEARING

BUDGET AND FINANCE COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN to the general public that the Budget and Finance Committee will hold a public hearing on **June 18, 2007 at 11:00 a.m.,** in the Legislative Chamber, Room 250 at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California to consider the following:

File: 070815 Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.36, to revise the fee schedule for use of athletic fields.

If the legislation passes, it will increase the current fee as follows:

(a)	*Facility Fee Per Hour*	
	S.F. Residents:	*$25.00*
	Non-resident:	*$65.00*
	Not-for-Profit:	*$25.00*
	Profit:	*$65.00*
(b)	*Additional Charges*	
	Lighted	*$10.00 per hour*
	Exclusive Use/Tournaments	*$45.00 per day*
	Baselines: Softball, Baseball	*$60.00 per booking*
	Fieldlines: Soccer, Football, Rugby, Lacrosse	*$120.00 per booking*
	Gaelic Football	*$180.00 per booking*
	Football (5 yards)	*$160.00 per booking*

(c) Not for Profit Fees are available to organized programs that serve San Francisco residents and that do not generate income or compensation to the organizers and/or sponsors. The Commission shall establish criteria for the determination of organizations eligible for this fee. Organizations shall pay an application fee of $150.00 for certification for eligibility for Not for Profit fees.

(d) For Profit Fees apply to organized programs that generate income or compensation to organizers, fundraisers or subsidies to other programs. The Commission shall establish criteria for the determination of organizations subject to this fee.

Data in support of the proposed fee increases is available in the above mentioned file of the Clerk of the Board of Supervisors ten days prior to the hearing.
For more information regarding the above, telephone (415) 554-5184 or write to Clerk's Office, Board of Supervisors, Room 244, City Hall, San Francisco, CA 94102.

Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Kay Gulbengay, Interim Clerk of the Board

SAN FRANCISCO EXAMINER

This space for filing stamp only

450 MISSION ST 5TH FL, SAN FRANCISCO, CA 94105
Telephone (415) 359-2723 / Fax (415) 359-2659

Victor Young
S.F. BD OF SUPERVISORS (NON-CONS
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA - 94102

EXM#: 1148203

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of SAN FRANCISCO) ss

Notice Type: GPN - GOVT PUBLIC NOTICE

Ad Description: vy Rec and park fee ads 6/18

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN FRANCISCO EXAMINER, a newspaper published in the English language in the city of SAN FRANCISCO, county of SAN FRANCISCO, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of SAN FRANCISCO, State of California, under date 10/18/1951, Case No. 410667. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

06/08/2007, 06/16/2007

Executed on: 06/16/2007
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature

NOTICE OF PUBLIC HEARING BUDGET AND FINANCE COMMITTEE SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN to the general public that the Budget and Finance Committee will hold a public hearing on June 18, 2007 at 11:00 a.m., in the Legislative Chamber, Room 250 at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California to consider the following: File: 070815 Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.35, to revise the fee schedule for use of athletic fields. Facility Fee Per Hour S.F Residents: $25.00 Non-resident: $65.00 Not-for-Profit:$25.00 Profit $65.00 Additional Charges Lighted $10.00 per hour Exclusive Use/Tournaments $45.00 per day Baselines: Softball, Baseball$60.00 per booking Fieldlines: Soccer, Football, Rugby, Lacrosse $120.00 per booking Gaelic Football $180.00 per booking Football (5 yards) $160.00 per booking Not for Profit Fees are available to organized programs that serve San Francisco residents and that do not generate income or compensation to the organizers and/or sponsors. The Commission shall establish criteria for the determination of organizations eligible for this fee. Organizations shall pay an application fee of $150.00 for certification for eligibility for Not for Profit fees. For Profit Fees apply to organized programs that generate income or compensation to organizers, fundraisers or subsidies to other programs. The Commission shall establish criteria for the determination of organizations subject to this fee. File: 070816 Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.12, to revise the time for twilight play, to establish fees for shotgun tournaments, and to authorize the Recreation and Park Commission to approve special promotions not to exceed a 20% discount of the applicable rate. If the legislation passes, it will increase or establish fees as follows: Shotgun Tournament (120 players or more)– Tournament Rate plus per player:$10.00 Weekday/per player $15.00 Weekend/per Super Twilight fee times change seasonally as established by the Recreation and Park Commission. The Commission may also approve special promotions not to exceed a twenty percent (20%) discount of the applicable rate File: 070817 Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.21, to increase the fees for renting clubhouses in San Francisco parks. If the legislation passes, it will increase the current fee to the following: Stern Grove (Trocadero): Mon-Thurs Reservation Fee(RF) $40, Hourly Rate(HR) $110; Friday-Sun RF$150, HR $115; Legal Holidays RF $150, HR $115 (six hour minimum rental) Julius Clubhouse: Reservation Fee(RF) $15, Hourly Rate(HR) $65 (2 hour min) West Portal Clubhouse: Reservation Fee(RF) $15, Hourly Rate(HR) $65 (2 hour min) Class A Recreation Center. Reservation Fee(RF) $5, Hourly Rate(HR) $40 (2 hour min) Class B Clubhouse Center. Reservation Fee(RF) $5, Hourly Rate(HR) $30.(2 hour min) Class C Small Clubhouse. Reservation Fee(RF) $5, Hourly Rate(HR) $20 (2 hour min) File 070818. Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.43, to establish fees for Junior and Family golf tournaments. If this legislation passes, it will establish the following fees that are charged for Junior Tournaments. A Junior Tournament is a group of 16 or more players, age 17 and under. Carts are not included for FY2007-2008 Thereafter, Junior Tournament fees will be 50% of the resident tournament fee for the applicable course. Weekday(Mon-Thurs)/per player Fleming $15.00 Golden Gate $ 9.00 Harding Park $58.00 Lincoln $19.00 McLaren (9 hole) $11.00 McLaren (18 hole) $16.00 Sharp $19.00 Weekend (Fri-Sun)/per player Fleming $21.00 Golden Gate $13.00 Harding Park $68.00 Lincoln $24.00 McLaren (9 hole) $14.00 McLaren (18 hole) $20.00 Sharp $24.00 The legislation will also establish fees for Family Tournaments, a group of 16 or more players

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composed of teams of two family members alternating shots, playing two rounds of nine holes. The Junior Tournament rate shall apply only to Junior team members of the family. The fee per team shall be the sum of the applicable fees for one round of tournament play per person per day at the course. The City Championship will honor the Junior Tournament rate for Juniors only. File 070819. Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.45, to establish administrative charges and a fee structure for recreational programs. If this legislation passes, it will establish the following hourly fees to be charged for recreation programs. There is an 8-hour minimum requirement. Step 1 Level 1, $0.25; Level 2, $1.50; Level 3, $4.00, Level 5, $12.00. Step 2 L1, $0.50; L2, $1.75; L3, $5.00; Level 4, $16.00. Step 3 L1 $0.75; L2, $2.00; L3, $6.00; L4, $20.00. Step 4 L1, $1.00, L2, $2.25; L3, $7.00, L4, $24.00. Step 5 L1, $1.25, L2, $3.00, L3, $8.00, L4, $28.00. File 070820. Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.45, to establish administrative fees. If this legislation passes, it will establish the following fees for all reservations for Recreation and Park Department programs, activities and facilities, unless otherwise specified: A refund processing fee of $10.00 or 20% of the fee, whichever is greater, will be charged when a person requests a refund of program fees. A program withdrawal fee of $10.00 or 20% of the fee, whichever is greater, will be charged when a person withdraws from a program or activity. There will be a cancellation fee of $20.00 or 20% of the rental fee, whichever is greater, for the cancellation of facility rental reservations. There will be a non-refundable application fee of $50.00 for special event permits. File 070821. Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.32, to increase the annual fee for San Francisco Resident Golf Cards from $40.00 to $45.00 and imposing administrative fees. In addition to increasing the annual fee for resident golf cards, if this legislation passes, it will also impose the following administrative fees: An annual fee of $30 shall be charged to Pacifica residents for a Pacifica Resident Card for use at Sharp Park for FY2007-2008. The fee will increase to $45.00 in FY2008-2009. A fee of $25.00 shall be charged for replacement of San Francisco and Pacifica Resident Golf Cards. If a San Francisco or Pacifica resident card application is returned to the applicant because the information on the application is incorrect or incomplete, there shall be an additional administrative fee of $5.00. File 070822. Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.07, to increase the fees for holding weddings in San Francisco parks. If this legislation passes, it will increase the following fees that are charged for weddings: Chain of Lakes (Middle Lake), Fuschia Garden, Portals of the Past/Lloyd's Lake and Rose Garden – Reservation Fee will be $200 and Hourly Rate will be $50. Chinese Pavilion, Queen Wilhelmina Garden, Shakespeare Garden and Palace of Fine Arts Rotunda – Reservation Fee will be $350 and Hourly Rate will be $100. All sites require a two-hour minimum rental. Data in support of the proposed fee increases is available in the above mentioned file of the Clerk of the Board of Supervisors ten days prior to the hearing. For more information regarding the above, telephone (415) 554-5184 or write to Clerk's Office, Board of Supervisors, Room 244, City Hall, San Francisco, CA 94102. Persons who are unable to attend the hearing may submit written comments that will become part of the official public record. For more details, go to www.sfgov.org/bdsupvrs or call (415) 554-5184. Kay Gulbengay, Interim Clerk of the Board

Attachment B

Rev. 6/14/09
6/21/09

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

NOTICE OF PUBLIC HEARING
BUDGET AND FINANCE COMMITTEE
SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN to the general public that the Budget and Finance Committee will hold a public hearing on **Wednesday, June 24, 2009, at 11:00 a.m.**, in the Legislative Chamber, Room 250 at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California to consider the following:

File: 090717 Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.36 to increase the fees for use of Athletic Fields and making environmental findings.

This legislation authorizes the following:

Athletic Field Fees (for adults): $25 for SF Residents; $65 for Non-resident; $25 Not for Profit; $65 Profit. Additional Charges: Lighted, per hour$10; Exclusive Use $45; Baselines per booking $60; Fieldlines per booking $120; Gaelic Football per booking $180; and football (5 yards) per booking $160.

Athletic Field Fees for For-Profit Youth Programs and Camps: SF Resident Fees will apply to any youth summer camp or vacation camp except that any camp charging less than $3 per hour per child will pay no fee.

Data in support of the proposed fees are available in the above-mentioned file of the Clerk of the Board of Supervisors ten days prior to the hearing.

For more information regarding the above, telephone (415) 554-5184 or write to Clerk's Office, Board of Supervisors, Room 244, City Hall, San Francisco, CA 94102.

Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Angela Calvillo, Clerk of the Board

SAN FRANCISCO EXAMINER

This space for filing stamp only

71 STEVENSON 2ND FL, SAN FRANCISCO, CA 94105
Telephone (415) 359-2723 / Fax (415) 359-2659

Gail Johnson
S.F. BD OF SUPERVISORS (OFFICIAL
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA - 94102

EXM#: 1621948

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of SAN FRANCISCO) ss

Notice Type: GPN - GOVT PUBLIC NOTICE

Ad Description: GJ FEE Ad - Rec & Park - 090717

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN FRANCISCO EXAMINER, a newspaper published in the English language in the city of SAN FRANCISCO, county of SAN FRANCISCO, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of SAN FRANCISCO, State of California, under date 10/18/1951, Case No. 410667. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

06/14/2009, 06/21/2009

Executed on: 12/03/2009
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature

NOTICE OF PUBLIC HEARING
Budget and Finance Committee
SAN FRANCISCO
BOARD OF SUPERVISORS
NOTICE IS HEREBY GIVEN to the general public that the Budget and Finance Committee will hold a public hearing on **Wednesday, June 24, 2009, at 11:00 a.m.**, in the Legislative Chamber, Room 250 at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California to consider the following: File: **090717** Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.38 to increase the fees for use of Athletic Fields and making environmental findings. This legislation authorizes the following: Athletic Field Fees (for adults): $25 for SF Residents; $65 for Non-resident; $25 Not for Profit; $65 Profit. Additional Charges: Lighted, per hour$10; Exclusive Use $45; Baselines per booking $60; Fieldlines per booking $120; Gaelic Football per booking $180; and football (5 yards) per booking $160. Athletic Field Fees for For-Profit Youth Programs and Camps: SF Resident Fees will apply to any youth summer camp or vacation camp except that any camp charging less than $3 per hour per child will pay no fee. Data in support of the proposed fees are available in the above-mentioned file of the Clerk of the Board of Supervisors ten days prior to the hearing. For more information regarding the above, telephone (415) 554-5184 or write to Clerk's Office, Board of Supervisors, Room 244, City Hall, San Francisco, CA 94102. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record. Angela Calvillo, Clerk of the Board California Newspaper Service Bureau, Inc. San Francisco Examiner 6/14/09 & 6/21/09 – 2t

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Anmarie Mabbutt
<tenniselement@yahoo.com>

11/24/2009 01:03 PM

To SOTF@sfgov.org
cc
bcc
Subject EXHIBIT #4 - SFGOVTV OF 6/25/7 MEETING - COMPLAINT #-09072 - 12/1/9 HEARING

Dear SOTF,

Please consider this link to the Board of Supervisors' Budget and Finance Committee meeting on June 25, 2007 as EXHIBIT #4 for Complaint #09072:

http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=7&clip_id=3761

If you view the portions of the meeting pertaining to Recreation & Park related Ordinances, the glaring inadequacy of the short-title description of Ordinance #070815 is obvious especially as you listen to that short-title description in sequence with the short-title descriptions of other Recreation & Park related Ordinances that were introduced.

Please be sure to include this as part of the agenda item packet for Complaint #09072 scheduled for a full hearing on December 1, 2009.

Thank you,

Anmarie Mabbutt