

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
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MEMORANDUM

TO: Jason Elliott, Mayor's Office
Ben Rosenfield, City Controller
Naomi Kelly, City Administrator
John St. Croix, Executive Director, Ethics Commission
John Arntz, Director, Department of Elections
John Rahaim, Director, Planning Department
Phil Ginsburg, General Manager, Recreation and Park Department
Phimy Truong, Director, Youth Commission
Harvey Rose, Budget and Legislative Analyst

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

DATE: June 26, 2014

SUBJECT: HEARING INTRODUCED: INITIATIVE ORDINANCE (4+ Supervisors)
November 4, 2014 Election

The Board of Supervisors' Rules Committee has received the following Hearing on the Initiative Ordinance for the November 4, 2014 Election, introduced by Supervisor Chiu on June 17, 2014.

File No. 140715 Hearing - Initiative Ordinance - Park Code - Children's Playgrounds, Walking Trails, Athletic Fields

Hearing held to consider the proposed initiative ordinance submitted by four or more Supervisors to the voters at the November 4, 2014, Election entitled "Ordinance amending the Park Code to authorize renovation of children's playgrounds, walking trails and athletic fields where a certified environmental impact report documents at least doubling in anticipated usage."

If you have any documentation or comments to be considered during the hearing, please forward them to me at: alisa.miller@sfgov.org or at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. If you have any questions, please call (415) 554-4447.

c: Jermain Jones, Mayor's Office
Monique Zmuda, Controller's Office
Peg Stevenson, Controller's Office
Scott Sanchez, Planning Department
Sarah Jones, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Joy Navarrete, Planning Department
Jeannie Poling, Planning Department
Sarah Ballard, Recreation and Park Department
Margaret McArthur, Secretary, Recreation and Park Commission
Debra Newman, Office of the Budget and Legislative Analyst
Severin Campbell, Office of the Budget and Legislative Analyst
Gabriela Loeza, Office of the Budget and Legislative Analyst

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Submittal Form
For Proposed Initiative Measure(s)
Prior to the Submittal
to the
Department of Elections
By 4 or more Board of Supervisors or the Mayor

I, hereby submit the following proposed initiative measure(s) for hearing before the Board of Supervisors, Rules Committee prior to the submittal of the proposed initiative measure to the Department of Elections. (Prop C. Nov. 2007)

SAN FRANCISCO
FILED
2014 JUN 17 PM 2:36
DEPARTMENT OF ELECTIONS

This matter is for the **Insert Date** Election.

Sponsor(s): Supervisor or Mayor

(see attached)

SUBJECT: Initiative Ordinance - Park Code
Children's Playgrounds, walking trails, Athletic Fields

The text is listed below or attached:

Signature of Sponsoring Supervisor(s) or Mayor

(see attached)

Time Stamp by Clerk's Office:

140715

PROPOSED INITIATIVE ORDINANCE TO BE SUBMITTED BY FOUR OR MORE SUPERVISORS TO THE VOTERS AT THE NOVEMBER 4, 2014 ELECTION.

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

[Initiative Ordinance — Park Code — Children’s Playgrounds, Walking Trails, Athletic Fields]

Ordinance amending the Park Code to authorize renovation of children’s playgrounds, walking trails and athletic fields where a certified environmental impact report documents at least doubling in anticipated usage.

NOTE: **Unchanged Code text and uncodified text** are in plain font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in *strikethrough-italics Times New Roman font*.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. The Park Code is hereby amended by adding Article 14 to read as follows:

ARTICLE 14: INCREASED USAGE OF CHILDREN’S PLAYGROUNDS, WALKING TRAILS, AND ATHLETIC

FIELDS ACT

SEC. 14.01. FINDINGS AND DECLARATIONS.

The People of the City and County of San Francisco (the “City”) hereby declare their findings and purposes in enacting this Act to be as follows:

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(a) The City does not have sufficient playgrounds for children, public trails for walking and hiking, or fields for soccer, baseball, softball and other youth and adult athletics to satisfy the needs of its residents and visitors.

(b) Despite the overall shortage of children's playgrounds, public trails and athletic fields, some existing playgrounds, trails and fields are significantly underutilized, but could be improved so that their use is substantially increased throughout the year.

(c) Improvements to the City's children's playgrounds, walking trails and athletic fields which have been the subject of a certified Environmental Impact Report should be allowed if they would significantly increase the usage of these sites.

SEC. 14.02. INCREASING PLAYGROUND, TRAIL AND FIELD CAPACITY.

(a) In order to increase the usage of children's playgrounds, walking trails and athletic fields by members of the public, notwithstanding any restriction on lighting or requirement for natural grass, the City shall allow renovations to children's playgrounds, walking trails and athletic fields, including but not limited to the installation of artificial turf and/or nighttime lighting on athletic fields, where the renovation satisfies both of the following:

(1) The Recreation and Park Department has determined, and an Environmental Impact Report ("EIR") has documented, that the renovation will at least double the usage of the particular children's playground, walking trail or athletic fields by members of the public during a calendar year; and

(2) An Environmental Impact Report for the renovation of the particular children's playground, walking trail or athletic fields has been certified.

(b) The foregoing may be satisfied either before or after the effective date of this Article.

(c) Notwithstanding the foregoing, nothing in this Article shall require or be construed to require completion of an EIR to renovate a children's playground, walking trail or athletic fields, unless an EIR is otherwise required by law.

SEC. 14.03. LIBERAL CONSTRUCTION.

This Article is an exercise of the initiative power of the people of the City and County of San Francisco for the protection of the health, safety, and welfare of the people, and shall be liberally construed to effectuate its purposes.

SEC. 14.04. AMENDMENT.

This Article may be amended to further its purposes by an ordinance passed by a two-thirds vote of the Board of Supervisors and signed by the Mayor.

SEC. 14.05. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The People hereby declare that they would have passed this ordinance and each and every section, subsection, sentence, clause, phrase, and word not declared invalid or unconstitutional without regard to whether any other portion of this ordinance would be subsequently declared invalid or unconstitutional.

Section 2. **Conflict with Other Measures.** This Initiative will be deemed to conflict with any other measure appearing on the same ballot relating to the same subject matter, including any measure relating to installing artificial turf or nighttime lighting on City athletic fields. In the event that this Initiative and any other such measure(s) are approved by the voters at the same election, and this Initiative receives a greater number of affirmative votes than any other such measure(s), this Initiative shall control in its entirety and the other measure(s) shall be rendered void and without any legal effect. If this Initiative is approved by a majority of the voters but does not receive a greater number of affirmative votes than any other such measure(s), this Initiative shall take effect to the extent permitted by law.

* * *

SUBMITTED.

David Lee

Date: 6/17/14

Member, Board of Supervisors

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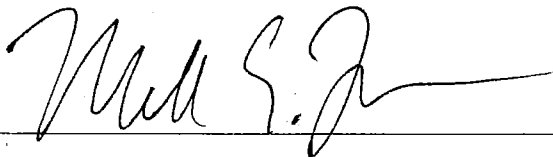
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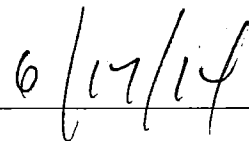
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* * *

SUBMITTED.



Date:



Member, Board of Supervisors

_____ Date: _____

Member, Board of Supervisors

_____ Date: _____

Member, Board of Supervisors

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_____ Date: _____

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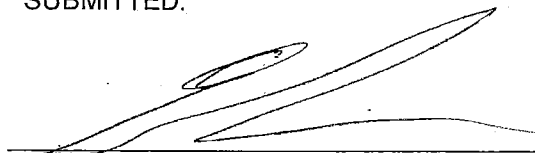
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SUBMITTED.



Member, Board of Supervisors

Date:

6-17-14

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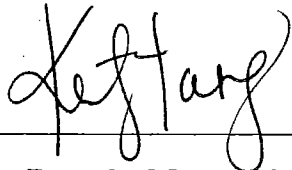
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* * *

SUBMITTED.



Date:

6/17/14

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* * *

SUBMITTED.

Scott Wiener

Date:

6/17/14

Member, Board of Supervisors

_____ Date: _____

Member, Board of Supervisors

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4/19/14

Scott Miller