

1 [Accept and Expend Grant - Grant Contract - Retroactive - California Department of Parks and
2 Recreation Habitat Conservation Fund - Twin Peaks Trail Improvements Project - \$350,000]

3 **Resolution retroactively authorizing the Recreation and Park Department (RPD) to**
4 **accept and expend a California Department of Parks and Recreation Habitat**
5 **Conservation Fund Grant in the amount of \$350,000 to support trail improvements**
6 **within the Twin Peaks Open Space for the term of July 1, 2022, through June 30, 2027;**
7 **approving a Grant Contract that requires RPD to maintain the trail for the duration of**
8 **the contract performance period from July 1, 2022, through June 30, 2042, pursuant to**
9 **Charter, Section 9.118(a); and authorizing the RPD General Manager to enter into**
10 **modifications and amendments to the grant contract that do not materially increase the**
11 **obligations or liabilities to the City and are necessary to effectuate the purposes of the**
12 **project or this Resolution.**

13
14 WHEREAS, The City and County owns Twin Peaks Open Space Assessor’s Parcel
15 Block No. 2643, Lot No. 006, Assessor’s Parcel Block No. 2643, Lot No. 007, Assessor’s
16 Parcel Block No. 2643, Lot No. 009, Assessor’s Parcel Block No, 2643, Lot No. 014, and
17 Assessor’s Parcel Block No. 2643, Lot No. 027 (hereafter, the “Property”); and

18 WHEREAS, The City, through its Recreation and Park Department (the “Department”),
19 operates and maintains the Property; and

20 WHEREAS, On November 3, 2020, San Francisco residents passed Proposition A, a
21 \$487.5 million General Obligation Bond identified as the 2020 Health and Recovery Bond
22 (“Bond”) and the Bond included \$1,000,000 in funding to support trail improvements; and

23 WHEREAS, The California Department of Parks and Recreation (“DPR”) administers
24 the Habitat Conservation Fund Program (“Grant”) that provides funding for trail construction
25 and improvements; and

1 WHEREAS, The Department applied for a grant in the amount of \$350,000 for
2 improvements to the Twin Peaks Trail system (“Project”) that will improve community access
3 to sections fo the Bay Area Ridge Trail; and

4 WHEREAS, On May 19, 2022, the Recreation and Park Commission adopted
5 Resolution No. 2205-006 approving the Department’s submission of the Grant application for
6 the Project and recommending that the Board of Supervisors authorize the Department to
7 accept and expend the grant funds and approve the terms of the Grant Contract which is on
8 file with the Clerk of the Board under File No. 221007 and which is hereby declared to be part
9 of this Resolution as if set forth fully herein; and

10 WHEREAS, The Grant Performance Period starts on July 1, 2022, and end on
11 June 30, 2027; and

12 WHEREAS, The Grant Contract requires the Department to maintain project location
13 for public use for a period of 20-years ending on June 30, 2042; and

14 WHEREAS, The Grant terms prohibit including indirect costs in the grant budget; and

15 WHEREAS, The Grant will not require an amendment to the Annual Salary Ordinance;
16 now, therefore, be it

17 RESOLVED, That the Board of Supervisors hereby authorizes the General Manager or
18 their designee to accept and expend grant funds in the amount of \$350,000 for the Twin
19 Peaks Trails Improvement Project; and, be it

20 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of
21 indirect costs as part of this Grant budget; and, be it

22 FURTHER RESOLVED, That the Board of Supervisors approves the Grant Contract
23 for the Twin Peaks Trails Improvement Project and authorizes the RPD General Manager to
24 enter into any modifications and amendments to the Grant Contract, including to any of its
25 exhibits, and authorizes the RPD General Manager to execute further agreements and

1 instruments related to the Project, that the RPD General Manager determines, in consultation
2 with the City Attorney, are in the best interests of the City and do not materially increase the
3 obligations or liabilities of the City, are necessary or advisable to effectuate the purposes of
4 the Project or this Resolution, and are in compliance with all applicable laws, including the
5 City's Charter; and, be it

6 FURTHER RESOLVED, That the Board of Supervisors authorizes the General
7 Manager, or their Designee to record a Declaration of Restriction with the Assessor-Recorder
8 on the Twin Peaks Open Space Assessor's Parcel Block No. 2643, Lot No. 006, Assessor's
9 Parcel Block No. 2643, Lot No. 007, Assessor's Parcel Block No. 2643, Lot No. 009,
10 Assessor's Parcel Block No. 2643, Lot No. 014, and Assessor's Parcel Block No. 2643, Lot
11 No. 027 to provide notice of the restrictions that shall apply for the duration of the Contract
12 Performance Period from July 1, 2022, through June 30, 2042; and, be it

13 FURTHER RESOLVED, That within 30 days of the Grant Contract being fully-executed
14 by all parties, RPD shall provide the final Grant Contract to the Clerk of the Board for inclusion
15 into the official file.

16 Recommended:

17

18 _____ /s/

19 General Manager

20

21

22 Approved:

Approved:

23 _____ /s/

_____ /s/

24 Mayor

Controller

25