

1 [Behested Payment Waiver - India Basin Waterfront Park]

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3 **Resolution authorizing the Mayor, officers and employees of the Office of the Mayor,**  
4 **and officers and employees of the Recreation and Park Department to solicit donations**  
5 **for the India Basin Waterfront Park Initiative from nonprofits, private organizations,**  
6 **grantmakers, and foundations for six months from the effective date of this Resolution,**  
7 **notwithstanding the Behested Payment Ordinance.**

8

9 WHEREAS, The Bayview-Hunters Point community is a historically underserved  
10 community that has experience with a concentration of polluting industries and has lacked the  
11 civic investment and inspiring greenspaces found elsewhere in San Francisco; and

12 WHEREAS, Community members have long advocated for improvements to and  
13 expansion of the existing India Basin Shoreline Park, located at 950 Galvez Avenue (at  
14 Hunters Point Boulevard and Hawes Street) as a way to correct previous disinvestment and  
15 ensure residents have access to the physical health, mental health, and community benefits  
16 that come from world class parks; and

17 WHEREAS, This advocacy moved closer to reality when the Recreation and Park  
18 Department (RPD) acquired the 900 Innes property adjacent to the south side of the Park in  
19 2014, with the goal of cleaning the formerly industrial site and connecting it to the existing  
20 Park and waterfront spaces; and

21 WHEREAS, A concept design was approved by the Recreation and Park Commission  
22 on August 16, 2018, under Resolution No. 1808-007, for a project to combine the existing  
23 India Basin Shoreline Park and 900 Innes property into one 10-acre India Basin Waterfront  
24 Park (IBWP); and

25

1           WHEREAS, The India Basin Waterfront Park Initiative (the Initiative) is a multi-pronged  
2 \$200 million public-private partnership in which RPD is working in close partnership with the  
3 Bayview-Hunters Point community, the Trust for Public Land, the San Francisco Parks  
4 Alliance, and the A. Philip Randolph Institute (collectively, the Partners) to build IBWP in one  
5 of the City's most historically underserved neighborhoods; and

6           WHEREAS, In addition to building IBWP, the Initiative will also enable RPD and the  
7 Partners to ensure the benefits of the project accrue to the existing neighborhood through  
8 projects and programs undertaken by Initiative Partners and other community-serving  
9 nonprofits consistent with the India Basin Equitable Development Plan (EDP); and

10           WHEREAS, On May 14, 2019, The Board of Supervisors authorized RPD to accept  
11 and expend a grant for the Initiative in the amount of \$25,000,000 from the John Pritzker  
12 Family Fund, under Resolution No. 242-19; and

13           WHEREAS, RPD has secured public grants to date totaling approximately  
14 \$123,000,000 including \$29,000,000 from the 2020 Health and Recovery Bond; and

15           WHEREAS, Additional funding is required to support the \$200,000,000 Initiative,  
16 including at least \$15,000,000 that is needed for EDP implementation; and

17           WHEREAS, The Partners have agreed to privately fundraise approximately  
18 \$55,000,000 in order to compete construction and implement the EDP; and

19           WHEREAS, RPD and the Office of the Mayor partner with numerous nonprofit  
20 organizations, private entities, grantmakers and foundations, often through contracts or  
21 permits; and

22           WHEREAS, RPD, the Recreation and Park Commission, the Mayor and the Office of  
23 the Mayor seek a waiver of the City's Behested Payment Ordinance (Campaign and  
24 Governmental Conduct Code, Section 3.600 et seq.) to the extent it prohibits solicitations of  
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1 financial support for the Initiative from persons or entities who would qualify as interested  
2 parties under the Behested Payments Ordinance; now, therefore, be it

3 RESOLVED, That under Section 3.620(f) of the Campaign and Governmental Conduct  
4 Code, the Board of Supervisors hereby waives application of the Behested Payment  
5 Ordinance for six months from the effective date of this Resolution to fundraising from  
6 nonprofits, private organizations, grantmakers and foundations to support the Initiative; and be  
7 it

8 FURTHER RESOLVED, That granting this waiver under Section 3.620(f) serves the  
9 public interest by bringing private funding into an underserved neighborhood to support an  
10 Initiative long advocated for by the community and executed in partnership with neighborhood  
11 residents; and be it

12 FURTHER RESOLVED, That granting this waiver under Section 3.620(f) does not  
13 create an appearance of impropriety.

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15 Recommended:

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17 \_\_\_\_\_ /s/

18 Phil Ginsburg,  
19 General Manager, Recreation and Park Department

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21 Approved:

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24 \_\_\_\_\_ /s/

25 Mayor

\_\_\_\_\_ /s/

Controller