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January 2, 2026

Rafael Mandelman, Board President
and Members of the San Francisco Board of Supervisors
c/o Ms. Angela Calvillo, Clerk of the Board
via email

Subject: Supplemental Documentation
File No. 251202 - Appeal of CEQA Emergency Exemption -
Vaillancourt Fountain Project, Embarcadero Plaza

Dear President Mandelman and Supervisors:

Happy new year!

Appellant Docomomo US/Northern California here provides further information in favor of its appeal of the emergency CEQA exemption to disassemble and store the Vaillancourt Fountain. Appellant requests that this submittal and its attached *Analysis* of Administrative Record and *Timeline* of Administrative Record exhibits be provided to all Boardmembers before the appeal hearing on January 13, as promised. Your review is appreciated.

Summary of Appeal Merits. The historic Vaillancourt Fountain by Canadian sculptor Armand Vaillancourt is the centerpiece of the City's Embarcadero Plaza, designed by renowned landscape architect Lawrence Halprin.

The Recreation and Parks Department intends to disassemble and store the fountain before the Embarcadero Plaza and Sue Bierman Park Project is studied. Yet in CEQA parlance, the plaza renovation and fountain removal equal "the whole of an action." CEQA review cannot be "piecemealed." Treating the exemption for removal of the fountain as if it is a separate project is an explicit strategy to avoid a full EIR.

The Department's piecemealed plan to remove the historic fountain has developed far-from-subtle bureaucratic and financial momentum, beyond the bounds of acceptable planning activities defined by the California Supreme Court.

In California, any discretionary agency action that *may* have a significant environmental impact must have the benefit of an appropriate level of CEQA review *before* considering approval. Here, the Department has not yet conducted environmental review—at *all*—for the whole of the action. To avoid post-hoc rationalization here, such review must include analysis of potentially significant impacts of the entire plaza project and feasible mitigation measures and alternatives, in a prescribed public EIR process.

The City instead claims an exemption from CEQA for the fountain removal, based on emergency. Such an exemption must be based on a “sudden, unexpected occurrence.” Here, the pronounced emergency to justify fountain disassembly and removal, after years of deferred maintenance, is a pretext to avoid EIR review. No recent event nor physical changes to the fountain have precipitated an emergency.

Planning Process. The record chronicled in thousands of City documents describes why disassembly of the fountain is to happen now, before this Board considers the entire plaza project. It is *to avoid* an EIR that must consider the historic fountain *in place*. (*Inter alia, e.g., see Analysis and Timeline*: “... relocating it to avoid an EIR ...;” “It seems like they are already planning for this to be taken down...;” “I believe that would avoid an EIR...;” “If we are relocating it to avoid EIR we need to determine where;” “...we need to be fully funded by the end of 2026. That's when we promised bulldozers in the ground...” “We will likely need a concrete plan for reuse of the fountain before we can sign off on its removal.”)

The City's Precommitment. The City's actions rely on a trumped-up emergency and demonstrate piecemealing and precommitment to the renovation project—disallowed by CEQA. Its illegal action is well-documented. *Surely now is the time to cure that precommitment* by setting aside the emergency exemption and preparing an Initial Study and the proper environmental document—an EIR.

Sincerely,

Susan Brandt-Hawley, Attorney for Docomomo US/NOCA

Analysis of Administrative Record for the Vaillancourt Fountain CEQA Exemption Appeal

TO: Board of Supervisors, City and County of San Francisco

% Clerk of the Board of Supervisors

FROM: Docomomo US/Northern California (“Docomomo NOCA”)

RE: Appeal of Approval Action and Statutory Exemption (Emergency Project) for the Removal of the Vaillancourt Fountain

DATE: January 2, 2026

I. INTRODUCTION

This is an appeal and administrative record analysis of the San Francisco Arts Commission’s (“SFAC”) approval action of the removal of the Vaillancourt Fountain (a.k.a. “Embarcadero Fountain”, a.k.a. “Quebec Libre!”; SFAC Accession No. 1971.46) and the underlying determination by the San Francisco Planning Department (“SF Planning”) on October 31, 2025 that the removal is statutorily exempt from the California Environmental Quality Act (“CEQA”) as an “Emergency Project” under CEQA Guidelines § 15269(c). The approval action took place on November 3, 2025 on behalf of San Francisco (“the City”) under [San Francisco Administrative Code § 31.04](#).

The approval action and underlying determination are factually unsupported and legally erroneous. The administrative record reveals a textbook violation of CEQA’s prohibition on pre-commitment. SFRPD committed to the removal of the Fountain to facilitate a park redesign long before any “emergency” was declared, rendering the subsequent exemption determination an unlawful “post-hoc rationalization” ([Save Tara v. City of West Hollywood \(2008\)](#), 45 Cal. 4th 116, [RiverWatch v. Olivenhain Municipal Water Dist. \(2009\)](#), 170 Cal. App. 4th 1186).

The “emergency” is not a “sudden, unexpected occurrence” ([California Public Resources Code § 21060.3](#)). Instead, it is the manufactured result of long-term deferred maintenance, a condition common amongst hundreds-to-thousands of buildings and properties city-wide. Furthermore, the City’s own Planning Department formally determined on October 29, 2025, that the Fountain is a historic resource, automatically triggering CEQA protections. The exemption is a pretextual device used to bypass the mandatory Environmental Impact Report (EIR) process required to analyze the impacts to a historic resource ([Los Osos Valley Associates v. City of San Luis Obispo \(1994\)](#), 30 Cal. App. 4th 1670, [Castaic Lake Water Agency v. City of Santa Clarita \(1995\)](#), 41 Cal. App. 4th 1257).

Finally, CEQA looks at a proposed project holistically. CEQA requirements “cannot be avoided by chopping up proposed projects into bite-size pieces”. Disaggregating the Fountain from the Embarcadero Plaza and Sue Bierman Park Renovation Project is unambiguous piecemealing that avoids the holistic environmental review process ([Orinda Ass’n v. Bd. of Supervisors \(1986\)](#), 182 Cal. App. 3d 1145, [Laurel Heights Improvement Assn. v. Regents of University of California \(1988\)](#), 47 Cal. 3d 376).

II. STATEMENT OF FACTS: A CHRONOLOGY OF PRE-COMMITMENT

The City’s “emergency” determination on October 31, 2025 and approval action vote on November 3, 2025, are the culmination of a nearly 18-month campaign to remove the Vaillancourt Fountain. The administrative record establishes that the decision to remove the structure preceded any finding of “emergency.”

Bolded text within quotes have been bolded for emphasis, unless otherwise noted.

- **March-May, 2024:** Private entity BXP, Inc. (“BXP”, FKA “Boston Properties”) pitches its “vision” for Embarcadero Plaza to the City. The presentation outlines the exact narrative the City would later adopt—“Maintenance and ADA issues” and “Obscured views to waterfront”—and proposes a specific “Park Plan” that requires the Fountain’s removal. (Source: [CURRENT 2024-05-10 BxP Presentation BXP version.pdf](#), [CPC 00181.pdf](#), [CPC 00188.xlsx](#), [CPC 00178.pdf](#), [CPC 00185.pdf](#), [CPC 00178.pdf](#))
- **May 15, 2024:** BXP Senior Vice President Aaron Fenton emails SFRPD, “I am pleased to share with our [sic] my concept budget for Phase I and Phase II for Platform Park. Also attached is the scoping drawings we prepared to help Webcor prepare the concept budget.” (Source: [CPC 00178.pdf](#))
- **August 9, 2024:** SFRPD General Manager Phil Ginsburg sends an internal email listing a key action item: “**Meet to strategize on messaging and next steps on Fountain.**” This confirms that the high-level strategy to manage the Fountain was underway over a year before the emergency declaration. (Source: [Anon - Embarcadero Redacted.pdf](#))
- **August 23, 2025:** A file called “Vaillancourt Presentation.pdf” appears to have been exported by SFRPD staff. This file shows “PROPOSED FENCE IMPROVEMENTS” for the Vaillancourt Fountain, including a “42”H Angled Plaza Fence” and “72”H Backside Security Fence”. PDF metadata shows a “Create Date” of “2024:08:23 16:41:35-07:00”. (Source: [Vaillancourt Presentation.pdf](#))
- **October 17, 2024:** At an SFRPD Commission meeting, General Manager Ginsburg says the revitalization project has been “floating around for a long, long, long, long time... eight to 10 years ago,” confirming this is a long-term goal, not a sudden response to an emergency. (Source: [Commission Video Recording](#))
- **December 2, 2024:** Internal meeting minutes between SFRPD and SF Planning show the project is already defined. The discussion is not *if* the Fountain should be removed, but *how*: “Fountain can possibly be placed in storage... RPD will contract with a **preservation consultant to determine best method to dismantle the fountain.**” (Source: [Langlie Fountain.pdf](#))
- **December 18, 2024:** SF Planning staff (Michelle Langlie, Senior Preservation Planner) expresses concerns to SFRPD about the plan for removal, stating “I do have concerns about placing the disassembled fountain into storage. **We will likely need a concrete plan for reuse of the fountain before we can sign off on its removal.**” (Source: [Langlie Fountain.pdf](#))
- **December 19, 2025:** Engineering drawings are shared for the fencing around the Fountain. The drawings are from “COCHRANE ENGINEERING AND DESIGN” and show an “APPROVED DATE” of “2024/12/19”. (Source: [1438-NF-CV-00-01-00-00-A-Roo.pdf](#) and [1438-NF-PG-00-01-00-00-A-Roo.pdf](#))
- **February 4, 2025:** SFRPD receives a “revised” drawing for fencing around the Fountain. The drawings reference “JOB NAME Q536344 EMBARCADERO” and “**DATE 10 JAN 2025**”. (Source: [DWG Q536344 EMBARCADERO REVISED 2-4-25.pdf](#))
- **February 12-13 2025:** SFAC staff (Mary Chou, Director of Public Art and Civic Art Collection and Allison Cummings, Senior Registrar) discuss SFRPD’s intent, stating “**It seems like they are already planning for this to be taken down...**”, “Obviously, the train is moving with or without us”, “I caught the timeline, it’s concerning as well. Like I said, **I feel like the train is moving without us...**” (Source: [RE Notification of Hazardous Materials Testing at Vaillancourt Fountain.html](#), [alternate PDF](#))
- **February 26, 2025:** SFRPD presents the pre-defined project to the San Francisco Board of Supervisors Budget and Finance Committee. SFRPD states the “fountain would cost an estimated \$10 million to update and repair,” and BXP staff testifies they “hired an architect... about 8 or 10 months ago.” (Source: [File #241095](#), [Video recording](#), [closed captions](#))
- **March 4, 2025:** The San Francisco Board of Supervisors (“Board”) adopts a resolution authorizing an agreement with BXP regarding “improvements and renovations at Embarcadero Plaza” and accepting \$2.5 million in grants for design and project management. By formally accepting funds tied to the

specific renovation plan pitched by BXP (requiring Fountain removal), the Board effectively committed the City to this definite course of action. (Source: [File #241095](#), [Leg Final.pdf](#), [Board Pkt 030425.pdf](#))

- **March 18, 2025:** The Board of Supervisors waives behested payment rules to allow City officials to solicit donations for the “renovation of Embarcadero Plaza.” This further entrenched the City's commitment to the specific revitalization project, creating bureaucratic and financial momentum that precluded objective environmental review. (Source: [File #250105](#), [Leg Final.pdf](#), [Board Pkt 031825.pdf](#))
- **March 20, 2025:** Internal project meeting notes explicitly discuss CEQA avoidance: “Page and Turnbull found fountain eligible to be an individual historic resource... Need to mitigate risk of litigation... **If we are relocating it to avoid EIR we need to determine where.**” The meeting notes show early awareness of some of the Fountain’s condition: “asbestos in bolts and in some of the waterproofing materials.” The meeting notes also show fencing was planned prior to any final conditions assessment or structural report: “Fencing going up around fountain late April.” and “2.1 Fencing item noted above. **Thoughts placing a story before next public meeting.**” (Source: [2025.03.20 Embarcadero Plaza Project_PGT_NOTES.pdf](#).)
- **April 11, 2025:** SFRPD Director of Operations Eric Andersen emails staff saying: “We need to move forward with installing the fencing frame in the front of Vaillancourt. There’s been a lot of illegal activity in the fountain that **Phil is asking that we address.** There are considerable liability concerns and it’s just a bad look for us.” (Source: [RE_Vaillancourt Fountain.pdf](#))
- **April 15, 2025:** SFRPD Project Manager Eoanna Goodwin emails SF Planning staff asking: “Big picture, **if we can and are able to move the fountain - to a different location or in storage as sites are being analyzed - I believe that would avoid an EIR.**” (Source: [Sucre Embarcadero Plaza.pdf](#))
- **April 21, 2025:** SFRPD staff discusses Fountain fencing signage language, such as “Please admire our fountain from a distance only. No climbing into or entering the basin is permitted” and “please admire from a distance, no climbing”, with no mention of hazards or risks. (Source: [Eric.pdf](#))
- **April 28, 2025:** SFRPD and SF Planning receive a draft of the conditions assessment from the consultant: “Here also is the Draft Conditions Assessment: Vaillancourt Fountain Conditions Assessment”. (Source: [Sucre Embarcadero Plaza.pdf](#))
- **May 12, 2025:** SFRPD Project Manager Eoanna Goodwin attempts to fully revise the independent consultant’s (Page & Turnbull) conditions assessment conclusion. She shares “Conditions Assessment_RPD Comments” with the consultant. (Source: [Sucre Embarcadero Plaza.pdf](#))
- **May 28, 2025:** Page & Turnbull pushes back against SFRPD’s comments, stating:
 - **“The revised conclusion in the memo you’ve provided is currently contradictory.”**
 - **“I particularly request revision to the assertion that it is structurally beyond repair, which is not the case and is not supported by the findings of the rest of that memo or our assessment.”**
 - “You’ve also included a note on our conclusion regarding your understanding of what will be required for the structural repairs and treating the corrosion. That is the purview of our forthcoming additional services for treatment recommendations, and **I would not feel comfortable providing more specifics about what is required prior to working through those options with DCI.** I do understand that one of your colleagues had some thoughts about what would be needed, but I think it is **more appropriate to take those into consideration during our next phase of work than to speculate about it in this conclusion.**”
 - (Source: [Sucre Embarcadero Plaza.pdf](#))
- **June 2, 2025:** Page & Turnbull finalizes the “Vaillancourt Fountain Conditions Assessment.” Crucially, it concludes: **“the fountain does not appear to have yet deteriorated beyond repair... there may be a variety of approaches to treatment... that could stabilize and restore it.”** (Source: [24146A_2025-06-02_Vaillancourt Fountain Conditions Assessment_Final.pdf](#))
- **June 3, 2025:** SFRPD Project Manager Eoanna Goodwin emails SFRPD staff asking, “Confirming the fence around Vaillancourt Fountain would be 42 inches high in front and 72 inches high in back?” This email contains the engineering drawings for the fence dating to February 2025, January 2025, and December 2024. (Source: [Tamara.pdf](#), with attachments [DWG Q536344 EMBARCADERO REVISED 2-4-25.pdf](#), [1438-NF-CV-00-01-00-00-A-Roo.pdf](#), and [1438-NF-PG-00-01-00-00-A-Roo.pdf](#))
- **June 3, 2025:** SFRPD press staff Tamara Aparton (Deputy Director, Communications and Public Affairs) shares the conditions assessment of the Fountain under an embargo with the press: “Hi Sam, Here’s a

dropbox link to the **embargoed report**. Let me know if you can't access it. I understand it's scheduled to go live on the website at 4 a.m. Monday. As agreed, please hold off on outreach to the artist or other constituents until Sunday afternoon." In addition to the report, **SFRPD press staff provides editorial comments not found in the conditions assessment**: "The fountain isn't just falling apart—it's hazardous. The structure is cracked, corroded, and missing key supports. Add lead and asbestos to the mix, and it's a serious safety risk." **This is in direct contradiction to the response from consultant Page & Turnbull only five days prior (May 28)**. (Source: [Tamara.pdf](#).)

- **June 9, 2025**: The City installs fencing around the Fountain. (Source: [Re_Vaillancourt Fence .pdf](#))
- **July 8, 2025**: During a public community meeting, Project Manager Eoanna Goodwin affirms the Fountain is not planned for retention and acknowledges the long-term nature of the Fountain's condition. (Source: [2025-07-08 - Community Meeting 2 - Presentation - Transcript.pdf](#))
- **July 21, 2025**: Internal meeting notes reveal the timeline is driven by a political mandate, not safety: **"Mayor's mandate for groundbreaking by Fall 2026. HOK developed a proposed schedule with critical milestone dates to achieve that date."** (Source: [2025-07-21 PD Meeting Notes.pdf](#))
- **August 18, 2025**: SFRPD General Manager Phil Ginsburg formally writes to the Arts Commission calling the Fountain a "Critical Constraint" and stating: "The scale of the fountain is incompatible with the open lawn and gathering spaces envisioned in the new design. Simply put, the design cannot meet community needs or project goals while retaining the fountain in place." (Source: [6 FINAL 8.18.25 -RPD letter to Arts - Vaillancourt Fountain.docx 1.pdf](#))
- **August 26, 2025**: SFRPD invoices BXP for \$100,000, the "first installment of the agreed to private grant for project management services," per the March 12, 2025 agreement. This transaction demonstrates that substantial financial resources were already changing hands to advance the project well before the "emergency" declaration in October. (Source: [2025_08.26 Invoice to BXP.pdf](#))
- **September 30, 2025**: During a recorded Zoom meeting, SFRPD General Manager Phil Ginsburg says the "six-month, [Behested Payments] waiver is stupid" and that **"we've now created a political opportunity for the Valancourt [sic] Fountain folks and the haters to make their voices heard in a political forum"**. SFRPD Director of Partnerships Lisa Bransten notes that the **"Rec and Park [Behested Payments Waiver] has expired"** and **"...we need to rebuild this timeline, because we need to be fully funded by the end of 2026. That's when we promised bulldozers in the ground..."** (Source: [Zoom recording](#) (Password: c@\$7n\$Yo) (Backups: [GMT20250930-170627_Recording_1920x1032.mp4](#), [Screenshot](#), [GMT20250930-170627_Recording.m4a](#), [GMT20250930-170627_Recording.transcript.vtt](#), [GMT20250930-170627_Recording_1920x1032_32min-mark.mp4](#)))
- **October 27, 2025**: San Francisco Department of Building Inspection ("SFDBI") Director Patrick O'Riordan shares in a letter to SFRPD the results of SFDBI's observation of the "visible material features of Vaillancourt Fountain" and review of the DCI Engineers report. The letter notes that the Fountain "should remain vacated and secured from public access until the hazardous conditions are abated" and "advises following the recommendations outlined in the DCI report and strengthening the existing security measures until remedial work can be completed." SFDBI does not make any comment regarding a timeline or potential emergency nature of the Fountain's condition. (Source: [07_10.27.25 Vaillancourt Fountain.pdf](#))
- **October 29, 2025**: SF Planning issues a Historic Resource Review (HRR) determination, concurring with the consultant that the Vaillancourt Fountain is eligible for listing in the National Register and California Register under Criterion 1 (Events) and Criterion 3 (Design). This formal determination confirms that the Fountain is a "historical resource" under CEQA. (Source: [2025-006780HRR_Vaillancourt Fountain 10-29-2025.pdf](#))
- **October 31, 2025**: SF Planning issues a determination that the project to remove the Fountain is statutorily exempt as an "Emergency Project" under CEQA. This determination is based on SFRPD's Project Description, DCI Engineers report, and SFDBI's letter of concurrence with the DCI Engineers report. Notably only the SFRPD Project Description states that the Fountain poses "a life-safety emergency", something not claimed by any credentialed experts on the record. (Source: [9 Embarcadero Fountain Emergency Exemption 10-31-25.pdf](#), [project description](#))
- **November 2, 2025**: Docomomo US/NOCA shares the Google Drive folder **"SFAC 20251103"** containing relevant public records, press, and precedent with SFAC, SFRPD, Board of Supervisors, San Francisco

Planning Commission, and San Francisco Historic Preservation Commission to be included in the administrative record. On November 3, 2025, it was listed on the agenda for the SFAC motion.

- **November 3, 2025:** SFAC votes 8-5 to approve the project to disassemble and remove the Fountain.

III. LEGAL STANDARDS

A. Emergency Definition (California Public Resources Code § 21060.3)

An “emergency” is defined as “a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action.” The exemption is “construed narrowly” and the agency bears the burden of proof. Courts have repeatedly held that the exemption cannot be used for conditions resulting from deferred maintenance or long-standing known issues ([*Los Osos Valley Associates v. City of San Luis Obispo* \(1994\), 30 Cal. App. 4th 1670](#), [*Castaic Lake Water Agency v. City of Santa Clarita* \(1995\), 41 Cal. App. 4th 1257](#)). Furthermore, no expert has asserted collapse or widespread public impact in a specific time window, closing off that path of argument ([*CalBeach Advocates v. City of Solana Beach* \(2002\), 103 Cal. App. 4th 529](#)).

B. Prohibition on Pre-Commitment (*Save Tara v. City of West Hollywood* (2008))

Under *Save Tara v. City of West Hollywood* (2008), an agency cannot define a project or enter into agreements that effectively preclude the consideration of alternatives *before* CEQA review is complete. If an agency commits to a definite course of action (like removal) before environmental analysis is made, it violates CEQA. Similarly, *RiverWatch v. Olivenhain Municipal Water Dist.* (2009), establishes that an agency cannot rely on an exemption to justify a decision that has effectively already been made.

IV. ARGUMENT

A. The “Emergency” is a Pretext for a Project the City Illegally Pre-Committed To

CEQA’s “core command” is that an agency must review environmental impacts *before* committing to a course of action. The administrative record here provides a textbook case of illegal pre-commitment under *Save Tara*.

1. **A Private Party’s Vision Becomes City Policy:** The BXP pitch in early 2024, with its specific design and narrative, became the basis for SFRPD's funding requests.
2. **Internal Commitment to Removal:** By December 2024, City staff was not analyzing *whether* to remove the Fountain, but “the best method to dismantle” it.
3. **Financial and Bureaucratic Momentum:** The Board of Supervisors’ actions in March 2025 (Files #241095 and #250105) explicitly authorized agreements and fundraising for the renovation project. By approving the agreement and accepting grant funding tied to the specific BXP-provided design concept, the City committed itself to a path that necessitated the Fountain's removal. This commitment was further solidified by the “Mayor's mandate for groundbreaking by Fall 2026.” and “...we need to be fully funded by the end of 2026. That's when we promised bulldozers in the ground...”
4. **Active Spending:** The August 26, 2025 SFRPD invoice to BXP for \$100,000 confirms that significant funds were actively being spent on project management for this pre-determined outcome months before the “emergency” was declared.
5. **Explicit Intent to Avoid CEQA:** The March 20, 2025 meeting notes (“If we are relocating it to avoid EIR...”) and the April 15, 2025 email (“I believe that would avoid an EIR”) are smoking guns. They demonstrate that the motivation for removal was procedural expedience rather than immediate public safety.

B. Evidence of Agency Manipulation of the Narrative

1. **Attempt to Influence Consultant Findings:** The record shows SFRPD staff attempting to rewrite independent consultant findings. On May 28, 2025, Sarah Brummett of Page & Turnbull pushed back

against revisions proposed by SFRPD, stating: “The revised conclusion... is currently contradictory... I particularly request revision to the assertion that it is structurally beyond repair, which is not the case...” (Source: [Sucre_Embarcadero Plaza.pdf](#)). This attempt to distort technical findings to claim the Fountain was “beyond repair” is evidence of post-hoc rationalization to support the pre-determined outcome.

2. **Revisions to Fencing Installation Narrative:** SFRPD claims fencing was installed “in response to [conditions assessment] findings” in mid-2025, but the record shows that project sponsors began planning to fence the Fountain as early as August 2024. “PROPOSED FENCE IMPROVEMENTS” were shown in a presentation whose metadata indicates an August 2024 creation date. Engineering drawings are on the record from December 2024, January 2025, and February 2025. (Source: [Vaillancourt Presentation.pdf](#), [DWG Q536344 EMBARCADERO REVISED 2-4-25.pdf](#), [Tamara.pdf](#)). This attempt to distort the fencing narrative is evidence of post-hoc rationalization to support the pre-determined outcome.

C. The Condition of the Fountain is Not a Statutory Emergency

The structural issues cited—corrosion, spalling, and failed waterproofing—are chronic conditions resulting from decades of deferred maintenance, not a “sudden, unexpected occurrence.”

1. **Known Condition:** The condition of the Fountain has been long understood, as evidenced by pump failure in 2024, SFRPD regularly citing recurring maintenance costs, decades of operational uncertainty, and—most recently—SFRPD being informed of conditions beginning in March 2025. A known condition that sits unaddressed for a period of months to decades cannot be re-characterized as “unexpected.” Under *Los Osos*, chronic problems exacerbated by lack of maintenance do not qualify as emergencies.
2. **The Abatement Was Pre-planned and Without Urgency:** SFRPD claims fencing was installed “in response to these findings”, but this abatement was gradually undertaken on a multi-month timeline, pre-planned based on project leadership desires rather than risk, and with a focus on public perception rather than public safety. The administrative record reveals SFRPD
 - began planning to fence the Fountain as early as August 2024,
 - knew of some of the risks as early as March 2025,
 - planned and discussed fencing in 2024 in response to “illegal activity” and “it’s just a bad look for us” with signage lacking any mention of risk
 - discussed “placing a story” about the fencing in March 2025,
 - received a draft of the conditions assessment in April 2025,
 - and then embargoed the conditions assessment to the press in June 2025,
 - all before ultimately installing fencing by June 9, 2025.
 - (Source: [Vaillancourt Presentation.pdf](#), [DWG Q536344 EMBARCADERO REVISED 2-4-25.pdf](#), [1438-NF-CV-00-01-00-00-A-Roo.pdf](#), [1438-NF-PG-00-01-00-00-A-Roo.pdf](#), [2025.03.20_Embarcadero Plaza Project_PGT_NOTES.pdf](#), [Eric.pdf](#), [Sucre_Embarcadero Plaza.pdf](#), [Tamara.pdf](#), [RE_Vaillancourt Fountain.pdf](#))
3. **Safety Risks Were Already Abated:** The SFRPD claims disassembly is needed to “eliminate an immediate public safety risk.” However, SFRPD *already* abated the immediate risk on June 9, 2025, when it fenced off the Fountain. The administrative record reveals that the City identified some of the risks (asbestos in bolts and waterproofing materials) and the need for fencing as early as the March 20, 2025 meeting. The fact that they waited nearly three months to install the fencing (June 2025) and then another five months to declare an “emergency” (November 2025) proves there was no imminent danger requiring immediate, irreversible action. (Source: [2025.03.20_Embarcadero Plaza Project_PGT_NOTES.pdf](#))
4. **No Emergency for Widespread, Comparable Situations:** Hundreds of thousands of San Francisco residents live and work in seismically risky structures and are potentially exposed to lead and asbestos on a regular basis ([source 1](#), [source 2](#), [source 3](#)), yet no San Francisco agency has declared that these conditions represent a life-safety emergency. Accordingly, SFRPD’s claim that these conditions represent an “emergency” exclusively for the Fountain are impossible to reconcile with decades of City policy.

D. The “Emergency” is Based on Design Preference and Financial Constraints

The record shows that the true drivers for removal are design aesthetics, preferred programming, and budget, neither of which constitute a statutory emergency. ([*Marshall v. Pasadena Unified School Dist.* \(2004\), 119 Cal. App. 4th 1241](#))

1. **Design Incompatibility:** SFRPD General Manager Ginsburg’s August 18, 2025 letter explicitly states that the removal is necessary because the Fountain is “incompatible with the open lawn... envisioned in the new design.” This admission proves that the removal is motivated by a desire to clear the site for a new park, not solely to abate an emergency.
2. **Budgetary Constraints:** During the July 8, 2025 community meeting, the SFRPD Project Manager Goodwin admitted, “We did look into keeping the fountain on site, but... it’s not possible to have it on the site with our current budget.” The SFRPD’s admission that they *could* restore it but choose not to due to cost disqualifies this project from the emergency exemption.

E. The Project Requires an Environmental Impact Report (EIR)

The demolition or removal of a historical resource is presumptively a significant impact on the environment. (CEQA Guidelines § 15064.5(b)(1)).

- **Substantial Evidence of Historicity:** The Planning Department’s October 29, 2025 HRR determination confirms the Fountain is a historical resource.
- **Substantial Evidence of Impact:** The project is the disassembly and removal of this exact historical resource.
- **Substantial Evidence of Feasible Alternatives:** The Page & Turnbull Conditions Assessment confirms that the Fountain “does not appear to have yet deteriorated beyond repair.”

When substantial evidence supports a fair argument that a project may have a significant impact, the agency *must* prepare an EIR. The City is in possession of substantial evidence on all counts. Its only avenue to avoid this legal mandate was to piecemeal the project and claim an exemption. As this appeal shows, that exemption and subsequent resulting approval action are unlawful.

V. CONCLUSION

The administrative record paints a clear picture: SFRPD decided to remove the Vaillancourt Fountain in 2024 to make way for a pre-planned park renovation. They secured funding and legislative authorization for this vision, actively exchanged significant funds for project management, explicitly strategized on using removal to “avoid an EIR,” attempted to manipulate consultant findings, and finally declared an “emergency” to execute the removal without scrutiny.

This constitutes a flagrant violation of the principles established in *Save Tara* and *River Watch*. The “emergency” exemption is being misused as a post-hoc rationalization for a pre-committed project, in direct violation of the principles of an emergency established in California Public Resources Code § 21060.3, *Western Municipal*, *Los Osos*, *Castaic Lake*, and *Marshall*. The Board of Supervisors must uphold this appeal, set aside the approval action and exemption determination, and require SFRPD to undergo a full EIR to transparently analyze preservation alternatives and engage in bona fide community engagement regarding the overall renovation project.

Respectfully Submitted,

Jack McCarthy
Board member, Docomomo US/Northern California
January 2, 2026

Timeline of Administrative Record for the Vaillancourt Fountain CEQA Exemption Appeal

TO: Board of Supervisors, City and County of San Francisco
% Clerk of the Board of Supervisors

FROM: Docomomo US/Northern California (“Docomomo NOCA”)

RE: Appeal of Approval Action and Statutory Exemption (Emergency Project) for the Removal of the Vaillancourt Fountain

DATE: January 2, 2026

Unless otherwise noted by ++, all records in this timeline were provided to the San Francisco Arts Commission for consideration for the approval action at the November 3, 2025 meeting.

Timeline

[++March 1, 2024 - Platform Park proposal by HOK](#)

[++March 5, 2024 - Platform Park budget estimate by BXP \(Aaron Fenton\)](#)

[++May 1, 2024 - Follow up email from BXP \(Aaron Fenton\) to SFRPD \(Stacy Bradley, Director of Capital and Planning\) after vision meeting](#)

[++May 8, 2024 - Platform Park proposal by HOK with Phase 2](#)

[++May 15, 2024 - BXP \(Aaron Fenton\) shares concept budgets and drawings with SFRPD \(Bradley Stacy and Kelli Rudnick\)](#)

[May 2024 - BXP vision presentation](#)

[August 9, 2024 - Phil Ginsburg \(General Manager, SFRPD\) emails BXP \(Aaron Fenton\) and SFRPD staff; mentions “Meet to strategize on messaging and next steps on Fountain”](#)

[August 14, 2024 - SFRPD \(Kerstin Kalchmayr\) and SF Planning meeting notes mentioning Embarcadero Plaza renovation](#)

[August 23, 2024 - SFRPD has Vaillancourt Fountain fencing presentation](#)

[October 9, 2024 - SFRPD and SF Planning meeting notes mentioning Embarcadero Plaza renovation](#)

[October 17, 2024 - Project sponsors present before SF Recreation and Parks Commission, including Lisa Bransten \(SFRPD Director of Partnerships\) and Aaron Fenton \(BXP\)](#)

[October 31, 2024 - SF City Attorney \(Manu Pradhan\) replies to BXP \(Aaron Fenton\) with CEQA guidance](#)

[December 2, 2024 - SFRPD shares meeting minutes with SF Planning covering “RPD will contract with a preservation consultant to determine best method to dismantle the fountain”](#)

[December 16, 2024 - SFRPD \(Kerstin Kalchmayr\) coordinates with SF Planning \(Michelle Langlie, Senior Planner\) for “bringing on a preservation consultant for the fountain disassembly”](#)

[December 18, 2024 - SFRPD \(Kerstin Kalchmayr\) coordinates with SF Planning \(Michelle Langlie, Senior Planner\) for “We want them to create a plan on what we can do with the fountain” and “Disassembly and storage”](#)

[December 18, 2024 - SF Planning coordinates with SFRPD](#)

[December 19, 2024 - SFRPD has fountain fencing engineering drawings](#)

[January 17, 2025 - SFRPD has consultant services proposal](#)

[January 21, 2025 - SFRPD requests SF Planning feedback on consultant services proposal](#)

[January 23, 2025 - SF Planning says “good idea to file an HRR for the fountain”](#)

January 27, 2025 - SFRPD (Eoanna Harrison Goodwin, Project Manager) coordinates with BXP (Aaron Fenton) on consultant services

February 4, 2025 - SFRPD has revised fountain fencing engineering drawings

++February 12, 2025 - SFRPD (Eoanna Harrison Goodwin, Project Manager) informs SFAC staff about fountain conditions testing

++February 12, 2025 - SFAC staff (Mary Chou, Director of Public Art and Civic Art Collection) says, "It seems like they [SFRPD] are already planning for this [the fountain] to be taken down"

++February 13, 2025 - SFAC staff (Allison Cummings, Senior Registrar) expresses concern: "This is interesting and somewhat concerning. Typically, we would be more involved in something this invasive pertaining to an artwork in the collection. (conservator oversight, etc.) Obviously, the train is moving with or without us."

++February 13, 2025 - SFAC staff (Mary Chou, Director of Public Art and Civic Art Collection) expresses concern about involvement and SFRPD approach

++February 13, 2025 - SFAC staff (Allison Cummings, Senior Registrar) expresses concern about "I feel like the train is moving without us..."

February 26, 2025 - SFRPD (Lisa Bransten, Director of Partnerships) and BXP (Aaron Fenton) recorded comments to SF Board of Supervisors Budget and Finance Committee

March 4, 2025 - SF Board of Supervisors Accept and Expend Grant and Grant Agreement

++March 5, 2025 - Consultant (Page & Turnbull) provides SFRPD (Eoanna Harrison Goodwin, Project Manager; others) with "report from Applied Materials & Engineering"

++March 11, 2025 - SFRPD (Eoanna Harrison Goodwin, Project Manager) shares "ground penetrating radar report" with SFDPW

March 18, 2025 - SF Board of Supervisors adopts Behested Payment Waiver - Embarcadero Plaza and Sue Bierman Park

++March 19, 2025 - SFDPW (Raymond Lui, Chief Structural Engineer) replies to SFRPD (Eoanna Harrison Goodwin, Project Manager) with report review

March 20, 2025 - SFRPD project meeting notes, mentions "Page and Turnbull found fountain eligible to be an individual historic resource at the national or state level. We think some of their criteria are incorrect. Also possible that the work required to keep it would significantly degrade it. Need to mitigate risk of litigation so if we are going to get sued then could be important to do an EIR and could happen during design", "Hazmat testing showed asbestos in bolts and in some of the waterproofing materials", "If we are relocating it to avoid EIR we need to determine where", "2.1 Fencing item noted above. Thoughts placing a story before next public meeting"

March 28, 2025 - Consultant (Page & Turnbull) provides Additional Service Proposal in response to Additional Service Request (ASR) for additional HRRs and "Structural Assessment by DCI Engineers"

April 7, 2025 - SFRPD staff coordinates fencing and delay

April 11, 2025 - SFRPD (Eric Andersen, Director of Operations) emails SFRPD staff about "We need to move forward with installing the fencing frame in the front of Vaillancourt" and "There's been a lot of illegal activity in the fountain that Phil is asking that we address"

April 15, 2025 - SFRPD (Eoanna Harrison Goodwin, Project Manager) asks SF Planning (Richard Sucré, Deputy Director; Michelle Langlie, Senior Planner): "Quick-ish question: Big picture, if we can and are able to move the fountain - to a different location or in storage as sites are being analyzed - I believe that would avoid an EIR. Would or could that be a CatEx or a Neg Dec?"

April 15, 2025 - SF Planning (Richard Sucré, Deputy Director) replies to SFRPD (Eoanna Harrison Goodwin, Project Manager) with "Lets chat about this question later today. Sadly, its not an easy question."

April 16, 2025 - SFRPD (Kerstin Kalchmayr) provides SF Planning with draft Embarcadero Plaza HRRs

April 21, 2025 - SFRPD staff coordinates fountain fencing verbiage

++April 22, 2025 - SFRPD and SFAC coordinate a meeting to discuss "Project Overview and Introductions", "Fountain Analysis", "Overview of Applicable Laws, Artist Rights, and Legal Considerations", CEQA Pathways",

“Engagement with Preservation Stakeholders”, “Next Steps”

April 24, 2025 - SF Planning (Richard Sucré, Deputy Director) says to SFRPD: “Just added a few comments into fountain HRR. Its very well written.”

April 28, 2025 - Consultant (Page & Turnbull) provides SFRPD (Eoanna Harrison Goodwin, Project Manager; Kerstin Kalchmayr) with final HRRs and “Vaillancourt Fountain Conditions Assessment”

May 2, 2025 - SFAC (Mary Chou, Director of Public Art and Civic Art Collection) asks SFRPD (Eoanna Harrison Goodwin, Project Manager) “if the reports re. Vaillancourt are available for review.”

May 12, 2025 - SFRPD (Eoanna Harrison Goodwin, Project Manager) shares “several comments and recommendations for revision” for the “Vaillancourt Fountain Conditions Assessment” with the consultant (Page & Turnbull)

May 16, 2025 - SFRPD (Kerstin Kalchmayr) provides SF Planning with “link to the final 3 HRR docs for the Embarcadero Plaza Improvement Project”

May 16, 2025 - SFRPD and BXP meet, including “CEQA” and “HRR determination”

May 20, 2025 - SF Planning discusses SFRPD submitting the HRRs

May 21, 2025 - SF Planning discusses SFRPD submitting the HRRs

May 28, 2025 - Consultant (Page & Turnbull) pushes back on SFRPD (Eoanna Harrison Goodwin, Project Manager) conditions assessment revisions: “revised conclusion in the memo you’ve provided is currently contradictory”, “I particularly request revision to the assertion that it is structurally beyond repair, which is not the case and is not supported by the findings of the rest of that memo or our assessment”

June 3, 2025 - SFRPD staff confirms fountain fencing information

June 3, 2025 - SFRPD (Tamara Aparton, Deputy Director, Communications and Public Affairs) provides embargoed conditions assessment to the press

July 8, 2025 - SFRPD (Eoanna Harrison Goodwin, Project Manager) makes public statements about not including the fountain during the second public community meeting

July 8, 2025 - SFRPD (Eoanna Harrison Goodwin, Project Manager) makes public statements about not including the fountain or plaza during the second public community meeting

July 21, 2025 - SFRPD, BXP, and HOK meeting notes mention “Mayor’s mandate for groundbreaking by Fall 2026. HOK developed a proposed schedule with critical milestone dates to achieve that date”

August 18, 2025 - Letter from SFRPD to SFAC

August 20, 2025 - SFRPD, BXP, and others discuss fundraising plans and timeline

August 26, 2025 - SFRPD invoices BXP for \$100,000

++September 30, 2025 - SFRPD (Phil Ginsburg, General Manager; Lisa Bransten, Director of Partnerships) recorded discussing “six-month, [Behested Payments] waiver is stupid”, “political opportunity for the Valancourt Fountain folks and the haters to make their voices heard in a political forum”, “Rec and Park one [Behested Payments Waiver] has expired”, “...we need to rebuild this timeline, because we need to be fully funded by the end of 2026. That's when we promised bulldozers in the ground...”

++October 7, 2025 - SFDBI meeting notes mention “Arranging a site visit for Vaillancourt Fountain”

++October 21, 2025 - SFDBI meeting notes mention “Vaillancourt Fountain meeting on Friday morning”

October 29, 2025 - SF Planning concurs with the consultant (Page & Turnbull); the Vaillancourt Fountain is a historic resource and automatically protected under CEQA

October 31, 2025 - SF Planning determination of statutory exemption

November 21, 2025 - SFRPD, BXP, OEWD, DSFP, and others discuss fundraising (goals, timeline, etc.)

December 5, 2025 - SFRPD, BXP, OEWD, DSFP, and others discuss fundraising (goals, timeline, etc.)

Timeline

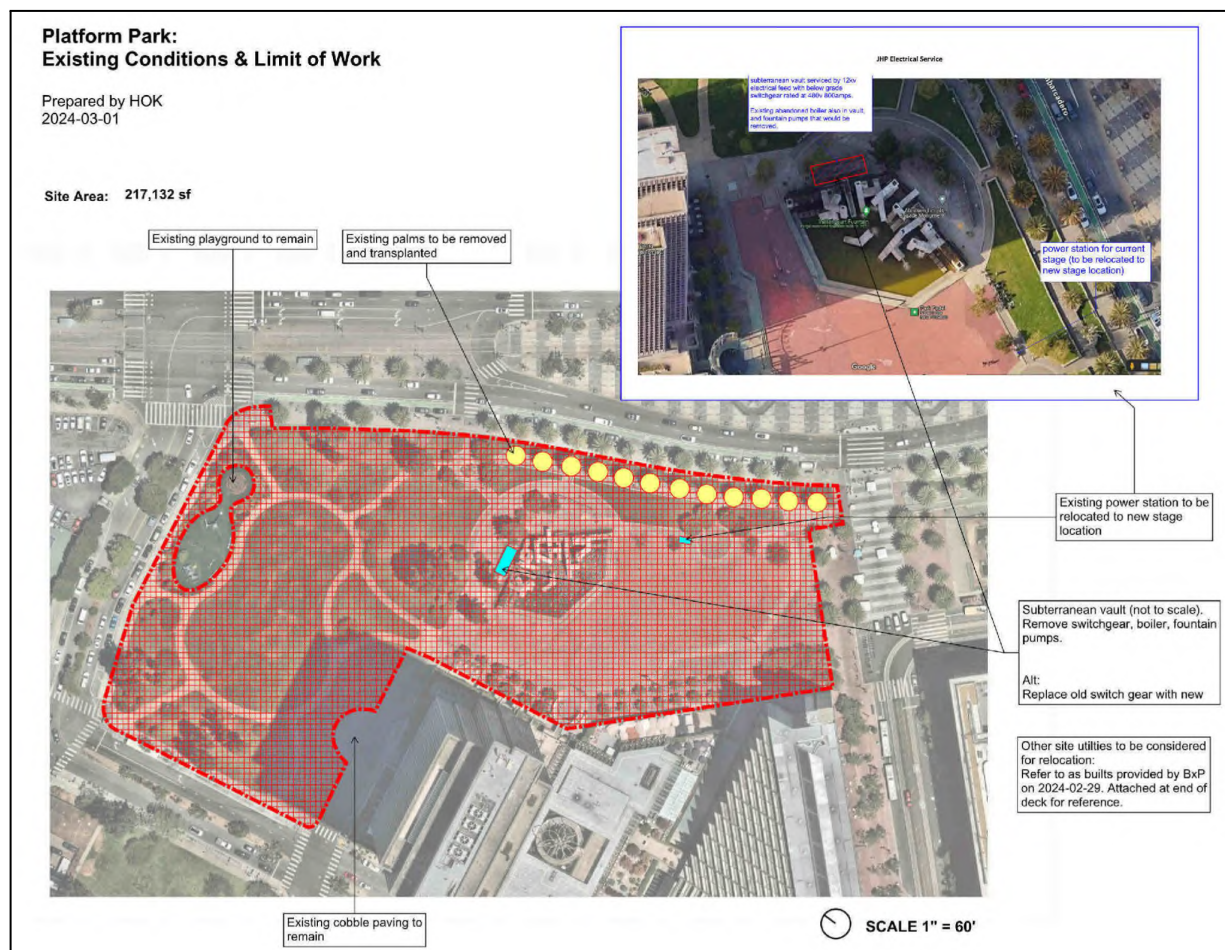
++March 1, 2024 - Platform Park proposal by HOK

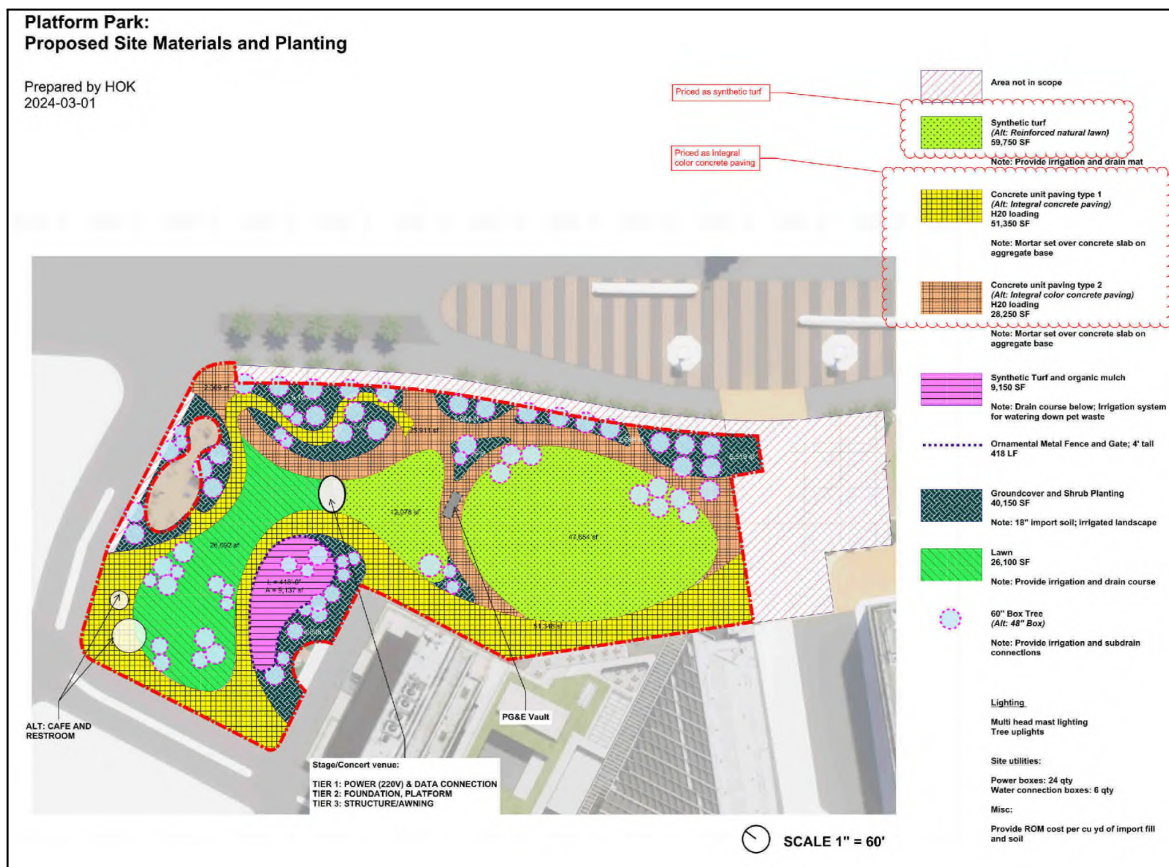
Source: SF Planning records

Obtained from: SF Planning

File: [CPC 00u81.pdf](#)

Relevant sections:





++March 5, 2024 - Platform Park budget estimate by BXP (Aaron Fenton)

Source: SF Planning records

Obtained from: SF Planning

File: [CPC 001188.xlsx](#)

Relevant sections:

Platform Park Renovation Project - Conceptual Budget

Platform Park - Phase I Budget

Platform Park - Phase II Budget

Phase I Hard Cost Detail

Phase II Hard Cost Detail

Platform Park - Phase I and II GC Qualifications, Clarifications and Exclusions

Platform Park - Phase I Budget

Budget Dated:

Schedule:

Acres

Total Site Area

4.98

Platform Park Renovation Project - Cor

Prepared By: BXP (Aaron Fenton)

Budget Dated: 5/15/2024

Schedule:

Acres

Total Site Area 6.37

PHASE I

Description	\$/GSF	Total Cost
Soft Costs		
A&E	\$ 13.79	\$ 3,825,000
Legal	\$ 0.90	\$ 250,000
Permit Fees	\$ 2.52	\$ 700,000
Soft Cost Contingency	\$ 0.86	\$ 238,750
Total Soft Costs	\$ 18.07	\$ 5,013,750
Hard Costs		
Base Budget (Webcor)	\$ 71.66	\$ 19,878,085
Allowances Outside of Contract	\$ 8.56	\$ 2,375,000
FF&E	\$ 1.08	\$ 300,000
Public Restroom in 4 EC	\$ 4.51	\$ 1,250,000
TI Allowance for Brewery	\$ 5.41	\$ 1,500,000
Escalation	\$ 5.47	\$ 1,518,185
Design Contingency	\$ 9.67	\$ 2,682,127
Change Order Contingency	\$ 5.32	\$ 1,475,170
Total Hard Costs	\$ 111.67	\$ 30,978,567
Other Costs		
Public Art	\$ 1.80	\$ 500,000
Gas / Water / Sewer Connections	\$ 1.08	\$ 300,000
Construction Management Fee (3%)	\$ 3.89	\$ 1,079,770
Operating Deficit to Stabilization	\$ 5.41	\$ 1,500,000
Total Other Costs	\$ 12.18	\$ 3,379,770
Overall Project Contingency (5%)	\$ 7.10	\$ 1,968,604
Grand Total	\$ 149.03	\$ 41,340,691

check: \$ 41,340,690.80

Description	\$/GSF	Total Cost	BXP Notes
Soft Costs			
Landscape, Civil & Survey	\$ 7.60	\$ 1,650,000	budget by HQK
Park Consultant	\$ 1.61	\$ 350,000	BXP allowance
Restroom Design Fees	\$ 0.58	\$ 125,000	BXP allowance
Legal Fees	\$ 0.58	\$ 125,000	BXP allowance
Permit Costs	\$ 1.84	\$ 400,000	BXP allowance
Soft Cost Contingency	\$ 0.61	\$ 132,500.00	5% of soft costs
Total Soft Costs	\$ 12.81	\$ 2,782,500	
Hard Costs			
Base Budget (Webcor)	\$ 57.41	\$ 12,466,014	see Phase I hard cost detail tab
Allowances outside Base Budget:			
Soil Import/Export	\$ 1.38	\$ 300,000	BXP allowance
Wifi and CCTV	\$ 1.15	\$ 250,000	BXP allowance
CIP Planters / Walls	\$ 1.61	\$ 350,000	BXP allowance
Wayfinding Signage	\$ 1.61	\$ 350,000	BXP allowance
Pre-Fabricated Kiosks (assume 6)	\$ 2.07	\$ 450,000	BXP allowance
Outdoor Fitness Studio	\$ 0.35	\$ 75,000	BXP allowance
FF&E	\$ 0.69	\$ 150,000	BXP allowance
Public Restroom in 4 EC	\$ 5.76	\$ 1,250,000	BXP allowance
Escalation	\$ 4.32	\$ 938,461	6%
Design Contingency	\$ 7.64	\$ 1,657,947	10%
Change Order Contingency	\$ 4.20	\$ 911,871	5%
Total Hard Costs	\$ 88.19	\$ 19,149,293	
Other Costs			
Public Art	\$ 2.30	\$ 500,000	BXP allowance
CM Fee	\$ 3.03	\$ 657,954	3%
Operating Deficit to Stabilization	\$ 4.61	\$ 1,000,000	BXP allowance
Total Other Costs	\$ 9.94	\$ 2,157,954	
Overall Project Contingency (5%)	\$ 5.55	\$ 1,204,487	
Phase I Total	\$ 116.49	\$ 25,294,235	

Phase I Hard Cost Detail

*Allowances are included in the Base Budget (Webcor) line item

Phase II Hard Cost Detail									
Webcor Estimate		Dated:	5/8/24 V.2					SF	Acres
								60,275.00	4.98
System	\$/GSF	\$/Acre	Total Cost	BXP Notes	Phase II Quantities:	Quantity			
Demo, Earthwork, Sitework	\$ 97.02	\$ 1,173,133	\$ 5,847,676		Item				
Landscape and Irrigation	\$ 9.65	\$ 116,707	\$ 581,745		Site size	60,275	sf		
Foundation	\$ 5.77	\$ 69,770	\$ 347,778		Concrete paving type 1	4,850	sf		
Structure (incls. Misc steel/stairs)	\$ 26.59	\$ 321,586	\$ 1,603,000		Concrete paving type 2	21,350	sf		
Roofing/Waterproofing	\$ 0.50	\$ 6,018	\$ 30,000		concrete paving type 3	11,350	sf		
Furnishings	\$ 1.08	\$ 13,040	\$ 65,000		Sports court surfacing	8,800	sf		
Special Construction	\$ 8.06	\$ 97,499	\$ 486,000		Planting areas	11,150	sf		
Fire Protection	\$ 0.64	\$ 7,704	\$ 38,400		60" Box trees	29	ea		
Plumbing	\$ 1.77	\$ 21,450	\$ 106,920		Site lighting poles	20	ea		
HVAC	\$ 0.42	\$ 5,136	\$ 25,600						
Electrical and Low Voltage	\$ 5.30	\$ 64,036	\$ 319,200						
Direct Cost Total	\$ 156.80	\$ 1,896,079	\$ 9,451,319						
General Requirements	\$ 3.69	\$ 44,589	\$ 222,261						
General Conditions	\$ 6.45	\$ 78,031	\$ 388,957						
Direct, GC, GR Subtotal	\$ 166.94	\$ 2,018,699	\$ 10,062,537						
Precon Services	\$ 2.49	\$ 30,092	\$ 150,000	BXP Allowance	Phase II Hard Cost Allowances*:				
Contractor Contingency	\$ 3.34	\$ 40,374	\$ 201,251		Allowance	Direct Cost			
Estimating Contingency	\$ 5.01	\$ 60,561	\$ 301,876		Curb/gutter/sidewalk work:	\$ 96,000			
GL and D/C Insurance	\$ 2.28	\$ 27,555	\$ 137,354		Site furnishings:	\$ 50,000			
SDI	\$ 1.41	\$ 17,065	\$ 85,062		Site metals (signage, bike racks):	\$ 50,000			
Overhead	\$ 4.47	\$ 54,106	\$ 269,702		Wood trellis (Fieldworks sim.):	\$ 225,000			
Gross Receipts Tax	\$ 0.92	\$ 11,092	\$ 55,289		Patio string lighting (Fieldwork sim.):	\$ 61,000			
Escalation	\$ -	\$ -	\$ -		Containers for Beer Garden	\$ 1,493,000			
Alternates									
CIP Concrete in lieu of Type 1 Paver	\$ -	\$ -	\$ (379,000)	VE deduct from concrete paver					
CIP Concrete in lieu of Type 2 Paver	\$ -	\$ -	\$ (2,351,000)	VE deduct from concrete paver					
CIP Concrete in lieu of Type 3 Paver	\$ -	\$ -	\$ (1,121,000)	VE deduct from concrete paver					
	\$ -	\$ -	\$ -						
Grand Total	\$ 122.97	\$ 1,486,975	\$ 7,412,071						

Platform Park - Phase I and II GC Qualifications, Clarifications and Exclusions

Qualifications & Clarifications									
1.Priced in today's dollars (BXP included a 6% escalation allowance in overall budget)									
2.18" Topsoil import is included at groundcover areas. No other import/export is included. BXP included an allowance for import/export to balance the site									
3.Synthetic turf in Phase I is priced as Synlawn SYNRYE or similar, and includes a drain mat.									
4.Work stops at back of curb or inside edge of sidewalk. A 25% allowance for repairs to curbs and sidewalks has been included.									
5.Removal of the abandoned boiler and pumps in the electrical vault is included.									
6.Budget includes transplanting 22ea existing palm trees.									
7.Budget includes 6ea new hose bib connections around the event space and 2ea at the Phase II plaza.									
8.Budget includes new 220v electrical service to the stage area and 24ea 120v outlets at the event space.									
9.Sport court is budgeted as a concrete slab with a synthetic surface overlay (Plexipave or similar).									
10.Shipping containers are budgeted as full MERE fit out, including design/build services. BXP included allowance for brewery fit-out (kitchen equipment, signage, decals, decorations, seating, tables, bar tops, specialty lighting, furnishings, etc)									
11.Budget includes Subcontractor Default Insurance (SDI).									
12.Shipping container build-outs are included as follows:									
One 40' taproom with accompanying 20' cold storage box and trash/utility room									
One 40' kitchen, including a range hood. Appliances and fixtures are assumed be covered by Tenant Improvement Allowance in overall budget.									
One 40' restroom which can accommodate two ADA stalls and three other fixtures									
Two 40' seating containers. Seating to be loose furnishings and covered by the Tenant Improvement Allowance in overall budget.									
One 20' dry storage container.									
13.An allowance of \$225,000 has been included for an architectural wood trellis and patio lighting									
Exclusions									
1.Design costs and contingencies. BXP carrying these costs in overall budget.									
2.Permits and fees. BXP is carrying an allowance overall budget.									
3.Utility fees and consumption fees. BXP is carrying an allowance in overall budget.									
4.Hazardous material abatement. Minor abatement required in electrical vault. Contingencies to cover any haz soil handling.									
5.Artwork, except foundations. BXP is carrying an artwork allowance budget in overall budget.									
6.Code upgrades/modifications to existing electrical vault. BXP assumes the vault can remain as-is.									
7.Monument signage. BXP is carrying an allowance for new wayfinding signage in overall budget.									
8.SF Muni work, including any streetcar track work or overhead power line work. BXP assumes this is not an issue based on scope of work.									
9.Salvage of existing market plaza pavers.									

Relevant Document Metadata:

Creator : Aaron Fenton

Last Modified By : Aaron Fenton

Last Printed : 2024:03:12 17:42:58Z

Create Date : 2024:03:05 19:28:18Z

Modify Date : 2024:05:15 18:02:31Z

Titles Of Parts : Overall Budget Summary, Phase I Budget Summary, Phase II Budget Summary, Phase I Hard Cost Detail, Phase II Hard Cost Detail, GC Quals & Clarifications

++May 1, 2024 - Follow up email from BXP (Aaron Fenton) to SFRPD (Stacy Bradley, Director of Capital and Planning) after vision meeting

Source: SF Planning records

Obtained from: SF Planning

File: [CPC 001178.pdf](#)

Relevant sections:

From: Aaron Fenton <afenton@bxp.com>
To: Bradley, Stacy (REC) <stacy.bradley@sfgov.org>
Subject: Embarcadero Plaza

Hi Stacy-

It was a pleasure to meet you this morning and discuss our vision for the plaza. It was really great to here P&R's enthusiasm to advance the project with us. Should I be sending you our detailed conceptual budget and takeoffs so we can begin to validate the project costs? I think it would be prudent to have a meeting with your cost estimator and Webcor to review the project scope and assumptions, so that we are all aligned. Let me know!

Also, can you let me know your cell # so I can contact you more easily? Mine is 415-730-8391.

Best,

Aaron Fenton
SVP, Development
West Coast Regions

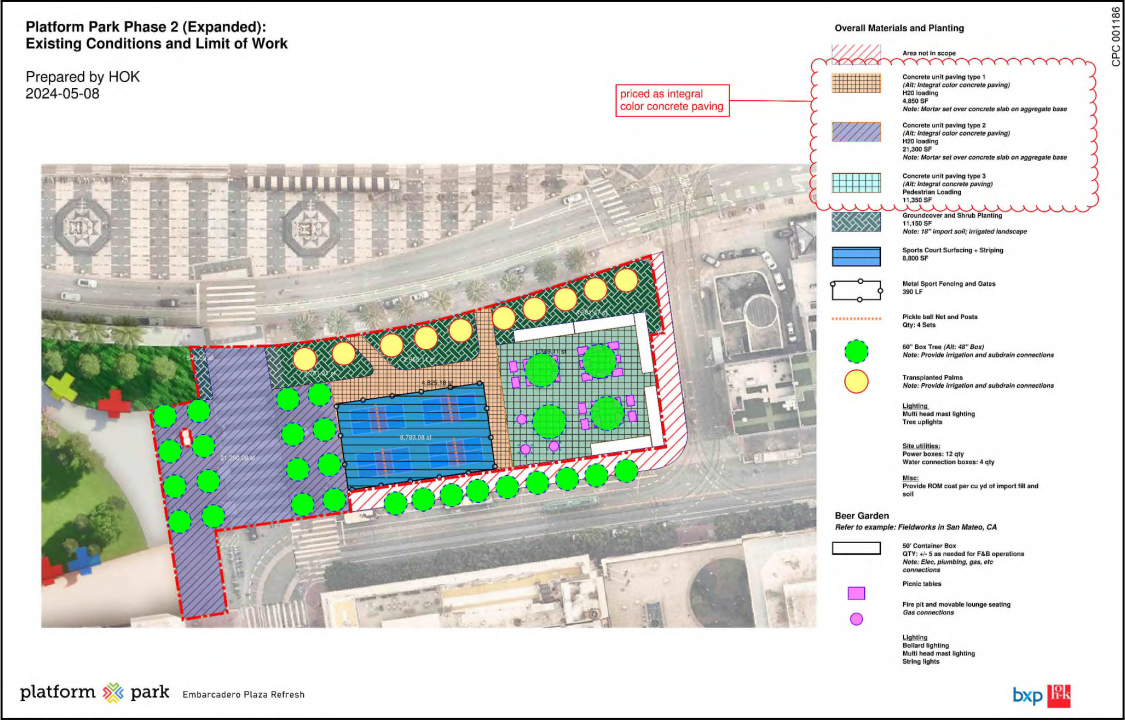
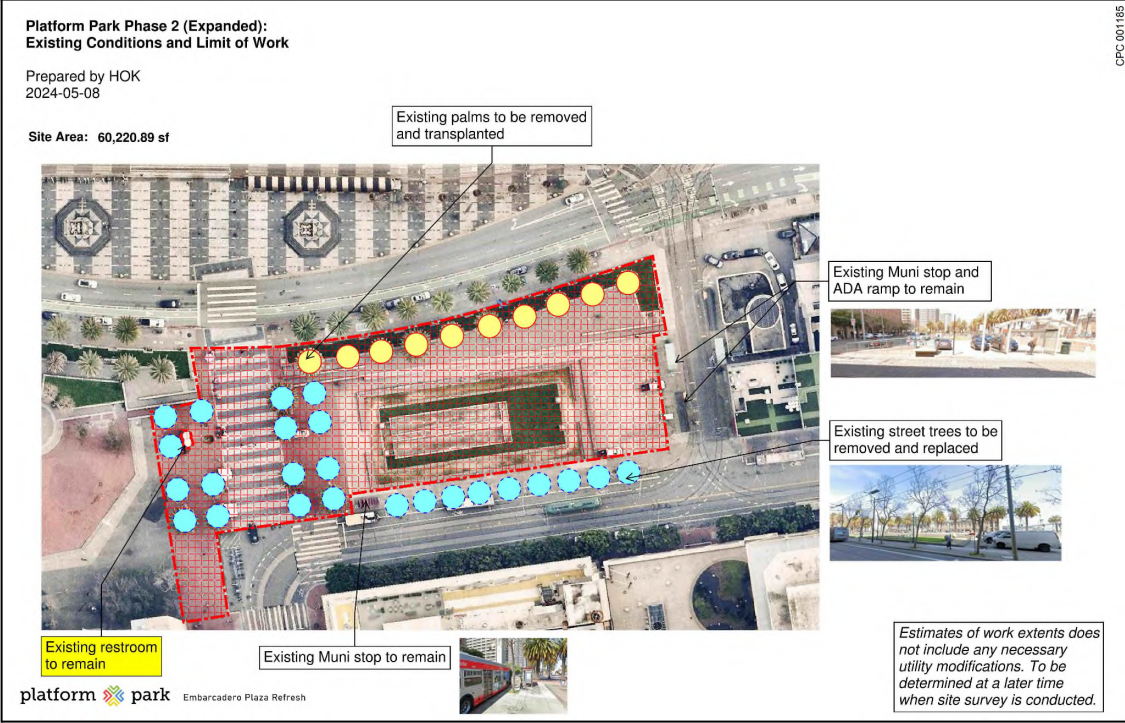
++May 8, 2024 - Platform Park proposal by HOK with Phase 2

Source: SF Planning records

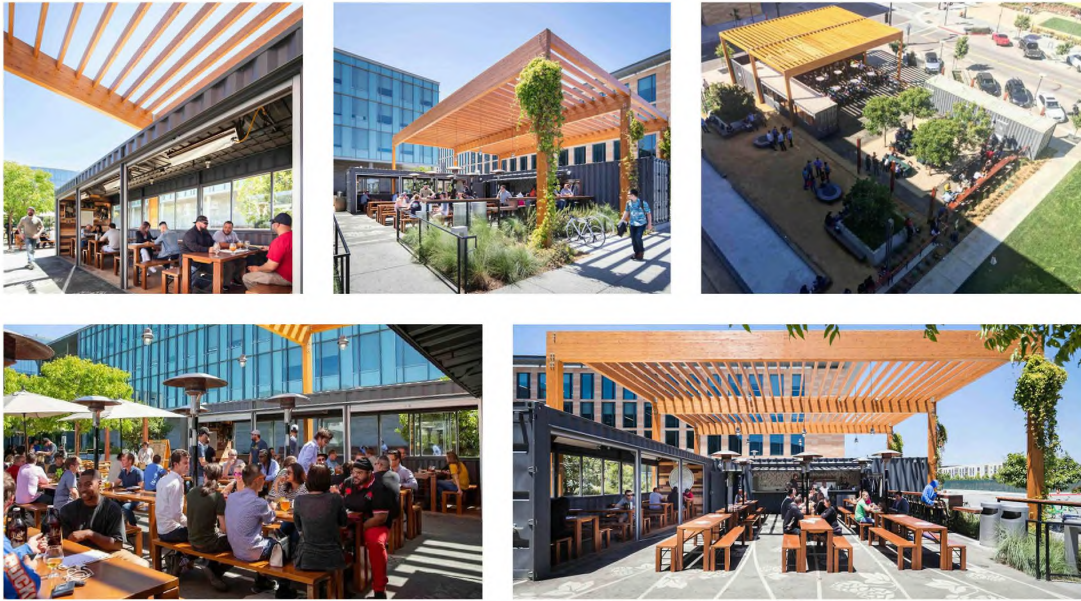
Obtained from: SF Planning

File: [CPC 001185.pdf](#)

Relevant sections:



Platform Park Phase 2:
Beer Garden Precedent: Fieldworks Brewing



platform park Embarcadero Plaza Refresh

bxp

++May 15, 2024 - BXP (Aaron Fenton) shares concept budgets and drawings with SFRPD (Bradley Stacy and Kelli Rudnick)

Source: SF Planning records

Obtained from: SF Planning

File: [CPC 00178.pdf](#)

Relevant sections:

From: Aaron Fenton

To: 'Bradley, Stacy (REC)' <stacy.bradley@sfgov.org>

Cc: Rudnick, Kelli (REC) <kelli.rudnick@sfgov.org>

Subject: RE: Embarcadero Plaza

Stacy and Kelli,

I am pleased to share with our my concept budget for Phase I and Phase II for Platform Park. Also attached is the scoping drawings we prepared to help Webcor prepare the concept budget. I would strongly request that we setup a meeting in person to review the layout of the budget and to address any questions you may have. I would likely want to have HOK Architects and Webcor Builders present in the meeting to help address specific scope and budget questions.

@Bradley, Stacy (REC) A side note, I've updated our presentation to include Phase II (bocce court area) into the scope, and I have some early renderings to show what that area would look like. I can share these with you when we meet in person next.

Aaron Fenton
SVP, Development
West Coast Regions

May 2024 - BXP vision presentation

Source: SF Recreation and Park Department Sharepoint

Obtained from: SFRPD

File: [CURRENT 2024-05-10 BxP Presentation BXP version.pdf](#)

Relevant sections:

- Fountain with Freeway backdrop
- Maintenance and ADA issues
- Obscured views to waterfront
- Mature trees near end of life

August 9, 2024 - Phil Ginsburg (General Manager, SFRPD) emails BXP (Aaron Fenton) and SFRPD staff; mentions “Meet to strategize on messaging and next steps on Fountain”

Source: SF Recreation and Park Department emails

Obtained from: SFRPD

File: [Anon - Embarcadero Redacted.pdf](#)

Relevant sections:

From: Ginsburg, Phil (REC)

To: Aaron Fenton ; Dennis-Phillips, Sarah (ECN) ; Taupier, Anne (ECN)

Cc: Bransten, Lisa (REC) ; Bradley, Stacy (REC) ; White, Staci (REC)

Subject: Most recent draft grant agreement

Colleagues – We are getting there. Most recent draft attached.

Still to do:

1. Agree on RPD PM fees as a % of design costs (its much bigger than 2%). RPD will charge against public dollars for PM fees for construction.
2. Agree on Grantor’s campaign cost cap and decide if any fiscal sponsorship fee for SF Downtown Partnerships for administering private sources.
3. Bring SF Downtown Partnerships into conversation. I know of Robby but we haven’t worked together much. Need to make sure they are ok w all of this.
4. Insert Exhibits. Prelim budget and schedule
5. Legal review of fine print.
6. Meet to strategize on messaging and next steps on Fountain.

August 14, 2024 - SFRPD (Kerstin Kalchmayr) and SF Planning meeting notes mentioning Embarcadero Plaza renovation

Source: SF Planning Department emails in which Michelle Langlie (Senior Preservation Planner) is included

Obtained from: SF Planning

File: [Langlie Embarcadero.pdf](#)

Relevant sections:

From: Kalchmayr, Kerstin (REC)

To: Sheyner, Tania (CPC); Lamb, Benjamin (CPC); Sucre, Richard (CPC); Langlie, Michelle (CPC)

Cc: Golan, Yael (REC); Bradley, Stacy (REC); Chavez, Lauren (REC); Davis, Warwin (REC); Buford, Julia (REC)

Subject: CPC/RPD meeting notes 8/13/24

Hello all,

Please see below our meeting notes from yesterday.

[...]

- **Embarcadero Plaza**

- Boston Properties interested in partnering with RPD to renovate the Plaza
- Historic status of the Plaza must be analyzed
- Planning to inquire if the Plaza has been analyzed under previous EIRs in the area

August 23, 2024 - SFRPD has Vaillancourt Fountain fencing presentation

Source: San Francisco Recreation and Park Department presentation

Obtained from: SFRPD

File: [Vaillancourt Presentation.pdf](#)

Relevant sections:

VAILLANCOURT

PROPOSED FENCE IMPROVEMENTS

42”H Angled Plaza Fence

170 Linear Feet

1 Access Gate

72”H Backside Security Fence

220 Linear Feet

1 Access Gate

Relevant Document Metadata:

Create Date : 2024:08:23 16:41:35-07:00

Metadata Date : 2024:08:23 16:41:39-07:00

Modify Date : 2024:08:23 16:41:39-07:00

Creator Tool : Adobe InDesign 19.1 (Windows)

Instance ID : uuid:72e7d2dd-1335-42ac-874f-b6d9a4a9064d

Original Document ID : xmp.did:55cd666d-ba56-ba4e-b10a-1d705564ec6f

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Derived From Instance ID : xmp.iid:0bff6192-8369-e94b-b218-93c4b4be710e

Derived From Document ID : xmp.did:63687foe-c12b-2e4a-aeof-18afbab5ea51

October 9, 2024 - SFRPD and SF Planning meeting notes mentioning Embarcadero Plaza renovation**Source:** SF Planning Department emails in which Michelle Langlie (Senior Preservation Planner) is included**Obtained from:** SF Planning**File:** [Langlie Embarcadero.pdf](#)**Relevant sections:**

From: Kalchmayr, Kerstin (REC)

To: Sheyner, Tania (CPC); Lamb, Benjamin (CPC); Langlie, Michelle (CPC); Sucre, Richard (CPC)

Cc: Bradley, Stacy (REC); Golan, Yael (REC); Rudnick, Kelli (REC); Chavez, Lauren (REC)

Subject: CPC/RPD: Meeting minutes 10/08/24

Hi Planning team,

Below our meeting minutes from yesterday.

@Langlie, Michelle (CPC) friendly reminder to pls take a look at the plans we discussed yesterday to see how the Embarcadero Plaza Revitalization Project could get codified. The most recent concept designs are in that SF Chronical article, see link below.

[...]

- **Embarcadero Plaza**

- Planning to review the **Better Market Street** and **Waterfront Plans** to determine how the Embarcadero Plaza revitalization project can get codified
- Fountain would potentially be moved to another location, red bricks may be removed
- Most recent concept designs are available here:

<https://www.sfchronicle.com/sf/article/s-f-embarcadero-plaza-new-park-19577945.php>

October 17, 2024 - Project sponsors present before SF Recreation and Parks Commission, including Lisa Bransten (SFRPD Director of Partnerships) and Aaron Fenton (BXP)**Source:** SF Recreation and Parks Commission meeting on October 17, 2024**Obtained from:** SFRPD**File:** [Video recording](#)**Relevant sections:**

[00:56:37] Lisa Bransten (SFRPD Director of Partnerships): In addition, elements of the plaza are in disrepair. The brick paving is considered at the end of its useful life, and replacements would cost millions. And the Villancourt fountain is not operating, and the department estimates that it could be \$3 to \$10 million to update and fully restore this fountain.

...

[01:04:06] Aaron Fenton (Senior Vice President, BXP, Inc.): Obviously, downtown is in a very challenging spot right now, and we are committed as a company to help lead the drive and the revitalization of the downtown. And so I hope that our financial commitment and our time commitment to move this very exciting project along demonstrates that. I mean, Lisa talked about it.

[01:04:30] Aaron Fenton (Senior Vice President, BXP, Inc.): But we're contributing nearly \$8 million in either in-kind or cash value to improve this park. And we're optimistic that the fundraising will go well, both the public and private side, because I think everybody's eager to see transformative change in the downtown.

...

[01:10:06] Commissioner Kat Anderson (Recreation and Park Commission President): You said the genesis of this started how many years ago?

[01:10:10] Lisa Bransten (SFRPD Director of Partnerships): Oh, that, I don't think I said that. But I don't know how long BXP had been working on the designs they brought to us.

[01:10:16] Phil Ginsburg (SFRPD General Manager): I can answer that one. Yeah, this idea has been floating around for a long, long, long, long time. I had conversations, I'm sure Anne did, with Bob, your predecessor, Aaron, I don't know, eight to 10 years ago. And we could never quite get it off the ground. And it seems like we've got some really good momentum now.

October 31, 2024 - SF City Attorney (Manu Pradhan) replies to BXP (Aaron Fenton) with CEQA guidance

Source: Recreation and Park Department emails in which Lisa Bransten (Director of Partnerships) is included

Obtained from: SFRPD

File: [Lisa Emails II.pdf](#)

Relevant sections:

From: Pradhan, Manu (CAT) <Manu.Pradhan@sfcityatty.org>

To: Aaron Fenton <afenton@bxp.com>; Bintliff, Jacob (ECN) <Jacob.Bintliff@sfgov.org>;

'Robbie Silver' <RSilver@downtownsf.org>; Bransten, Lisa (REC) <lisa.bransten@sfgov.org>

Cc: Michelle Yip <myip@bxp.com>; Cindy Strom Arellano <CArellano@aalrr.com>; Rudnick, Kelli (REC) <kelli.rudnick@sfgov.org>; Ng, Beverly (REC) <beverly.ng@sfgov.org>; Bradley, Stacy (REC) <stacy.bradley@sfgov.org>

Subject: RE: revised agreement

These changes all seem fine to me. In response to one of the comment about the concept plan, this is the standard language the city uses. RPC approval of the concept plan is considered the approval action for ceqa purposes meaning that the city has to complete environmental review first.

December 2, 2024 - SFRPD shares meeting minutes with SF Planning covering "RPD will contract with a preservation consultant to determine best method to dismantle the fountain"

Source: SF Planning Department emails in which Michelle Langlie (Senior Preservation Planner) is included

Obtained from: SF Planning

File: [Langlie Fountain.pdf](#)

Relevant sections:

From: Kalchmayr, Kerstin (REC)

To: Sheyner, Tania (CPC); Lamb, Benjamin (CPC); Langlie, Michelle (CPC); Sucre, Richard (CPC)

Cc: Golan, Yael (REC); Bradley, Stacy (REC); Cooper, Rick (REC)

Subject: CPC/RPD meeting minutes: 11/27/24

Hi Team Planning,

Below our meeting minutes from last week's meeting.

Meeting minutes:

- Embarcadero Plaza Improvement Project
 - Plaza has been determined in the Better Market Streets EIR to not be a historic resource due to a lack of integrity
 - Fountain is considered a contributing feature
 - Brick work is not contributing as its also lost integrity
 - Fountain can possibly be placed in storage to be relocated to another location.
 - Planning to determine the appropriate method for codifying this project.
 - RPD will contract with a preservation consultant to determine best method to dismantle the fountain
 - Kerstin and Michelle to work on scope for preservation consultant

December 16, 2024 - SFRPD (Kerstin Kalchmayr) coordinates with SF Planning (Michelle Langlie, Senior Planner) for “bringing on a preservation consultant for the fountain disassembly”

Source: SF Planning Department emails in which Michelle Langlie (Senior Preservation Planner) is included

Obtained from: SF Planning

File: [Langlie Fountain.pdf](#)

Relevant sections:

From: Kalchmayr, Kerstin (REC)

To: Langlie, Michelle (CPC)

Subject: Embarcadero Plaza: fountain

Hi Michelle, We want to start the process of bringing on a preservation consultant for the fountain disassembly.

Can you help me put together high level a scope of work that we would need the consultant to perform?

What should we be thinking of?

- give input for disassembly (how to)
- How to reconstruct
- How to best to store, size of storage space needed?
- Does a hazmat test need to be completed before disassembly?

Thanks for your help on this!

December 18, 2024 - SFRPD (Kerstin Kalchmayr) coordinates with SF Planning (Michelle Langlie, Senior Planner) for “We want them to create a plan on what we can do with the fountain” and “Disassembly and storage”

Source: SF Planning Department emails in which Michelle Langlie (Senior Preservation Planner) is included

Obtained from: SF Planning

File: [Langlie Fountain.pdf](#)

Relevant sections:

From: Kalchmayr, Kerstin (REC)
 To: Langlie, Michelle (CPC)
 Cc: Cooper, Rick (REC); Goodwin, Eoanna (REC)
 Subject: FW: Embarcadero Plaza: fountain

Hi Michelle,

I'm adding Rick Cooper and Eoanna Goodwin who is PMing Embarcadero Plaza to the thread here. We want to get out an email RPF to a preservation consultant as soon as possible. We're aiming to work with Page&Turnball on this project.

We want them to create a plan on what we can do with the fountain.

- Disassembly and storage
- Maybe incorporating aspects of the fountain into the plaza art installations

Can you help with fine tuning the scope of work? What else should be thinking of asking them to do?

December 18, 2024 - SF Planning coordinates with SFRPD

Source: SF Planning Department emails in which Michelle Langlie (Senior Preservation Planner) is included

Obtained from: SF Planning

File: [Langlie Fountain.pdf](#)

Relevant sections:

From: Langlie, Michelle (CPC) <michelle.langlie@sfgov.org>
 To: Kalchmayr, Kerstin (REC) <kerstin.kalchmayr@sfgov.org>; Sucre, Richard (CPC) <richard.sucre@sfgov.org>
 Cc: Cooper, Rick (REC) <rick.cooper@sfgov.org>; Goodwin, Eoanna (REC) <eoanna.Goodwin@sfgov.org>
 Subject: RE: Embarcadero Plaza: fountain

Also adding @Sucre, Richard (CPC).

- Thorough conditions assessment and documentation – 3D laser scan?
- As built-drawings
- Disassembly plan
- Storage plan – do custom crates need to be fabricated?

Rich – am I missing anything?

Generally speaking, I do have concerns about placing the disassembled fountain into storage. We will likely need a concrete plan for reuse of the fountain before we can sign off on its removal.

December 19, 2024 - SFRPD has fountain fencing engineering drawings

Source: Recreation and Park Department emails in which Tamara Barak Aparton (Deputy Director, Communications and Public Affairs) is included

Obtained from: SFRPD

File: [1438-NF-CV-00-01-00-00-A-Roo.pdf](#) and [1438-NF-PG-00-01-00-00-A-Roo.pdf](#) (attachment within [Tamara.pdf](#))

Relevant sections from [1438-NF-CV-00-01-00-00-A-Roo.pdf](#):

- COCHRANE ENGINEERING AND DESIGN
- PROJECT NAME: ARMOUR FENCE SAN FRANCISCO
- DRAWING NAME: 1438-NF-CV-00-01-00-00-A-Roo
- DRAWING DISCRIPTION: DETAIL DRAWING OF CLEARVU MESH
- CHECKED DATE: 2024/12/19
- APPROVED DATE: 2024/12/19
- DWG TYPE: CLIENT APPROVAL

Relevant sections from [1438-NF-PG-00-01-00-00-A-Roo.pdf](#):

- COCHRANE ENGINEERING AND DESIGN
- PROJECT NAME: ARMOUR FENCE SAN FRANCISCO
- DRAWING NAME: 1438-NF-PG-00-01-00-00-A-Roo
- DRAWING DISCRIPTION: DETAIL DRAWING OF PEDESTRIAN GATE
- CHECKED DATE: 2024/12/19
- APPROVED DATE: 2024/12/19
- DWG TYPE: CLIENT APPROVAL

January 17, 2025 - SFRPD has consultant services proposal

Source: Consultant services proposal

Obtained from: SF Planning

File: [2025_01_17 Vaillancourt Letter Proposal.pdf](#)

Relevant sections:

- The 2016 Better Market Street EIR found that Embarcadero Plaza, including Vaillancourt Fountain, contributes to a California Register-eligible Market Street Cultural Landscape District.
- Task 0: Historic Research + Historic Resources Review (HRR) Report
- Task 1: As-Built Drawings – Laser Scanning
- Task 2: Conditions Assessment and Documentation
- Task 3: Disassembly Plan
- Task 4: Storage Plan
- Task 5: Integration into Plaza Art Installations
- Task 6: Preservation Consultation

January 21, 2025 - SFRPD requests SF Planning feedback on consultant services proposal

Source: SF Planning Department emails in which Michelle Langlie (Senior Preservation Planner) is included

Obtained from: SF Planning

File: [Langlie Fountain.pdf](#)

Relevant sections:

From: Kalchmayr, Kerstin (REC)
To: Sucre, Richard (CPC); Langlie, Michelle (CPC)
Cc: Goodwin, Eoanna (REC); Cooper, Rick (REC)
Subject: FW: Embarcadero Plaza - Page & Turnbull Proposal
Attachments:

2025_01_17 Vaillancourt Letter Proposal.pdf

P24146A Vaillancourt Fountain Preservation Plan Qualifications_01172025.pdf

Hi Rich and Michelle,

Page & Turnbull sent us their proposal. Please see attached. It would be helpful if you could review the whole proposal and let us know if you have any comments/feedback for the consultant.

In addition, we want to discuss if an HRR is needed for the fountain (see Task o). Do you know if there is enough information existing on the fountain that it would not be necessary to do this step? We do want to ensure that we have a robust historical analyzes on the fountain to justify our plans for the park and hence want to know if existing information is adequate or if we should just do the HRR.

Lastly, are the charges reasonable? I thought \$12k for Task 4 was high but I am not familiar with storage plans.

January 23, 2025 - SF Planning says “good idea to file an HRR for the fountain”

Source: SF Planning Department emails in which Michelle Langlie (Senior Preservation Planner) is included

Obtained from: SF Planning

File: [Langlie Fountain.pdf](#)

Relevant sections:

From: Sucre, Richard (CPC)
To: Langlie, Michelle (CPC)
Subject: Re: Embarcadero Plaza - Page & Turnbull Proposal

Apologies.

I do think it's a good idea to file an HRR for the fountain and make sure that we have a lot of info on it. If it hasn't been assessed, we need to make sure it gets assessed.

Relative to the scope, the only fee that seems a bit high is the preservation alternatives one.

If we aren't doing an EIR, then preservation alternatives aren't necessary.

Task 6 should also be on T&M.

All of the other items look fine.

January 27, 2025 - SFRPD (Eoanna Harrison Goodwin, Project Manager) coordinates with BXP (Aaron Fenton) on consultant services

Source: Recreation and Park Department emails in which Eoanna Goodwin (Project Manager) is included

Obtained from: SFRPD

File: [Eoanna_Redacted.pdf](#)

Relevant sections:

From: Goodwin, Eoanna (REC)

To: Aaron Fenton

Subject: Request for Proposal: Preservation Plan for Vaillancourt Fountain

Attachments:

2025 01 17 Vaillancourt Letter Proposal.pdf

P24146A Vaillancourt Fountain Preservation Plan Qualifications 01172025.pdf

Hi Aaron,

See attached for the Page & Turnbull proposal and cost summary pasted below. Assuming we would want to move forward with Tasks 0, 1, 2, and 6 (total of \$33,330 + \$20k T&M) at this point. Here is the feedback we just received from Planning upon their review:

“We’ve had a chance to review the proposal from Page and Turnbull. Because the Embarcadero Plaza was outside of the study area of the Better Market Streets EIR, we should go ahead with the HRR to get a formal and robust analysis of the fountain.

The proposal and estimate appears on track; we may not need preservation alternatives if we aren’t doing an EIR, but we will know more after the completion of the HRR. It makes sense that Tasks 5 and 6 are T&M.”

February 4, 2025 - SFRPD has revised fountain fencing engineering drawings

Source: Recreation and Park Department emails in which Tamara Barak Aparton (Deputy Director, Communications and Public Affairs) is included

Obtained from: SFRPD

File: [DWG_Q536344 EMBARCADERO REVISED 2-4-25.pdf](#) (attachment within [Tamara.pdf](#))

Relevant sections:

- CAPITOL STEEL PRODUCTS
- CUSTOMER ARMOUR FENCE
- JOB NAME Q536344 EMBARCADERO
- SALES AO
- DATE 10 JAN 2025

++February 12, 2025 - SFRPD (Eoanna Harrison Goodwin, Project Manager) informs SFAC staff about fountain conditions testing

Source: SF Arts Commission emails

Obtained from: SFAC

File: [Notification of Hazardous Materials Testing at Vaillancourt Fountain.pdf](#) (Converted from original: [Notification of Hazardous Materials Testing at Vaillancourt Fountain.html](#))

Relevant sections:

From: Goodwin, Eoanna (REC)

Sent: Feb 12, 2025 20:55:23.000000000 UTC

Subject: Notification of Hazardous Materials Testing at Vaillancourt Fountain

To: Chou, Mary (ART) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f65ae555b8464c56bea6b5702eee954c-mary.chou@sfgov.org>

Hi Mary,

My name is Eoanna Goodwin, and I am a Project Manager with the San Francisco Recreation & Park Department, working on the Embarcadero Plaza and Sue Bierman Park Renovation.

I wanted to inform you that we are planning to collect quarter-sized material samples from the Vaillancourt Fountain this Friday, February 14, for hazardous materials testing. The number of samples will depend on the visual inspection, but typically, three samples are taken from each distinct material type (concrete, plaster, coatings, membranes, mastics, etc.) in inconspicuous areas to ensure the integrity of the fountain remains unaffected.

This testing is a precautionary measure to determine whether any hazardous materials are present, allowing us to incorporate appropriate planning and safety measures for the project.

Please let me know if you have any questions or require further information.

Best,

Eoanna

++February 12, 2025 - SFAC staff (Mary Chou, Director of Public Art and Civic Art Collection) says, “It seems like they [SFRPD] are already planning for this [the fountain] to be taken down”

Source: SF Arts Commission emails

Obtained from: SFAC

File: [RE Notification of Hazardous Materials Testing at Vaillancourt Fountain.pdf](#) (Converted from original: [RE Notification of Hazardous Materials Testing at Vaillancourt Fountain \[a577d50579c6bcfd\].html](#))

Relevant sections:

From: Chou, Mary (ART) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F65AE555B8464C56BEA6B5702EEE954CMARY.CHOU@SFGOV.ORG>

Sent: Feb 12, 2025 21:47:06.494179100 UTC

Subject: FW: Notification of Hazardous Materials Testing at Vaillancourt Fountain

To: Cummings, Allison (ART) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d44d4e1e02764c6bbdcf91daca84018f-allison.cummings@sfgov.org>

Hi Allison –

This is interesting. It seems like they are already planning for this to be taken down...
It seems like this testing is okay. Do we want to find out where?

Thanks,
Mary

++February 13, 2025 - SFAC staff (Allison Cummings, Senior Registrar) expresses concern: “This is interesting and somewhat concerning. Typically, we would be more involved in something this invasive pertaining to an artwork in the collection. (conservator oversight, etc.) Obviously, the train is moving with or without us.”

Source: SF Arts Commission emails

Obtained from: SFAC

File: [RE Notification of Hazardous Materials Testing at Vaillancourt Fountain.pdf](#) (Converted from original: [RE Notification of Hazardous Materials Testing at Vaillancourt Fountain \[a577d50579c6bcfd\].html](#))

Relevant sections:

From: Cummings, Allison (ART) <allison.cummings@sfgov.org>
Sent: Thursday, February 13, 2025 9:32 AM
To: Chou, Mary (ART) <mary.chou@sfgov.org>
Subject: RE: Notification of Hazardous Materials Testing at Vaillancourt Fountain

This is interesting and somewhat concerning. Typically, we would be more involved in something this invasive pertaining to an artwork in the collection. (conservator oversight, etc.) Obviously, the train is moving with or without us. I would like to know more about how this work is undertaken – are they scraping material off the sculpture? Chipping out material? They mention gathering material from “inconspicuous” areas, but what does that mean? At the least, we want full documentation of what they are doing and where. I would also like to explain that they will be on the hook for repairs.

Happy to discuss on a quick call today – while my calendar is blocked, it’s mostly admin.

-Allison

++February 13, 2025 - SFAC staff (Mary Chou, Director of Public Art and Civic Art Collection) expresses concern about involvement and SFRPD approach

Source: SF Arts Commission emails

Obtained from: SFAC

File: [RE Notification of Hazardous Materials Testing at Vaillancourt Fountain.pdf](#) (Converted from original: [RE Notification of Hazardous Materials Testing at Vaillancourt Fountain \[a577d50579c6bcfd\].html](#))

From: Chou, Mary (ART) <mary.chou@sfgov.org>
To: Cummings, Allison (ART) <allison.cummings@sfgov.org>
Subject: RE: Notification of Hazardous Materials Testing at Vaillancourt Fountain

Thanks Allison – I’m reading the original email more carefully and see that this work is planned for this Friday. I think we should get a call together with RPD today for responses to your questions.

++February 13, 2025 - SFAC staff (Allison Cummings, Senior Registrar) expresses concern about “I feel like the train is moving without us...”

Source: SF Arts Commission emails

Obtained from: SFAC

File: [RE Notification of Hazardous Materials Testing at Vaillancourt Fountain.pdf](#) (Converted from original: [RE Notification of Hazardous Materials Testing at Vaillancourt Fountain \[a577d50579c6bcfd\].html](#))

From: Cummings, Allison (ART) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D44D4E1E02764C6BBDCF91DACA84018F-ALLISON.CUMMINGS@SFGOV.ORG>

To: Chou, Mary (ART) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f65ae555b8464c56bea6b5702eee954c-mary.chou@sfgov.org>

Subject: RE: Notification of Hazardous Materials Testing at Vaillancourt Fountain

Thanks Mary – I caught the timeline, it’s concerning as well. Like I said, I feel like the train is moving without us...

February 26, 2025 - SFRPD (Lisa Bransten, Director of Partnerships) and BXP (Aaron Fenton) recorded comments to SF Board of Supervisors Budget and Finance Committee

Source: SF Board of Supervisors Budget and Finance Committee

Obtained from: SF Board of Supervisors Budget and Finance Committee meeting on February 26, 2026

File: [Video recording](#), [closed captions](#)

Relevant sections:

Now the city finds itself in a moment where both the plazas infrastructure and design have outlived their useful lives. The the plaza's infrastructure is in disrepair. The brick paving is considered the end of its useful life and the department estimates it will cost millions to repair and the vaillancourt fountain would cost an estimated \$10 million to update and repair and even word the department to just fix the space it would still bring us back to the design that is now completely out of context.

...

My name is aaron fenton. >> I work for bcp where the the private side of the contract we're discussing here today about a year ago I hired an architect. Okay. To create a vision for for what could be in this amazing open space and brought that to park and rec about 8 or 10 months ago and you know everybody got excited again about the vision of of of the possibility here.

March 4, 2025 - SF Board of Supervisors Accept and Expend Grant and Grant Agreement

Source: San Francisco Board of Supervisors File #241095

Obtained from: SF Board of Supervisors meeting on March 4, 2025

File: [File #241095](#), [Leg Final.pdf](#), [Board Pkt 030425.pdf](#)

Relevant sections:

Name: Accept and Expend Grant and Grant Agreement - BXP Embarcadero Plaza LP - Embarcadero Plaza and Sue Bierman Park - \$12,500,000

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

Board of Supervisors ADOPTED

++March 5, 2025 - Consultant (Page & Turnbull) provides SFRPD (Eoanna Harrison Goodwin, Project Manager; others) with “report from Applied Materials & Engineering”

Source: Department of Public Works emails

Obtained from: SFDPW

File: [Re Vaillancourt Fountain - draft deliverable schedule-redacted.txt.pdf](#)

Relevant sections:

From: Elisa Skaggs <skaggs@page-turnbull.com>

To: Goodwin, Eoanna (REC) <eoanna.Goodwin@sfgov.org>; Carolyn Kiernat <kiernat@page-turnbull.com>

Cc: Kalchmayr, Kerstin (REC) <kerstin.kalchmayr@sfgov.org>; Cooper, Rick (REC) <rick.cooper@sfgov.org>;

Aaron Fenton <afenton@bxp.com>; Sarah Brummett <Brummett@page-turnbull.com>

Hi Eoanna,

Attached is the report from Applied Materials & Engineering. We are still waiting on the report from North Tower. I sent an email to them to check on the status. I'll send the scan via Tonic.

++March 11, 2025 - SFRPD (Eoanna Harrison Goodwin, Project Manager) shares “ground penetrating radar report” with SFDPW

Source: Department of Public Works emails

Obtained from: SFDPW

File: [Embarcadero Plaza - Vaillancourt Fountain.txt](#)

Relevant sections:

From: "Goodwin, Eoanna (REC)" <eoanna.Goodwin@sfgov.org>

To: "Sprinkle, John (DPW)" <John.Sprinkle@sfdpw.org>, "Lui, Raymond (DPW)" <Raymond.Lui@sfdpw.org>

Subject: Embarcadero Plaza - Vaillancourt Fountain

Attachments:

Applied Materials & Engineering Report.pdf

image001.jpg

Image002.png

Hi John and Ray,

Thanks for taking the time to chat today. Attached is the ground penetrating radar report I shared . Here are the drawings we have thus far: Appendix C - 1969 Halprin Drawings.pdf

<https://sfgov1-my.sharepoint.com/:b/g/personal/eoanna_goodwin_sfgov_org1/Ea3xXCdliROk2hZ_GITSeABF9jK8CXi6HsiKG4L4O36Ww?e=FQlNRN>

March 18, 2025 - SF Board of Supervisors adopts Behested Payment Waiver - Embarcadero Plaza and Sue Bierman Park

Source: San Francisco Board of Supervisors File #250105

Obtained from: SF Board of Supervisors meeting on March 18, 2025

File: [File #250105](#), [Leg Final.pdf](#), [Board Pkt 031825.pdf](#)

Relevant sections:

Name: Behested Payment Waiver - Embarcadero Plaza and Sue Bierman Park

Title: Resolution authorizing the General Manager of the Recreation and Park Department, the Director and staff of the Recreation and Park Department's Partnership Division, the Mayor, and the following staff in the Mayor's Office: Chief of Staff, Chief of Infrastructure, Assistant Chief of Infrastructure, Chief of Housing and Economic Development, Director of Public Affairs, and Policy Advisor, to solicit donations for the renovation of Embarcadero Plaza and Sue Bierman parks from individuals, nonprofits, private organizations, grantmakers, and foundations for six months from the effective date of this Resolution, notwithstanding the Behested Payment Ordinance.

Board of Supervisors ADOPTED

++March 19, 2025 - SFDPW (Raymond Lui, Chief Structural Engineer) replies to SFRPD (Eoanna Harrison Goodwin, Project Manager) with report review

Source: Department of Public Works emails

Obtained from: SFDPW

File: [Re Vaillancourt Fountain - draft deliverable schedule-redacted.txt.pdf](#)

Relevant sections:

From: Lui, Raymond (DPW) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1F54D66F3E94025B8B7F6FC4E18097B-RAYMOND LUI>

To: Goodwin, Eoanna <eoanna.Goodwin@sfgov.org> (REC)

Subject: Re: Vaillancourt Fountain - draft deliverable schedule

Hi Eoanna,

I have reviewed the report by Applied Materials & Engineering. We are unable to perform a structural analysis with this limited information. As such, we are unable to form an opinion on the potential seismic performance of the Vaillancourt Fountain during a severe earthquake.

From the photos in the report, there appears to be some cracking and spalling of concrete and corrosion of steel reinforcement and anchor plates.

March 20, 2025 - SFRPD project meeting notes, mentions “Page and Turnbull found fountain eligible to be an individual historic resource at the national or state level. We think some of their criteria are incorrect. Also possible that the work required to keep it would significantly degrade it. Need to mitigate risk of litigation so if we are going to get sued then could be important to do an EIR and could happen during design”, “Hazmat testing showed asbestos in bolts and in some of the waterproofing materials”, “If we are relocating it to avoid EIR we need to determine where”, “2.1 Fencing item noted above. Thoughts placing a story before next public meeting”

Source: Project meeting notes

Obtained from: SFRPD

File: [2025.03.20 Embarcadero Plaza Project PGT NOTES.pdf](#)

Relevant sections:

- Page and Turnbull found fountain eligible to be an individual historic resource at the national or state level. We think some of their criteria are incorrect. Also possible that the work required to keep it would significantly degrade it. Need to mitigate risk of litigation so if we are going to get sued then could be important to do an EIR and could happen during design.
- Hazmat testing showed asbestos in bolts and in some of the waterproofing materials
- If we are relocating it to avoid EIR we need to determine where.
- 2.1 Fencing item noted above. Thoughts placing a story before next public meeting

March 28, 2025 - Consultant (Page & Turnbull) provides Additional Service Proposal in response to Additional Service Request (ASR) for additional HRRs and “Structural Assessment by DCI Engineers”

Source: Consultant Additional Service Proposal for ASR (Additional Service Request)

Obtained from: SF Planning

File: [2025_03_28 ASR1 Embarcadero Plaza and Sue Bier.pdf](#)

Relevant sections:

- Based on conversations with San Francisco Recreation and Park Department (RPD) on direction received from the San Francisco Planning Department (CPC), Page & Turnbull has prepared this Additional Service Proposal for the following work:
 - Historic Resources Review (HRR) report for Embarcadero Plaza;
 - Historic Resources Review (HRR) report for Sue Bierman Park;
 - Structural Assessment by DCI Engineers.
- DCI has assumed this effort will include multiple internal meetings with Page & Turnbull and the property owner (BXP), as well as one (1) meeting with City officials and one (1) meeting in a public forum.

April 7, 2025 - SFRPD staff coordinates fencing and delay

Source: Recreation and Park Department emails in which Tamara Barak Aparton (Deputy Director, Communications and Public Affairs) is included

Obtained from: SFRPD

File: [Tamara.pdf](#)

Relevant sections:

From: Eidem, Cort (REC) <cort.eidem@sfgov.org>
 Sent: Monday, April 7, 2025 10:29 AM
 To: Goodwin, Eoanna (REC) <eoanna.Goodwin@sfgov.org>
 Subject: Fence imagery

Hi Eoanna, Sharing the attached documents for the fence design.
 The fence around the back will be 6ft tall ClearVu fence (similar to the attached image) and could get installed this month.
 The 42" fence around the front of the fountain has material delays and will not be available for installation until mid-Summer.

April 11, 2025 - SFRPD (Eric Andersen, Director of Operations) emails SFRPD staff about “We need to move forward with installing the fencing frame in the front of Vaillancourt” and “There’s been a lot of illegal activity in the fountain that Phil is asking that we address”

Source: SF Recreation and Park Department emails

Obtained from: SFRPD

File: [RE_Vaillancourt Fountain.pdf](#)

Relevant sections:

From: Andersen, Eric (REC) <eric.andersen@sfgov.org>
 To: Ng, Beverly (REC) <beverly.ng@sfgov.org>; Bransten, Lisa (REC) <lisa.bransten@sfgov.org>
 Cc: Eidem, Cort (REC) <cort.eidem@sfgov.org>; Tong, Felix (REC) <felix.tong@sfgov.org>
 Subject: FW: Vaillancourt Fountain

Hi Bev and Lisa,
 See below in red.

We need to move forward with installing the fencing frame in the front of Vaillancourt.
 There’s been a lot of illegal activity in the fountain that Phil is asking that we address. There are considerable liability concerns and it’s just a bad look for us.
 The fencing frame will provide the best solution. Much better than police barricades and caution tape.
 Let me know of any further concerns.
 Thanks

April 15, 2025 - SFRPD (Eoanna Harrison Goodwin, Project Manager) asks SF Planning (Richard Sucre, Deputy Director; Michelle Langlie, Senior Planner): “Quick-ish question: Big picture, if we can and are able to move the fountain - to a different location or in storage as sites are being analyzed - I believe that would avoid an EIR. Would or could that be a CatEx or a Neg Dec?”

Source: SF Planning Department emails in which Richard Sucre (Deputy Director) is included

Obtained from: SF Planning

File: [Sucre Embarcadero Plaza.pdf](#)

Relevant sections:

From: Goodwin, Eoanna (REC)
To: Kalchmayr, Kerstin (REC); Langlie, Michelle (CPC); Sucre, Richard (CPC)
Cc: Cooper, Rick (REC)
Subject: Re: Kalchmayr, Kerstin (REC) shared the folder "Embarcadero Plaza" with you

Rich and Michelle,

Quick-ish question: Big picture, if we can and are able to move the fountain - to a different location or in storage as sites are being analyzed - I believe that would avoid an EIR. Would or could that be a CatEx or a Neg Dec?

April 15, 2025 - SF Planning (Richard Sucre, Deputy Director) replies to SFRPD (Eoanna Harrison Goodwin, Project Manager) with “Lets chat about this question later today. Sadly, its not an easy question.”

Source: SF Planning Department emails in which Michelle Langlie (Senior Preservation Planner) is included

Obtained from: SF Planning

File: [Langlie Fountain.pdf](#)

Relevant sections:

From: Sucre, Richard (CPC)
To: Goodwin, Eoanna (REC); Kalchmayr, Kerstin (REC); Langlie, Michelle (CPC)
Cc: Cooper, Rick (REC)
Subject: RE: Kalchmayr, Kerstin (REC) shared the folder "Embarcadero Plaza" with you
Hi Eoanna,

Lets chat about this question later today. Sadly, its not an easy question.

April 16, 2025 - SFRPD (Kerstin Kalchmayr) provides SF Planning with draft Embarcadero Plaza HRRs

Source: SF Planning Department emails in which Michelle Langlie (Senior Preservation Planner) is included

Obtained from: SF Planning

File: [Langlie Embarcadero.pdf](#)

Relevant sections:

From: Kalchmayr, Kerstin (REC)
To: Cooper, Rick (REC); Sucre, Richard (CPC); Langlie, Michelle (CPC)
Cc: Goodwin, Eoanna (REC); Bradley, Stacy (REC); Golan, Yael (REC)
Subject: Embarcadero Plaza HRR Draft for review

Hi Rick, Rich, and Michelle,

Page & Turnbull have sent through their draft Embarcadero Plaza HRR – pls see at link below. Pls review and pls add any comments and edits directly into the document. You all have editing privileges.

If you're able to review by next Wednesday April 23 that would be great! We can schedule a meeting to discuss any comments.

Embarcadero Plaza HRR

FYI: the Sue Bierman HRR draft will be coming by the end of this week.

April 21, 2025 - SFRPD staff coordinates fountain fencing verbiage

Source: SF Recreation and Park Department emails in which Eric Andersen (Director of Operations) is included

Obtained from: SFRPD

File: [Eric.pdf](#)

Relevant sections:

From: Eidem, Cort (REC) <cort.eidem@sfgov.org>

To: Ng, Beverly (REC) <beverly.ng@sfgov.org>; Kelly, Ryan (REC) <ryan.kelly@sfgov.org>; Pon, Elton (REC) <elton.pon@sfgov.org>

Cc: Andersen, Eric (REC) <eric.andersen@sfgov.org>

Subject: Re: Vaillancourt Signage Coordination

Hi Ryan,

Something clear and simple for the Vaillancourt signage would be best:

"Please admire our fountain from a distance only. No climbing into or entering the basin is permitted".

As Bev mentioned, construction begins tomorrow.

++April 22, 2025 - SFRPD and SFAC coordinate a meeting to discuss “Project Overview and Introductions”, “Fountain Analysis”, “Overview of Applicable Laws, Artist Rights, and Legal Considerations”, CEQA Pathways”, “Engagement with Preservation Stakeholders”, “Next Steps”

Source: SF Arts Commission emails

Obtained from: SFAC

File: [RE Vaillancourt Fountain \[2574be81b1e85f55\].pdf](#) (Converted from original: [RE Vaillancourt Fountain \[2574be81b1e85f55\].html](#))

Relevant sections:

From: Goodwin, Eoanna (REC)

Sent: Apr 22, 2025 21:38:07.000000000 UTC

Subject: RE: Vaillancourt Fountain

To: Madland, Sarah (REC) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6039219ec4da4a6db69ed7cdob9c3eob-sarah.ballard@sfgov.org>; Chou, Mary (ART) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f65ae555b8464c56bea6b5702eee954c-mary.chou@sfgov.org>; Te, Coma (ART) ; Aparton, Tamara (REC) ; CURRY, LAUREN (CAT) ; PRADHAN, MANU (CAT)

Cc: Montes, Daniel (REC) ; Ventre, Alyssa (ART) </o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4f67cd494b354972b3fa7fabb7bb7845-alyssa.licouris@sfgov.org>; Cummings, Allison (ART) </o=ExchangeLabs/ou=Exchange Administrative Group

(FYDIBOHF23SPDLT)/cn=Recipients/cn=d44d4e1e02764c6bbdcf91daca84018fallison.cummings@sfgov.org>;
Hollenbeck, Sarah (ART)

Hi All,

See below. Will add it to the meeting invite as well. Let me know if you have any modifications/additions.

POLICIES and GUIDELINES for the CIVIC ART COLLECTION of the CITY and COUNTY of SAN FRANCISCO UNDER THE JURISDICTION OF THE SAN FRANCISCO ARTS COMMISSION Updated 6/5/2023.

12:00 – 12:05 PM

Project Overview and Introductions

12:05 – 12:15 PM

Fountain Analysis

- Summary of Historical Resource Report findings
- Structural assessment overview
- Hazardous materials considerations
- Maintenance considerations

12:15 – 12:40 PM

Overview of Applicable Laws, Artist Rights, and Legal Considerations

- California Art Preservation Act (CAPA)
- San Francisco Administrative Code – Public and Civic Art Collection policies
- Additional relevant legal frameworks
- Interpretation of artist rights under CAPA and local policy
- Considerations for relocation, alteration, or deaccession

12:40 – 12:50 PM

CEQA Pathways

- Focused Environmental Impact Report (EIR)
- Negative Declaration (Neg Dec)
- Potential mitigation measures

12:50 – 12:55 PM

Engagement with Preservation Stakeholders

- Strategy for outreach and dialogue with preservation and advocacy groups
- Honoring the history of the site

12:55 – 1:00 PM

Next Steps

- Summary of key actions and follow-up items

Eoanna Harrison Goodwin AIA, LEED AP BD+C

April 24, 2025 - SF Planning (Richard Sucre, Deputy Director) says to SFRPD: “Just added a few comments into fountain HRR. Its very well written.”

Source: SF Planning Department emails in which Richard Sucre (Deputy Director) is included

Obtained from: SF Planning

File: [Sucre_Embarcadero Plaza.pdf](#)

Relevant sections:

From: Sucre, Richard (CPC) <richard.sucre@sfgov.org>

To: Kalchmayr, Kerstin (REC) <kerstin.kalchmayr@sfgov.org>

Cc: Langlie, Michelle (CPC) <michelle.langlie@sfgov.org>; Goodwin, Eoanna (REC) <eoanna.Goodwin@sfgov.org>

Subject: RE: Kalchmayr, Kerstin (REC) shared the folder "Embarcadero Plaza" with you

Just added a few comments into fountain HRR. Its very well written. I do want them to reconcile the description of the fountain's HRR with the Embarcadero Plaza HRR. I feel like the Fountain HRR made a clearer statement of the Plaza's eligibility rather than the actual Embarcadero Plaza HRR.

April 28, 2025 - Consultant (Page & Turnbull) provides SFRPD (Eoanna Harrison Goodwin, Project Manager; Kerstin Kalchmayr) with final HRRs and “Vaillancourt Fountain Conditions Assessment”

Source: SF Planning Department emails in which Richard Sucre (Deputy Director) is included

Obtained from: SF Planning

File: [Sucre_Embarcadero Plaza.pdf](#)

Relevant sections:

From: Hannah Simonson <simonson@page-turnbull.com>

To: Kalchmayr, Kerstin (REC) <kerstin.kalchmayr@sfgov.org>; Goodwin, Eoanna (REC) <eoanna.Goodwin@sfgov.org>

Cc: Cooper, Rick (REC) <rick.cooper@sfgov.org>; Samantha Purnell <purnell@pageturnbull.com>; Carolyn Kiernat <kiernat@page-turnbull.com>; Sarah Brummett <Brummett@page-turnbull.com>

Subject: RE: Embarcadero Plaza: City Reviewed HRRs

Hi Kerstin and Eoanna,

Thanks for the comments below. Here are the revised and compiled PDFs of the three HRRs:

Final HRRs

Here also is the Draft Conditions Assessment:

Vaillancourt Fountain Conditions Assessment

We are following up with the structural engineers tomorrow to address outstanding questions and will follow up with their report and conclusions ASAP.

Thanks!

May 2, 2025 - SFAC (Mary Chou, Director of Public Art and Civic Art Collection) asks SFRPD (Eoanna Harrison Goodwin, Project Manager) “if the reports re. Vaillancourt are available for review.”

Source: SF Recreation and Park Department emails

Obtained from: SFRPD

File: [Anon - Embarcadero Redacted.pdf](#)

Relevant sections:

From: Chou, Mary (ART) <mary.chou@sfgov.org>
 To: Goodwin, Eoanna (REC) <eoanna.Goodwin@sfgov.org>
 Cc: Cummings, Allison (ART) <allison.cummings@sfgov.org>; Madland, Sarah (REC) <sarah.madland@sfgov.org>
 Subject: RE: Vaillancourt Fountain and Embarcadero Plaza Revitalization

Hi Eoanna,

Following up to see if the reports re. Vaillancourt are available for review.

It would be great to understand how our process (VAC and CDR approval) coincides with RPD approval process and EIR. When is a good time to review this?

We are meeting with the artists and his son on May 20th.

May 12, 2025 - SFRPD (Eoanna Harrison Goodwin, Project Manager) shares “several comments and recommendations for revision” for the “Vaillancourt Fountain Conditions Assessment” with the consultant (Page & Turnbull)

Source: SF Planning Department emails in which Richard Sucre (Deputy Director) is included

Obtained from: SF Planning

File: [Sucre Embarcadero Plaza.pdf](#)

Relevant sections:

From: Goodwin, Eoanna (REC) <eoanna.Goodwin@sfgov.org>
 To: Carolyn Kiernat <kiernat@page-turnbull.com>; Sarah Brummett <Brummett@page-turnbull.com>
 Cc: Cooper, Rick (REC) <rick.cooper@sfgov.org>; Samantha Purnell <purnell@page-turnbull.com>; Kalchmayr, Kerstin (REC) <kerstin.kalchmayr@sfgov.org>; Hannah Simonson <simonson@page-turnbull.com>
 Subject: RE: Embarcadero Plaza: City Reviewed HRRs

Hi Carolyn and Sarah,

Thanks again for taking the time to talk through the Vaillancourt Fountain Conditions Assessment with me on Friday. I really appreciated the conversation and your openness to feedback. Following our review of the May 2, 2025 draft, I'm sharing several comments and recommendations for revision in the following folder:

Conditions Assessment_RPD Comments

In it you'll find a marked-up version of the conditions assessment with comments in purple, as well as supporting documentation including nearby soil condition reports and an assessment of the fountain from the structural maintenance yard. We believe this additional context should be integrated into the final report.

Taken together with the structural and environmental findings, this material will be key to supporting a coordinated planning effort, estimate, and assessment with the San Francisco Arts Commission.

As we discussed, the current conclusions section still closely reflects the April 28 draft and doesn't appear to incorporate findings from DCI's structural assessment. The statement that the fountain is "overall in fair condition" feels out of sync with what we now know and could be misleading—especially since this language predates the structural analysis.

I understand from our conversation that the conclusions were intended to reflect your assessment of the surface-level conditions. That said, since it's the only "conclusion" referenced in the table of contents, it may cause confusion for readers. Given what DCI identified—particularly that the structure doesn't meet seismic thresholds even under ideal conditions, and that there's visible corrosion, displacement, and missing tension rod—it would be helpful if the conclusions section reflected those realities a bit more directly. Similarly, the hazardous materials findings (asbestos, lead-based paint) will have a big impact on future work and should be acknowledged clearly.

Additionally, could the DCI team clarify whether their structural modeling assumes 100% material capacity? If so, we would appreciate a short note confirming that the actual condition is likely worse due to corrosion and material degradation, and that the results should be viewed as conservative.

On the hazmat report—some of the pages in the PDF came through illegible, with symbols or question marks in place of text or numbers. Could you please replace those sheets with a clean version?

Lastly, could your team put together a draft scope of work outlining what restoring the fountain would involve? If you have an estimator or cost consultant you typically work with, we'd also be interested in a rough cost estimate to support our planning efforts.

For next steps, please review and respond to the comments in the attached PDF and provide a revised draft by EOB Friday, May 16. If you need additional time, do let me know and we can discuss priorities. Feel free to reach out with any questions.

May 16, 2025 - SFRPD (Kerstin Kalchmayr) provides SF Planning with "link to the final 3 HRR docs for the Embarcadero Plaza Improvement Project"

Source: SF Planning Department emails in which Michelle Langlie (Senior Preservation Planner) is included

Obtained from: SF Planning

File: [Langlie Embarcadero.pdf](#)

Relevant sections:

From: Kalchmayr, Kerstin (REC)

To: Langlie, Michelle (CPC); Sucre, Richard (CPC)

Cc: Goodwin, Eoanna (REC); Cooper, Rick (REC); Bradley, Stacy (REC); Golan, Yael (REC)

Subject: Embarcadero Plaza HRRs- FINAL

Hi Michelle,

Below is the link to the final 3 HRR docs for the Embarcadero Plaza Improvement Project.

P&T added some updates to the Fountain HRR with some new info they learned and sent us the updated doc yesterday. These are now the final docs which you can use for your HRR Part 1 reports.

FINAL HRRs-051625

FYL...These are the updates that were made to the Fountain HRR per P&T

“Since we issued the previous report, I was made aware that the original concrete cubes around the air intake vents are in fact extant within the chain-link fence area – so I wanted to correct the chronology which said that they were demolished in the 2000s renovation”

May 16, 2025 - SFRPD and BXP meet, including “CEQA” and “HRR determination”

Source: Recreation and Park Department emails in which Lisa Bransten (Director of Partnerships) is included

Obtained from: SFRPD

File: [Lisa Bransten.pdf](#)

Relevant sections:

From: Goodwin, Eoanna (REC)

To: Aaron Fenton; Rudnick, Kelli (REC); Bradley, Stacy (REC); Bransten, Lisa (REC); Ketcham, Dana (REC); Ng, Beverly (REC)

Subject: Embarcadero Plaza - Project Delivery Agenda 5/19

Embarcadero Plaza Project Delivery - Meeting Agenda

Date: May 19, 2025 Time: 1:00 PM – 2:00 PM

Location: Microsoft Teams

Agenda

1. Welcome and Objectives (5 min)
 - a. Brief overview of meeting goals and key priorities.
2. Stakeholder Updates (20 min)
 - a. Vaillancourt
 - i. Agenda and goals
 - b. Skateboarders
 - i. Follow-up from meeting and email
 - c. Preservationists
 - i. SF Heritage: June 13 - Objectives and presentation roles
 - ii. Docomomo
 - d. All Stakeholder Meeting
 - i. Goals, proposed date, logistics, invite list
 - ii. Agenda items and facilitation roles
3. CEQA (15 min)
 - a. Conditions Assessment review and key findings
 - b. HRR determination
 - c. Next steps: Scope of work and estimate
4. Fountain Fencing (5 min)
 - a. Strategy, current status and proposed approach

5. Upcoming Docomomo Picnic – May 23 (5 min)
 - a. Strategy
6. Community Meeting #2 (5 min)
 - a. Community Outreach strategy and timeline
 - b. Coordination with partners – confirm date with DTSF, OEWD
7. Next Steps and Action Items (5 min)
 - a. Summary of decisions and follow-ups
 - b. Assignments and deadlines

May 20, 2025 - SF Planning discusses SFRPD submitting the HRRs

Source: SF Planning Department emails in which Michelle Langlie (Senior Preservation Planner) is included

Obtained from: SF Planning

File: [Langlie Embarcadero.pdf](#)

Relevant sections:

From: Langlie, Michelle (CPC)
 To: Sucre, Richard (CPC)
 Subject: FW: Embarcadero Plaza HRRs- FINAL

Do we want RPD to submit applications for the Embarcadero/Fountain HRRs?

May 21, 2025 - SF Planning discusses SFRPD submitting the HRRs

Source: SF Planning Department emails in which Michelle Langlie (Senior Preservation Planner) is included

Obtained from: SF Planning

File: [Langlie Embarcadero.pdf](#)

Relevant sections:

From: Sucre, Richard (CPC)
 To: Langlie, Michelle (CPC)
 Subject: Re: Embarcadero Plaza HRRs- FINAL

They should so we collect the fee and disclose it to the public.

May 28, 2025 - Consultant (Page & Turnbull) pushes back on SFRPD (Eoanna Harrison Goodwin, Project Manager) conditions assessment revisions: “revised conclusion in the memo you’ve provided is currently contradictory”, “I particularly request revision to the assertion that it is structurally beyond repair, which is not the case and is not supported by the findings of the rest of that memo or our assessment”

Source: SF Planning Department emails in which Richard Sucre (Deputy Director) is included

Obtained from: SF Planning

File: [Sucre Embarcadero Plaza.pdf](#)

Relevant sections:

From: Sarah Brummett <Brummett@page-turnbull.com>

To: Goodwin, Eoanna (REC) <eoanna.Goodwin@sfgov.org>; Carolyn Kiernat <kiernat@page-turnbull.com>
 Cc: Cooper, Rick (REC) <rick.cooper@sfgov.org>; Samantha Purnell <purnell@page-turnbull.com>;
 Kalchmayr, Kerstin (REC) <kerstin.kalchmayr@sfgov.org>; Hannah Simonson
 <simonson@page-turnbull.com>
 Subject: RE: Embarcadero Plaza: City Reviewed HRRs

Thank you, Eoanna,

I have a couple of comments/clarifications in response:

- The revised conclusion in the memo you've provided is currently contradictory. It starts off by saying that it is mechanically, structurally, and electrically beyond repair as it did in the prior version, but then goes on in the added paragraphs to more closely align with the findings of our assessment with respect to the options for restoration. I particularly request revision to the assertion that it is structurally beyond repair, which is not the case and is not supported by the findings of the rest of that memo or our assessment.
- You've also included a note on our conclusion regarding your understanding of what will be required for the structural repairs and treating the corrosion. That is the purview of our forthcoming additional services for treatment recommendations, and I would not feel comfortable providing more specifics about what is required prior to working through those options with DCI. I do understand that one of your colleagues had some thoughts about what would be needed, but I think it is more appropriate to take those into consideration during our next phase of work than to speculate about it in this conclusion.

Thanks again,

June 3, 2025 - SFRPD staff confirms fountain fencing information

Source: Recreation and Park Department emails in which Tamara Barak Aparton (Deputy Director, Communications and Public Affairs) is included

Obtained from: SFRPD

File: [Tamara.pdf](#)

Relevant sections:

From: Goodwin, Eoanna (REC)
 To: Eidem, Cort (REC)
 Cc: Aparton, Tamara (REC); Ng, Beverly (REC)
 Subject: RE: Fence imagery

Date: Tuesday, June 3, 2025 1:57:29 PM

Attachments:

DWG Q536344 EMBARCADERO REVISED 2-4-25.pdf
 1438-NF-CV-00-01-00-00-A-Roo.pdf
 1438-NF-PG-00-01-00-00-A-Roo.pdf
 Vaillancourt_Render.jpg
 Vaillancourt Fence Diagram.jpg
 Vaillancourt Planter Diagram 2.jpg
 ClearVu Fence.JPG

Hi Cort,

Confirming the fence around Vaillancourt Fountain would be 42 inches high in front and 72 inches high in back?

From: Goodwin, Eoanna (REC) To: Eidem, Cort (REC) Cc: Aparton, Tamara (REC); Ng, Beverly (REC)

Subject: RE: Fence imagery Date: Tuesday, June 3, 2025 1:57:29 PM

Attachments: DWG Q536344 EMBARCADERO REVISED 2-4-25.pdf 1438-NF-CV-00-01-00-00-A-Roo.pdf 1438-NF-PG-00-01-00-00-A-Roo.pdf Vaillancourt_Render.jpg Vaillancourt Fence Diagram.jpg Vaillancourt Planter Diagram 2.jpg ClearVu Fence.JPG

Hi Cort,

Confirming the fence around Vaillancourt Fountain would be 42 inches high in front and 72 inches high in back?

June 3, 2025 - SFRPD (Tamara Aparton, Deputy Director, Communications and Public Affairs) provides embargoed conditions assessment to the press

Source: Recreation and Park Department emails in which Tamara Barak Aparton (Deputy Director, Communications and Public Affairs) is included

Obtained from: SFRPD

File: [Tamara.pdf](#)

Relevant sections:

From: Aparton, Tamara (REC)

To: Whiting, Sam <swhiting@sfchronicle.com>

Subject: Vaillancourt Fountain report and newly documented risks

Hi Sam,

Here's a dropbox link to the embargoed report. Let me know if you can't access it. I understand it's scheduled to go live on the website at 4 a.m. Monday. As agreed, please hold off on outreach to the artist or other constituents until Sunday afternoon. You're welcome to contact the Arts Commission—they've already received the report.

...

Here's a quote from me if you need one

"The fountain isn't just falling apart—it's hazardous. The structure is cracked, corroded, and missing key supports. Add lead and asbestos to the mix, and it's a serious safety risk. That's why we're fencing it off now, to protect the public while longer term decisions are made."

July 8, 2025 - SFRPD (Eoanna Harrison Goodwin, Project Manager) makes public statements about not including the fountain during the second public community meeting

Source: Transcript of public community meeting, public comments from Eoanna Goodwin (Project Manager)

Obtained from: Docomomo US/NOCA recording

File: [2025-07-08 - Community Meeting 2 - Presentation - Transcript.pdf](#)**Relevant sections:**

[19:43] Um, and then lastly, Vaillancourt Fountain. Um, Vaillancourt Fountain's last pump went out last year in 2024 and it's been dry since and we're going to talk about some of the findings, um, on the fountain as well today. Okay, so the fountain conditions assessment. This is new information since the last community meeting that we wanted to walk through and share with you all. Um, this was done as we do with any of our projects. If there's a structure on site, we need to assess it, assess it for structural integrity, hazardous materials, so on and so forth to really understand what we're getting into, um, and find out what's, what's on site as it has been explored previously. Here are some of the key findings from that assessment. Some we knew such as the end of life of the infrastructure systems. Um, the plumbing and the electrical systems are completely shot. This, this fountain when it was running, it had water going through it about 30,000 gallons a minute. Um, and that was really noisy and it was noisy for a purpose. It was trying to block out the sound of the freeway behind it.

[20:48] Um, as I mentioned, it was creating a water feature. Um, but the pumps no longer work. It had four working pumps and the last one went out last year. Um, from the conditions assessment, there are also hazardous materials found throughout the fountain, including asbestos and including lead. We tracked some of the maintenance costs over the last few years when the fountain was running. It was costing about 100K a year to maintain the fountain. Um, our, our structural maintenance staff was coming out pretty much daily to, uh, check on the fountain. It got cleaned out completely quarterly. Um, but it was starting to be hazardous. One of the items here is also the failed waterproofing membrane in the pool of the fountain, starting to flood the underground vault, um, that is at the fountain. Um, the fountain itself is not accessible. It was designed in the 70s, about 20 years prior to, um, the ADA Act being signed into law. Um, unsuitable soil conditions and then a host of structural issues from corrosion of the structural elements, cracks and spalled concrete, surface level, a lot of things look fine, but then when you start to get into the fountain, um, it's not. And even under ideal conditions, if this fountain was designed and built today, it would not meet current seismic and safety standards. So then tying on all the corrosion and all the issues, um, it's, it's starting to be a lot. The fountain restoration cost, um, RPD did an internal cost, um, through some of the recommendations from the stakeholders, they asked us to hire a third party consultant to do cost estimating. So we did that. Um, we just got the cost in and the cost to renovate to, restore the fountain to its full glory to have, uh, take care of all the structural issues, to, um, have the new systems in place, um, it is estimated at \$29 million. Um, the fountain itself is about 710 tons.

[22:45] When you think about each arm, they're about 10 to 11 tons each. So in order to fix this piece, um, you know, those arms are coming off, you need to check all the structural elements for corrosion, make sure that it's safe putting it back on. The reason that this is what it is is it's a handful of reasons. One, um, this is, you know, a structural restoration project, a seismic retrofit, but it's also an art piece.

[23:14] And so we're treating it as both of those. Um, which is important to note. Um, this fountain was designed, as you saw in the previous slides, to be participatory. People are supposed to be running through it. There's supposed to be water, you're supposed to be engaging with it. What it is right now from finding this report at the beginning of January, we had to put up fences because people are sleeping in it, they're climbing on it.

[23:36] That's what they're supposed to do, maybe not sleeping in it, but hey, rent's expensive. Um, but yeah, people are kind of doing a host of things and that's really what the idea was, right? I think the hard news is

that this is over our budget. I think what I'm hoping comes out of this meeting and maybe I'm being like overly optimistic is that we can come together and figure out ways to honor the site's history, to bring in that character and to bring in the spirit and to move this project forward.

[24:05] Um, it'll, it'll take us kind of, you know, being creative and, and thinking about options and opportunities, but what we want to hear from you is like what is important to you and how we can do that. Um, Lawrence Halprin, when he was starting to design this space, he was, he was more or less talking about this as, um, a space where, you know, it's, it's a total space of participation.

[24:28] All these elements are coming together. And what it is in its current state, it's not participatory. All these elements are kind of fractured. And so we want to bring us together and bring those pieces together and take in what we can from these community engagement processes to keep this going. Um, from here, I'm going to hand it over to Brian Jencek at HOK.

[24:51] Um, what he's going to do is walk us through a possibility of what the site can be, taking in the constraints of safety, of accessibility, of our budget constraints. Um, and then from there, we're going to start to break up into sessions, talk a little bit more and more about, you know, how we can start to shape this plaza together as a team.

...

Um, so yeah, Brian mentioned, we're going to split up into different stations around the room. Um, we're going to have a paper survey for people to fill out. Um, there will also be a digital survey and we'll put the QR code up here. It'll also be on the paper survey. We encourage you guys to take the survey, to pass it along to friends.

[42:53] Um, and just from rumblings and kind of hearing about, you know, typically all these projects, we'll have multiple options. We did look into keeping the fountain on site, but once we are looking at all the site constraints, including the budget constraints, it's not possible to have it on the site with our current budget, like where we are financially right now.

July 8, 2025 - SFRPD (Eoanna Harrison Goodwin, Project Manager) makes public statements about not including the fountain or plaza during the second public community meeting

Source: Transcript of public community meeting, public comments from Eoanna Goodwin (Project Manager)

Obtained from: Docomomo US/NOCA recording

File: [2025-07-08 - Community Meeting 2 - Regroup and Q&A - Transcript.pdf](#)

Relevant sections:

[00:29:49] Speaker 1: Yeah, so a couple points that I think we're looking at what the actual materials are being used here. And this is just initial concept. The idea of the project is that we're unifying this space into a park that will have hardscape, that will have softscape, that will be mixed use, that will have circulation paths throughout. And so we're looking at how we can have a well-integrated single park instead of having a split down the middle of this versus that, but instead having this kind of multi-use area be the connecting factor, um, to really be able to make this a dynamic, vibrant, accessible area. Um, in terms of the plaza, are you

demolishing the plaza? Are you getting rid of this or that? I think we're here today to really hear about what parts and pieces of Embarcadero Plaza, Sue Bierman Park and their history are super important. And then go into a deeper dive of cost estimates and what it takes to preserve that or relook at pieces and parts as we're continuing on. So, yeah, there's parts of the brick paving that no longer meet ADA. Does it mean we're just going to like take them out and throw them in the garbage? Or does it mean those parts and pieces are really important? Can we integrate bricks into the, those exact bricks into the new design, right? And so we're looking for that kind of feedback of what's important to you right now and why. I think the why is what, the meat of the question, right? So hearing that people had these lovely memories of Embarcadero Plaza and I got so many emails and people talking about, you know, I I ran through it as a kid and I was splashing water and maybe I drank some or, you know, whatever. But that's the reason that this makes this really difficult to consider it is like what people love is that it was a working fountain. What people love is that they could play and they could interact with it. And that's where, that's where that struggle is. So again, typically on our projects, we're offering multiple options with the fountain, without the fountain. That's kind of where we were starting at after community one is we're hearing these wants and needs from, from the mama, from SF Heritage, from the Vaillancourt family. So yeah, we absolutely are considering this. But then once we got that cost estimate, which is something that's from the stakeholders requested, this can't fit within our project budget, but also there are safety concerns and there's hazardous materials, there's seismic concerns, so on and so forth. So we're here to hear you out with this announcement. I know it's a lot and we just want to take that feedback and so we can continue the project

July 21, 2025 - SFRPD, BXP, and HOK meeting notes mention “Mayor’s mandate for groundbreaking by Fall 2026. HOK developed a proposed schedule with critical milestone dates to achieve that date”

Source: Project meeting notes

Obtained from: SFRPD

File: [2025-07-21 PD Meeting Notes.pdf](#)

Relevant sections:

- Mayor’s mandate for groundbreaking by Fall 2026. HOK developed a proposed schedule with critical milestone dates to achieve that date.
- Embarcadero Plaza Design Schedule [visual; shows CEQA findings in early April 2026]

August 18, 2025 - Letter from SFRPD to SFAC

Source: Letter from SFRPD to SFAC

Obtained from: SFAC

File: [6_FINAL_8.18.25_-RPD_letter_to_Arts_-_Vaillancourt_Fountain.docx_1.pdf](#)

Relevant sections:

A Design Constraint: Vaillancourt Fountain

To achieve this vision, we must address a critical constraint: the Vaillancourt Fountain. As a part of the Civic Art Collection and under the jurisdiction of the Arts Commission, any proposed change requires your review and approval.

Designed by Armand Vaillancourt and opened in 1972 as part of Lawrence Halprin’s Embarcadero Plaza, the fountain is a Brutalist work constructed of textured, precast concrete tubes arranged in chaotic angles. It was

conceived to convey dynamic energy and to mask the din of the now-removed Embarcadero Freeway with the sound of water. In its original context, it was a compelling and radical work of public art.

However, the physical, environmental, and spatial conditions of Embarcadero Plaza have changed dramatically over the past half-century. What was once a statement piece of urban renewal now severely limits our ability to create a safe, functional, and future-ready civic space.

Design Conflicts and Spatial Limitations

The current location, scale, and orientation of the fountain fragment the plaza, hinder sightlines, and constrain circulation and event programming. The design team has struggled to resolve the conflict between the large footprint of the fountain and the project's key design objectives:

- Activating a unified plaza and park
- Opening visual and physical connections to the Bay
- Creating flexible space for civic life, events, and everyday use

The scale of the fountain is incompatible with the open lawn and gathering spaces envisioned in the new design. Simply put, the design cannot meet community needs or project goals while retaining the fountain in place.

...

Sincerely,
Philip A. Ginsburg
General Manager
San Francisco Recreation and Park Department

August 20, 2025 - SFRPD, BXP, and others discuss fundraising plans and timeline

Source: San Francisco Recreation and Park Department Fundraising Committee

Obtained from: SFRPD

File: [2025_08.20 Embarcadero Plaza Fundraising Committee NOTES.pdf](#), [DSFP Timeline Workplan EP.xlsx](#), [Gifts Table / Naming- Embarcadero Park](#) (Backup copies: [\[2025-12-23 Copy\] DSFP Timeline Workplan EP.xlsx](#), [\[2025-12-23 Copy\] Gifts Table / Naming- Embarcadero Park](#))

Relevant sections:

TASK:	May		Jun						July				Aug			Sept	Completed	Planned
Week of:	26	2	9	16	23	1	7	14	21	28	4	11	18	25	8	15	Delayed	
																	In-Progress	
Finalize preliminary case for support				17-Jun					KPU REVIEW									
Interviews																		
DSFP to begin populating interviewee template with list of ~30 names																		
List Review																		
DSFP to finalize interviewee list			12-Jun															
Questionnaire + Invitation			12-Jun															
CCS & DSFP to review interview scheduling logistics																		
CCS to train staff on interview best practices					24-Jun													
DSFP to begin sending interview invitations and scheduling personal interviews										24th Jul	8-Aug							
DSFP to conduct personal interviews with 10-25 closest supporters																		
DSFP to share interview transcripts with CCS team to enter into Qualtrics																		
Donor Analytics																		
Constituent Data Received																		
Wealth Screening																		
Major Donors and Foundations Research																		
Segment and Prioritize																		
CCS to prioritize prospect research on top 10 prospective donors							9-Jul											
Final Reporting																		
Analyse data from interviews																		
Outline Final Report																		
CCS Internal Review and align on structure, high level recommendations																		
Draft Final report																		
CCS Internal Review period																		
Final Draft - Incorporate all data																		
Preview final report with team										29-Jul								

Embarcadero Plaza and Sue Bierman Park Naming Opportunity										
Space Components	Square Footage	Units	Sq Ft X Units	UF Score	LF score	Calculated Level	Perceived Value_v0	Proposed Value	LJB Estimates	Notes
Permanent Art Installation	750	1	750	2	2	\$523,416	\$2,000,000	\$2,000,000	\$2,000,000.00	See below for justification - Qualitative inputs contributing to perceived value
Other Art Sculptures	400	2	800	1.75	1.75	\$213,728	\$200,000	\$400,000	\$500,000.00	Entrance sculpture: \$200,000 from Waterfield Foundation.
Performance Stage/Amphitheater	1200	1	1200	2	2	\$837,466	\$4,000,000	\$4,000,000	\$5,000,000.00	Compass Pavillion (Where is this?) this seems really low to me
Plaza	33000	1	33000	1.75	2	\$20,151,515	\$3,000,000	\$3,000,000	\$4,000,000.00	Grainger Plaza (Cloud Gate Plaza) – Originally AT&T/SBC Plaza; named after a \$3 million donation by Ameritech/SBC, and later re-named when the Grainger Foundation provided a \$5 million endowment in 2021 Wikipedia+1Wikipedia+1.
Fixed Seating/ Benches	100	20	2000	2	1.5	\$52,342	\$100,000	\$100,000		
Bricks	1	500	500	1.25	1.75	\$382				
Pavers	2	15	30	1	1.5	\$523				
Plates	2	25	50	0.5	1.25	\$218				
Gardens	8000	2	16000	0.5	0.75	\$523,416	\$1,000,000	\$2,000,000		
Dog park	10000	1	10000	2	2	\$6,978,880	\$1,500,000	\$1,500,000	\$3,000,000.00	Based on Francisco Park Naming research
Central Lawn	65000	1	65000	1.5	1.5	\$25,516,529	\$3,000,000	\$3,000,000	\$3,000,000.00	Same research as Grainger Plaza
Fitness Area	8000	1	8000	2	2	\$5,583,104	\$1,000,000	\$1,000,000	\$500,000.00	Sam Sq footage as Dog Park
									\$18,000,000.00	
Total	132,855	638	145,030			\$64,678,981	\$15,800,000	\$17,000,000		
	217,800				72,770					

34 Months																																					
2025						2026												2027												2028							
Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr				
Planning & Activation Phase						Cornerstone & Leadership Gifts Phase																		Major Gifts Phase										Community Phase			

21 Months																				
2025							2026							2027						
Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Planning & Activation Phase							Cornerstone & Leadership Gifts Phase													
														Major Gifts Phase						
														Community Phase						

August 26, 2025 - SFRPD invoices BXP for \$100,000

Source: San Francisco Recreation and Park Department invoice

Obtained from: SFRPD

File: [2025_08.26 Invoice to BXP.pdf](#)

Relevant sections:

FROM: Lisa Bransten
 Director of Partnerships
 501 Stanyan Street
 San Francisco, CA 94117
lisa.bransten@sfgov.org

TO: Aaron Fenton
 SVP, Development
 BXP Embarcadero Plaza LP
 Two Embarcadero Center, Suite 300
 San Francisco, CA 94111
afenton@bxp.com

FOR RPD Capital Division Project
 Management per Section 4.1.b of the
 Agreement between RPD, BXP, OEWD
 and DSFP executed on March 12, 2025

Description Amount

This is the first installment of the agreed to private grant for project management services.

\$100,000

The second half of the grant will be invoiced 30 days after Recreation and Park Commission approval of a concept plan

Total \$100,000

++September 30, 2025 - SFRPD (Phil Ginsburg, General Manager; Lisa Bransten, Director of Partnerships) recorded discussing “six-month, [Behested Payments] waiver is stupid”, “political opportunity for the Valancourt Fountain folks and the haters to make their voices heard in a political forum”, “Rec and Park one [Behested Payments Waiver] has expired”, “...we need to rebuild this timeline, because we need to be fully funded by the end of 2026. That's when we promised bulldozers in the ground...”

Source: Zoom recording of San Francisco Recreation and Park Department meeting

Obtained from: SFRPD

File: [Zoom recording](#) (Password: c@\$7n\$Yo) (Backups: [GMT20250930-170627_Recording_1920x1032.mp4](#), [Screenshot](#),

[GMT20250930-170627_Recording.m4a](#), [GMT20250930-170627_Recording.transcript.vtt](#),
[GMT20250930-170627_Recording_1920x1032_32min-mark.mp4](#))

Relevant sections:

Recommendation 1 **STEPS NEEDED TO REACH THE FINANCIAL TARGET**

Key Finding: One-on-one conversations with donors, civic leaders, and community members, alongside e-survey results, demonstrate that stakeholders believe the project has strong potential. There is enthusiasm for revitalizing downtown, urgency regarding the timing, but skepticism about the current funding structure. CCS sees an opportunity to deliver on the promise if the following recommendations are implemented:

- **Proceed immediately with the campaign to leverage momentum**
 - The current alignment of civic interest, mayoral support, and city agencies is rare and fleeting. The campaign must act swiftly to secure commitments while downtown revitalization is a top priority.
 - The next 90 days are important to set up campaign infrastructure and prepare to secure leadership gifts. Leverage the SFDDC's behested payments waiver (expiring in December) to engage donors who require city alignment.
 - Prioritize quiet-phase fundraising with a focus on high-net-worth individuals and adjacent property owners.
 - Fast-track cultivation and engagement of prospective donors by involving high-level donors and allies in potential donor screening sessions to help develop appropriate cultivation and request strategies.
- **Centralize campaign leadership and accountability**
 - Multiple partners are involved, but no single entity is clearly accountable for fundraising execution. Therefore, appoint a dedicated Campaign Manager to implement recommendations, outreach, and reporting.
 - Recruit additional leaders with the financial capacity and inclination to make commitments and who are willing to inspire and recruit others. These prospects will take diligent and careful cultivation to secure their gifts.
- **Design a tiered fundraising strategy with clear entry points (Refer to the Gifts Table on slide 37)**
- **Offer...**

philginsburg: It needs to be longer, because when you bump up against the 6 months, A, we've now created a political opportunity for the Valancourt Fountain folks and the haters to make their voices heard in a political forum.

Slide 27 of 37

[...]

00:32:07.320 --> 00:32:17.889

philginsburg: So just something for us to think about, and I know this is more about, you know, the politics and the board and city hall. The six-month, waiver is stupid.

00:32:18.130 --> 00:32:34.700

philginsburg: It needs to be longer, because when you bump up against the 6 months, A, we've now created a political opportunity for the Valancourt Fountain folks and the haters to make their voices heard in a political forum.

00:32:35.070 --> 00:32:37.320

philginsburg: It creates uncertainty.

00:32:38.110 --> 00:32:46.440

philginsburg: For the project, because there will be news coverage linking back to, you know, some of the controversies about the extension of the waiver.

00:32:47.540 --> 00:32:56.120

philginsburg: And then, yeah, opportunities for negative media coverage, which makes fundraising more difficult. So I think we really need to push

00:32:56.620 --> 00:33:04.200

philginsburg: Campaigns are not 6 months, campaigns are years. So to have to go back to the board every 6 months is not a good way to fundraise.

00:33:05.220 --> 00:33:13.529

Lisa Bransten: I agree. The only thing we have got going here, because the... the Rec and Park one has expired, and we let that

00:33:13.660 --> 00:33:19.400

Lisa Bransten: happened, because we didn't want to go to the board right now. But the mayor's office...

00:33:19.910 --> 00:33:22.450

Lisa Bransten: theirs goes through December, so we're...

00:33:22.450 --> 00:33:24.180

philginsburg: Well, but that's not long enough.

00:33:24.180 --> 00:33:24.990

Lisa Bransten: No, I know.

00:33:25.320 --> 00:33:27.240

philginsburg: We're not gonna raise the money by December, so...

00:33:27.240 --> 00:33:31.850

Lisa Bransten: Oh, no, of course not. So, somewhere along the way, we're gonna have to renew that.

00:33:31.850 --> 00:33:35.870

philginsburg: Yeah, and by the way, I think we are under some pressure.

00:33:36.610 --> 00:33:38.710

philginsburg: To have landed

00:33:38.940 --> 00:33:49.089

philginsburg: a key gift or two going into that December process, because otherwise, the story is, well, you had 6 months, you haven't raised a penny. This project is floundering.

00:33:50.250 --> 00:33:51.770

philginsburg: That's gonna be the message.

00:33:52.150 --> 00:33:53.820

philginsburg: Yeah, but we do have... And that's...

00:33:54.120 --> 00:33:58.569

philginsburg: That's not gonna... that's just not gonna help in the... in the... You know, build momentum.

00:33:59.130 --> 00:33:59.730

Lisa Bransten: Yup.

[...]

366

00:47:51.320 --> 00:47:57.489

Lisa Bransten: And just that, like, we need to rebuild this timeline, because we need to be fully...

367

00:47:57.590 --> 00:48:06.199

Lisa Bransten: funded by the end of 2026. That's when we promised bulldozers in the ground, and as a public-private partnership.

368

00:48:06.690 --> 00:48:11.129

Lisa Bransten: Like, we need the funds in hand before we award the contract.

[...]

++October 7, 2025 - SFDBI meeting notes mention “Arranging a site visit for Vaillancourt Fountain”

Source: SF Department of Building Inspection records

Obtained from: SFDBI

File: [Weekly Patrick O Agenda 10.7.2025.docx](#)

Relevant sections:

Weekly Check-in/Inspection Services

Agenda

October 7, 2025

1. BID

- a. Arranging a site visit for Vaillancourt Fountain.
- b. Permit Extensions
- c. 2277 33rd Avenue (removal of sprinklers)
- d. Borrowing Chester Chiu for the week

...

++October 21, 2025 - SFDBI meeting notes mention “Vaillancourt Fountain meeting on Friday morning”

Source: SF Department of Building Inspection records

Obtained from: SFDBI

File: [Weekly Patrick O Agenda 10.21.2025.docx](#)

Relevant sections:

Weekly Check-in/Inspection Services

Agenda

October 21, 2025

1. BID

- a. Vaillancourt Fountain meeting on Friday morning.
- b. 2277 33rd Avenue (removal of sprinklers)
- c. New Building Inspector David Real
- d. Bill Walsh
- e. Gunnell

...

October 29, 2025 - SF Planning concurs with the consultant (Page & Turnbull); the Vaillancourt Fountain is a historic resource and automatically protected under CEQA

Source: SF Planning HRR determination

Obtained from: SF Planning (PIM)

File: [2025-006780HRR Vaillancourt Fountain 10-29-2025.pdf](#)

Relevant sections:

PART I: HISTORIC RESOURCE IDENTIFICATION

PROJECT SPONSOR SUBMITTAL

To assist in the evaluation of the proposed project, the Project Sponsor has submitted a:

☒ Consultant-Prepared Historic Resource Review Report Prepared by: Page & Turnbull, Vaillancourt Fountain Historic Resources Review (HRR) Report (May 15, 2025)

Staff consensus with Consultant's report: ☒ Agree ☐ Disagree

Additional Comments: Planning Staff concurs with Historic Resource Review provided by Page & Turnbull. Please see the Project Evaluation section of this document.

☒ Historic Resource Review Application, prepared by: Eoanna Goodwin, Recreation and Park Department, July 22, 2025

...

Analysis: The following analysis is primarily excerpted from the consultant report prepared by Page & Turnbull entitled: Vaillancourt Fountain Historic Resources Review (HRR) Report, (May 2025).

Planning staff concurs with Page & Turnbull's determination that the Vaillancourt Foundation is individually eligible for listing as a landscape feature in the National Register of Historic Places (National Register) and California Register of Historical Resources (CRHR) under Criterion 1 (Events) and Criterion 3 (Design), and as a contributor to the Market Street Cultural Landscape District.

October 31, 2025 - SF Planning determination of statutory exemption

Source: SF Planning CEQA exemption determination

Obtained from: SFAC

File: [9_Embarcadero Fountain Emergency Exemption 10-31-25.pdf](#)

Relevant sections:

Determination

Based on the SFRPD's determination that the project is necessary to prevent and mitigate a public health emergency and therefore constitutes an emergency project, as outlined in the project description, the

Planning Department has determined that the project is statutorily exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines sections

15269. Specifically, under CEQA Guidelines section 15269(c), the following emergency projects are statutorily exempt from CEQA:

“Specific actions necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term, but this exclusion does not apply (i) if the anticipated period of time to conduct an environmental review of such a long-term project would create a risk to public health, safety or welfare, or (ii) if activities (such as fire or catastrophic risk mitigation or modifications to improve facility integrity) are proposed for existing facilities in response to an emergency at a similar existing facility.”

The Planning Department has determined that the project falls within the scope of the emergency projects described under section 15269(c), as it involves actions necessary to prevent or mitigate a significant public safety hazard. Specifically, the project includes the removal of the Fountain to eliminate immediate safety risks, along with further investigation into its deteriorated structural integrity and the implementation of any necessary emergency repairs identified during this process. As outlined in the project description (Attachment A), failure to timely implement the project would pose an imminent risk to public health and safety, including the potential for serious injury to persons or loss of life. (See also CEQA Guidelines section 15269(b): “Emergency repairs include those that require a reasonable amount of planning to address the anticipated emergency.”)

November 21, 2025 - SFRPD, BXP, OEWD, DSFP, and others discuss fundraising (goals, timeline, etc.)

Source: Project meeting notes

Obtained from: SFRPD

File: [EP, Fundraising Committee Agenda 11/21/25](#), [Naming Opportunities /Two Options](#) (Backup copies: [\[2025-12-05 Copy\] EP, Fundraising Committee Agenda 11/21/25](#), [\[2025-12-05 Copy\] Naming Opportunities /Two Options](#), [\[2025-12-22 Copy\] Naming Opportunities /Two Options](#))

Relevant sections:

Attendees:

RPD: Lisa Bransten, Sarah Madland

OEWD: Jacob Bintliff,

BXPE: Aaron Fenton, Laura Kerl

DSFP: Robbie, Silver, Claude Imbault, Sonia Gonzalez Banks

Time

Topic

Speaker

11:00-11:10

1. Status with SF DDC

Robbie, Lisa, Aaron

11:10-11:20

2. CCS Report Recommendations & Sharing

[Recording](#) of CCS Presentation; Passcode: c@\$7n\$Yo[Full Report from CCS](#)

Robbie & Sonia

11:20-11:40

3. Documents Update & Conversation

Enrollment Forms

Ways to give

Pitch Deck

Prospect List

Naming Opportunities - [Two Options](#)

Sonia & All

11:40 - Noon

4. Updates on active donor pitches

All

December 5, 2025 - SFRPD, BXP, OEWD, DSFP, and others discuss fundraising (goals, timeline, etc.)**Source:** Project meeting notes**Obtained from:** SFRPD

File: [EP, Fundraising Committee Agenda 12/5/25](#), [EP Grant Request to SFDDC](#), [Naming Opportunities /Two Options](#), [EP- Embarcadero Park Pitch Deck.pptx](#) (Backup copies: [\[2025-12-05 Copy\] EP, Fundraising Committee Agenda 12/5/25](#), [\[2025-12-05 Copy\] EP Grant Request to SFDDC](#), [\[2025-12-22 Copy\] EP Grant Request to SFDDC](#), [\[2025-12-05 Copy\] Naming Opportunities /Two Options](#), [\[2025-12-22 Copy\] Naming Opportunities /Two Options](#), [\[2025-12-05 Copy\] EP- Embarcadero Park Pitch Deck.pptx](#), [\[2025-12-22 Copy\] EP- Embarcadero Park Pitch Deck.pptx](#))

Relevant sections:

Attendees:

RPD: Lisa Bransten

OEWD: Jacob Bintliff

BXPE: Aaron Fenton, Laura Kerl

DSFP: Robbie, Silver, Sonia Gonzalez Banks

Time

Topic

Speaker

11:00-11:30

1. Confirm total project budget and DDC ask

All

11:20-11:40

2. Review draft DDC [partnership agreement](#)

Sonia

11:40-11:50

3. Next steps

Determine who, when and who we coordinate with DDC

Naming Opportunities - [Two Options](#)

Sonia & All

11:40 - Noon

4. Review [pitch deck](#) (Optional)

All