

1 [Behested Payment Waiver - India Basin Waterfront Park]

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3 **Resolution authorizing the Mayor, officers and employees of the Office of the Mayor,**  
4 **Recreation and Park Commissioners and officers and employees of the Recreation and**  
5 **Park Department to solicit donations for the India Basin Waterfront Park Initiative from**  
6 **nonprofits, private organizations, grantmakers, and foundations for six months,**  
7 **effective upon approval of this Resolution, notwithstanding the Behested Payment**  
8 **Ordinance.**  
9

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

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

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

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

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

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

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

13 WHEREAS, RPD has secured public grants to date totaling approximately  
14 \$125,000,000 including \$29,000,000 from the 2020 Health and Recovery Bond; and

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

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

19 WHEREAS On December 5, 2023, the Board of Supervisors unanimously approved  
20 Resolution Nos. 577-23, 578-23, 579-23 and 580-23 authorizing RPD to Accept and Expend  
21 approximately \$55 million in private funding from the non-profit partners on the project,  
22 respectively the San Francisco Foundation, Trust for Public Land, A. Philip Randolph Institute  
23 and San Francisco Parks Alliance; and

1           WHEREAS, To date the partners have secured approximately \$48 million of the \$55  
2 million private fundraising goal and are continuing to work together to fundraise for the  
3 remaining sum of approximately \$7 million; and

4           WHEREAS, RPD and the Office of the Mayor partner with numerous nonprofit  
5 organizations, private entities, grantmakers and foundations, often through contracts or  
6 permits; and

7           WHEREAS, On December 5, 2023 the Board of Supervisors unanimously approved  
8 Resolution No. 573-23 authorizing a waiver of the City's Behested Payment Ordinance  
9 (Campaign and Governmental Conduct Code, Section 3.600 et seq.) for the Recreation and  
10 Park Commission, the Mayor and officers and employees of the Office of the Mayor and  
11 officers and employees of the Recreation and Park Department to the extent it prohibits  
12 solicitations of financial support for the Initiative from persons or entities who would qualify as  
13 interested parties under the Behested Payments Ordinance; and

14           WHEREAS, Resolution No. 573-23 expired in June 2024 under of the San Francisco  
15 Campaign and Governmental Conduct Code, Section 3.620(f); and

16           WHEREAS, The Recreation and Park Commission, the Mayor and officers and  
17 employees of the Office of the Mayor and officers and employees of the Recreation and Park  
18 Department seek a new waiver of the City's Behested Payment Ordinance for six months from  
19 the effective date of this Resolution so that they may solicit donations from private  
20 organizations and philanthropists to support the India Basin Basin Waterfront Park Initiative  
21 including EDP activities; now, therefore, be it

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

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

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

Recommended:

/s/

Phil Ginsburg,  
General Manager, Recreation and Park Department