

1 [Accept and Expend Grant and Grant Agreement - BXP Embarcadero Plaza LP -
2 Embarcadero Plaza and Sue Bierman Park - \$12,500,000]

3 **Resolution authorizing the Recreation and Park Department (RPD) to enter into an**
4 **agreement with BXP Embarcadero Plaza LP (BXPE), the Downtown San Francisco**
5 **Partnership, and the Office of Economic and Workforce Development regarding**
6 **potential improvements and renovations at Embarcadero Plaza and Sue Bierman Park;**
7 **and to accept cash and in-kind grants from BXPE of approximately \$2,500,000 for**
8 **design and RPD project management services; and to accept potential additional**
9 **grants of approximately \$10,000,000 that could include cash grants from Downtown**
10 **Community Benefit District (known as the Downtown San Francisco Partnership) or in-**
11 **kind grants of construction services from BXPE, for the period starting on the**
12 **execution date of the agreement through December 2028; and authorizing the RPD to**
13 **enter into amendments or modifications to the agreement provided they do not**
14 **materially increase the obligations or liabilities of the City and are necessary to**
15 **effectuate the purposes of the Project or this Resolution.**

16
17 WHEREAS, The Recreation and Park Department (RPD) operates and maintains
18 certain real property owned by the City that is commonly referred to as Embarcadero Plaza
19 and Sue Bierman Park (collectively, the "Park"), located on the western side along the
20 Embarcadero between Washington Street and Market Street, and seeks to activate the public
21 spaces it manages for the well-being of everyone in San Francisco's diverse community; and

22 WHEREAS, The Office of Economic and Workforce Development (OEWD) strives to
23 create a thriving and resilient economy, where barriers to economic and workforce
24 opportunities are removed, and prosperity is shared equitably by all; and
25

1 WHEREAS, BXP Embarcadero Plaza LP (“BXPE”) is an affiliate of the entities that own
2 certain commercial office buildings adjacent to the Park, which are commonly known as One
3 Embarcadero Center, Two Embarcadero Center, Three Embarcadero Center, and Four
4 Embarcadero Center, consisting of approximately 3.3 million square feet of commercial office
5 and retail space in the aggregate; and

6 WHEREAS, The Downtown Community Benefit District, also known as the Downtown
7 San Francisco Partnership (“DSFP”), is a nonprofit community benefit district working to
8 enhance San Francisco’s Downtown Core; and

9 WHEREAS, BXPE approached OEWD and RPD with a potential Project to renovate
10 the Park and has proposed to support the Project through a cash grant of up to approximately
11 \$200,000 to fund certain project management services, and an in-kind grant of additional
12 professional design services valued at approximately \$2,300,000; and

13 WHEREAS, An initial design for the project has undergone a preliminary review by
14 RPD and is consistent with its goals and objectives to create activated public open spaces;
15 and

16 WHEREAS, The parties intend to conduct community outreach and seek
17 environmental and other reviews to develop a Concept Plan for the Project; and

18 WHEREAS, RPD will work to secure \$15 million to \$20 million of public funding for the
19 construction of the Project; and

20 WHEREAS, DSFP has offered, to attempt to raise an additional approximately
21 \$10,000,000 in third-party philanthropic donations for the Project; and

22 WHEREAS, OEWD will assist DSFP in fundraising efforts as allowed and support RPD
23 in obtaining governmental approvals; and

24 WHEREAS, The specific terms and conditions of the above grants and the partnership
25 between RPD, BXPE, DFSP, and OEWD are outlined in an Agreement, a copy of which is on

1 file with the Clerk of the Board of Supervisors in File No. 241095 and which is incorporated by
2 reference herein; and

3 WHEREAS, On October 17, 2024, the Recreation and Park Commission adopted
4 Resolution No. 2410-004 recommending that the Board of Supervisors authorize RPD to
5 accept and expend the Grants from BXPE and DSFP and to approve the Agreement; now,
6 therefore, be it

7 RESOLVED, That the Board of Supervisors authorizes the Recreation and Park
8 Department to enter into the Agreement; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors authorizes RPD to accept and
10 expend the grants from BXPE valued at approximately \$2,500,000; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors authorizes RPD to accept and
12 expend the grants from the Downtown Partnership valued at approximately \$10,000,000; and,
13 be it

14 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of
15 indirect costs in the grant budget; and, be it

16 FURTHER RESOLVED, That the Board of Supervisors authorizes the RPD General
17 Manager to enter into any modifications and amendments to the foregoing agreements
18 including to any of their exhibits, and authorizes the RPD General Manager to execute further
19 agreements related to the Grant, that the RPD General Manager determines, in consultation
20 with the City Attorney, may be in the best interests of the City and do not materially increase
21 the obligations or liabilities of the City, are necessary or advisable to effectuate the purposes
22 of the Project or this Resolution, and are in compliance with all applicable laws, including the
23 City's Charter; and, be it

1 FURTHER RESOLVED, That within thirty (30) days of the agreement being fully
2 executed by all parties, the Recreation and Park Department shall provide the final contract to
3 the Clerk of the Board for inclusion into the official file.

4
5
6 Recommended:

7
8 _____/s/_____

9 Phil Ginsburg,
10 General Manager, Recreation and Park Department

11
12 Approved:

13
14
15 _____/s/_____

16 Mayor

_____/s/_____

Controller