

## LEGISLATIVE DIGEST

[Split appointments to the Recreation and Park Commission; Recreation and Park Department and Commission special event permit and license decisions appealable to the Board of Appeals.]

**Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Sections 4.106 and 4.113, to split the power to make appointments to the Recreation and Park Commission between the Mayor and the Board of Supervisors, and to make Recreation and Park Department and Commission decisions regarding special event permits and licenses that significantly impact park property or the surrounding neighborhood appealable to the Board of Appeals.**

### Existing Law

Currently, the Mayor makes all seven appointments the Recreation and Park Commission.

The Board of Appeals lacks jurisdiction to hear and determine appeals of permits or licenses granted or denied by the Recreation and Park Department or the Recreation and Park Commission.

### Amendments to Current Law

This Charter Amendment would split the authority for appointing Recreation and Park Commissioners between the Mayor and the Board of Supervisors. The Mayor would nominate three (3) Commissioners, and the Rules Committee of the Board of Supervisors would nominate three (3) Commissioners, and the Mayor and the President would jointly nominate one (1) member. All nominations would be subject to approval by the Board of Supervisors. If the Board fails to act on nominees forwarded to the Clerk of the Board by the Mayor or by the Rules Committee within 60 days, the nominees would be deemed approved.

This Charter Amendment would authorize the Board of Appeals to hear appeals of decisions regarding special event permits or special event licenses made by the Recreation and Park Commission or Department, if the special event permit or special event license significantly impacts Recreation and Park property or the surrounding neighborhood. "Special event" permits and "special event" licenses include, for example, concerts, festivals and large multi-day activities. "Special event" permits and licenses shall be more specifically defined by ordinance.

Background Information

Until the 1996 Charter revision, the Recreation and Park Commission had "complete and exclusive" authority over the parks, playgrounds, and recreation facilities under its jurisdiction. When the Board of Appeals section was revised in 1996, now Charter Section 4.106, Recreation and Park Department and Commission licenses and permits were specifically excluded from Board of Appeals jurisdiction. The 1996 Charter revision also eliminated the Recreation and Park Commission's "complete and exclusive" authority over park property. Currently, final decisions of the Recreation and Commission regarding permits on park property can only be appealed to court.

A majority of the Commissions established in the City Charter have all of their members nominated by the Mayor. But in recent years, voters approved a number of reorganizations of Charter Commissions to split the appointments between the Mayor and the Board of Supervisors, and several newly created Commissions have split appointments. Commissions where both the Mayor and Board of Supervisors make appointments include the Police Commission, the Planning Commission, the Board of Appeals, the Entertainment Commission, the Building Inspection Commission, and the Youth Commission.