

File No. 100231

Committee Item No. 4

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date March 29, 2010

Board of Supervisors Meeting Date \_\_\_\_\_

#### Cmte Board

- |                                     |                          |  |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | Introduction Form (for hearings)             |
| <input type="checkbox"/>            | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Grant Information Form                       |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 126 – Ethics Commission                 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Award Letter                                 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

#### OTHER

(Use back side if additional space is needed)

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Completed by: Alisa Somera Date March 25, 2010

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document can be found in the file and the online version.



1 [Accept and Expend Grant – Buena Vista Park Project, Phase II – \$115,025]

2  
3 **Resolution authorizing the San Francisco Recreation and Park Department to accept**  
4 **and expend a grant for the Buena Vista Park Project, Phase II, in the amount of**  
5 **\$115,025 available under the Federal Land and Water Conservation Fund Program**  
6 **administered by the California Department of Parks and Recreation under the**  
7 **provisions of the Land and Water Conservation Fund Act of 1965.**

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9  
10 WHEREAS, The National Park Service provides funding under the Land and Water  
11 Conservation Program for statewide planning, acquisition and development of outdoor  
12 recreation areas and facilities; and

13 WHEREAS, The California Department of Parks and Recreation has been delegated  
14 the responsibility for the administration of the Land and Water Conservation Fund Program  
15 and the grant Project shown above; and

16  
17 WHEREAS, The California Department of Parks and Recreation has recommended  
18 \$115,025 in grant funding for the Buena Vista Park Project, Phase II; and

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

20 WHEREAS, The grant does not create any new positions and will not require an  
21 amendment to the Annual Salary Ordinance; now, therefore, be it

22  
23 **RESOLVED**, That the Board of Supervisors hereby authorizes the San Francisco  
24  
25

1 Recreation and Park Department to accept and expend \$115,025 in grant funding for the  
2 Buena Vista Park Project, Phase II, from the Federal Land and Water Conservation Fund  
3 Program; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of  
5 indirect costs as part of this grant budget; and, be it

6 FURTHER RESOLVED, That the Board of Supervisors authorizes the General  
7 Manager of the Recreation and Park Department, or his designee, as agent to conduct all  
8 negotiations, execute and submit all documents including, but not limited to, applications,  
9 agreements, payment requests, etc., that may be necessary for the completion of the  
10 aforementioned project.  
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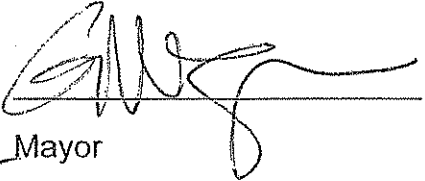
12  
13  
14 Approved and Adopted on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

15  
16 Recommended:

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20 \_\_\_\_\_  
21 General Manager, Recreation and Park Department

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Approved:



Mayor



Controller



## Grant Information Form

**File Number:** 100231 (Provided by Clerk of Board of Supervisors)

### Grant Information Form

(Effective January 2000)

Purpose: Accompanies proposed Board of Supervisors resolutions authorizing a department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: Land and Water Conservation Fund Program
2. Department: Recreation and Park Department, Capital Division
3. Contact Person: Meghan Tiernan, Project Manager, Telephone: 415-581-2557
4. Grant Approval Status (check one):  
 Approved by funding agency                       Not yet approved
5. Amount of Grant Funding Applied for: \$107,500
- 6.
7. Amount of Grant funding awarded: \$115,025 (Pending final approval from CSPR)
- 6a. Matching Funds Required: Yes
- 6b. Source(s) of matching funds (if applicable):

Source	Amount	Date Appropriated
San Francisco Conservation Corps Prop 84 Grant	\$164,760	In-Kind Labor and Materials
Total Matching	\$164,760	

- 7a. Grant Source Agency: National Park Service
  - 7b. Grant Pass-Through Agency (if applicable): California Department of Parks and Recreation, Office of Grants and Local Services.
  8. Proposed Grant Project Summary: The project consists of the creation of a gathering space at Buena Vista East, installation of benches and a community bulletin board, and rehabilitation of the existing unpaved trail (800 LF). The latter includes clearing, grubbing, constructing small retaining walls, native plantings, and erosion control measures. The trail restoration work will be completed by the San Francisco Conservation Corps and serves as the grant match.
  9. Grant Project Schedule, as allowed in approval documents, or as proposed:  
Start-Date: April 1, 2010                      End-Date: May 31, 2011
  10. Number of new positions created and funded: 0
- Buena Vista Park Project  
Land and Water Conservation Grant

11. If new positions are created, explain the disposition of employees once the grant ends? N/A

12a. Amount budgeted for contractual services: \$ 100,000

12b. Will contractual services be put out to bid? Yes

12c. If so, will contract services help to further the goals of the department's MBE/WBE requirements? This will further LBE contracting goals as required by the Human Rights Commission.

12d. Is this likely to be a one-time or ongoing request for contracting out? One-time

13a. Does the budget include indirect costs? [ ] Yes [X] No

b1. If yes, how much?

b2. How was the amount calculated?

c. If no, why are indirect costs not included?

[X] Not allowed by granting agency [ ] To maximize use of grant funds on direct services

[ ] Other: All grant funds budgeted for contractual services or supplies.

14. Any other significant grant requirements or comments: No

**\*\*Disability Access Checklist\*\*\***

15. This Grant is intended for activities at (check all that apply):


- Existing Site(s) [ ] Existing Structure(s)
- Existing Program(s) or Service(s)  Rehabilitated Site(s)
- Rehabilitated Structure(s) [ ] New Program(s) or Service(s)
- New Site(s) [ ] New Structure(s)

16. The departmental ADA Coordinator and/or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local access laws and regulations and will allow the full inclusion of persons with disabilities, or will require unreasonable hardship exceptions, as described in the comments section:

Departmental or Mayor's Office of Disability

Reviewer: Paulina Araica, PPD Project Manager - *Refer to PPD letter to state Buena Vista - West of Grand Ave ADA Compliance of Buena Vista Park Project phase II*  
Paulina Araica, ADA Coordinator, Recreation and Park Dept.

Date Reviewed: December 21, 2009

Department Approval:   
Philip A. Ginsburg, General Manager, Recreation and Park Dept.





FILE COPY

(916) 653-7423

AUG 06 2009

Phil Ginsburg  
General Manager  
501 Stanyan Street, McLaren Lodge  
San Francisco, CA 94117

GENERAL MANAGER  
S.F. REGIONAL PARK DEPT  
2009 AUG 12 AM 1:13

Re: Land and Water Conservation Fund Program  
Buena Vista Park Project, Phase II

LW-38-011  
Grant Amount: \$115,025

Dear Phil Ginsburg,

We are pleased to inform you the above project has been recommended for funding to the National Park Service (NPS) under the Land and Water Conservation Fund Program (LWCF). We anticipate receiving approval from NPS in approximately three months. You are cautioned not to proceed with the development until you have received a fully executed contract.

Meanwhile, as a grant recipient under the LWCF Program, you are required to submit the following items:

1. If not already included in your application package, a copy of the project property deed, title, lease, easement or other appropriate documents to satisfy site control and land tenure.
2. Compliance with 36 CFR800, Executive Order 11593 and Section 106 of the National Historic Preservation Act of 1966, as amended. The process identified below is outlined in the Memorandum of Understanding you submitted as part of your application. Any costs associated with completing Section 106 are eligible for reimbursement. The following instructions will assist you in this process:

Contact the California Historical Resources Information System at [www.chrisinfo.org](http://www.chrisinfo.org) to find your regional Information Center (IC). Request a record search and recommendations for the next step in the compliance process. Briefly describe the project and include a copy (1" to 1' scale) of the appropriate USGS 7.5" quadrangle with the Area of Potential Environmental Impact outlined.

The IC response letter will advise one of the following based on their records search:

- A. No further work is necessary. Submit the records search to the Office of Grants and Local Services (OGALS.)
- B. Recommend a comprehensive historical resource survey of the project's Area of Potential Environmental Impact. Either:
  - Complete a survey by a professional who meets the applicable Secretary of the Interior's standards. (The IC will have a copy of these standards

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and a referral list based upon these standards.) Submit the record search and the survey report to OGALS.

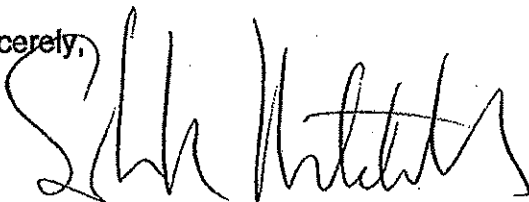
- Explain to the IC why you think a survey is not needed. If they agree, submit their concurrence in writing with the record search. If not, submit the record search and explanation of your position to OGALS for review and disposition. In no case should you initiate work on your project until we have formally agreed that a survey is not necessary.
- C. Historical resources are located within the Area of Potential Environmental Impact and should be evaluated for eligibility for inclusion in the National Register of Historic Places. Forward the record search to OGALS for a determination of the need for further work.

As these steps can be quite lengthy, it is recommended that you start the process early. Send a copy of the response from the Historical Resources Information Center and, if recommended, a completed records search and historical resource survey report to:

Barbara Baker, Supervisor  
Office of Grants and Local Services  
P.O. Box 942896  
Sacramento, CA 94296-0001

Again, congratulations on your project having been recommended for funding. For LWCF program information, you may access the Department's web site at <http://www.parks.ca.gov/grants>. If you have any questions, please contact Bonnie Morse West at 916/651-7740 or e-mail at [bwest@parks.ca.gov](mailto:bwest@parks.ca.gov).

Sincerely,



Sedrick V. Mitchell  
Deputy Director

Enclosure

State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION

*Land and Water Conservation Fund Program Application*

PROJECT NAME Buena Vista Park Project, Phase II	Amount of Grant requested	\$ <u>107,500</u>
	Match	\$ <u>107,500</u>
	Estimated Total Project Cost	\$ <u>215,000</u>

TYPE OF PROJECT:  Acquisition  Development

Grant Applicant (Agency, address, and zip code)  <b>San Francisco Recreation and Park Department 30 Van Ness Avenue, Fifth Floor San Francisco, CA 94102-6020</b>	PROJECT ADDRESS (including zip code)  Buena Vista and Haight Street San Francisco, CA 94117	
	COUNTY San Francisco	NEAREST CITY San Francisco

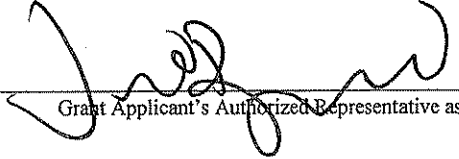
PROJECT LATITUDE AND LONGITUDE (Deg/Min/Sec) 37.768476, -122.441683	Congress District No. 8	Senate District No. 3	Assembly District No. 12
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Grant Applicant's Representative Authorized in Resolution		
Jared Blumenfeld, General Manager, San Francisco Recreation and Park Dept.	Jared.Blumenfeld@sfgov.org	(415) 831-2701
Name (typed or printed) and Title	E-mail Address	Phone
Person with day-to-day responsibility for Project (if different from authorized representative)		
Toni Moran, Grant Manager, San Francisco Recreation and Park Department	Toni.moran@sfgov.org	(415) 581-2555
Name (typed or printed) and Title	E-mail Address	Phone

GRANT SCOPE: (Items of work to be completed with LWCF funds and the required Match amount. Do not include Project merits.)  
Trail extension, clearing and grubbing, erosion control measures, small retaining walls and native plantings.  
Passive lawn area, ADA accessible pathway, retaining wall and new plantings.

For Development Projects – Project land is: <u>36</u> acres  <input checked="" type="checkbox"/> Land is held in fee title by Grant Applicant  <input type="checkbox"/> Land held under a perpetual lease agreement  <input type="checkbox"/> Federal land is held under a minimum 25 year lease at the time of application	For Acquisition Projects – Project land will be _____ acres  <input type="checkbox"/> Land to be acquired in fee simple by Grant Applicant  <input type="checkbox"/> Land to be acquired in other than fee simple (explain) _____
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I certify that the information contained in this Project Application form, including required attachments, is accurate and that this Project is consistent with the park and recreation element of the applicable city or county general plan or the district park and recreation plan and will satisfy a high priority need.

Signed  Grant Applicant's Authorized Representative as shown in Resolution  
March 2, 2009  
Date

Buena Vista Park Project, Phase II  
Land and Water Conservation Fund Program

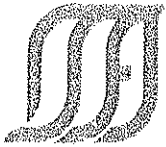
Development Cost Estimate with source of funds

<b>Item</b>	<b>Projected Cost</b>
Trail Rehabilitation and plantings (SFCC Matching Grant Labor and Materials)	\$ 107,500
Open Turf Area Rehabilitation Construction Contract	100,000
<b>Subtotal A (Construction contingencies are included in these costs)</b>	<b>\$207,500</b>
<b>Non-Construction Costs</b>	
Project Management, Engineering/Architectural Fees	\$15,025
<b>State Administration Fee on Project</b>	<b>7,525</b>
<b>Subtotal B ( Non- Construction Cost)</b>	<b>\$22,550</b>
<b>TOTAL PROJECT COST</b> (Subtotal A+B)	<b>\$230,050</b>

Buena Vista Park Phase II Project Cost Estimate

Direct Opportunity (Recreation Venue – refer to the chart, See Page 20)	Projected Cost	Priority Rating	Percentage of Total Costs
Trail	\$80,000	1	
Open Turf ( Passive Recreation)	110,000	4	
<b>Subtotal A (Construction contingencies are included in these costs)</b>	<b>\$190,000</b>		
<b>Non-Construction Costs</b>			
<b>Engineering/Administration</b>			
Project Management, Engineering/Architectoral Fees	25,000		
<b>Subtotal B</b>	<b>25,000</b>		
<b>TOTAL PROJECT COST (Subtotal A+B)</b>	<b>\$215,000</b>		
NOTE: The Total Project Cost must be consistent with the Total Project Cost on page 15.			

<b>*Applicant's Sources of Funds (by name) for 100% Project Cost, funds must be from eligible sources, and cannot include LWCF.</b>	
Prop 84 San Francisco Conservation Grant (pending award in September 2009)	<b>\$ 97,500</b>
Gift of Friends of Buena Vista Park	<b>10,000</b>
San Francisco General Fund	<b>107,500</b>
<b>Total funding sources for 100% Project cost:</b>	<b>\$215,000.00</b>



**City and County of San Francisco  
Recreation and Park Department**

Capital Improvement Division  
30 Van Ness Avenue., 5th Floor  
San Francisco, CA 94102-6020

Phone: 415-581-2559 Fax: 415-581-2540  
Web: parks.sfgov.org

July 21, 2009

Bonnie Morse-West  
P.O. Box 942896  
Sacramento, CA 94296-0001

Subject: ADA Compliance of Buena Vista Park Project, Phase II

Dear Ms. Morse-West:

This letter serves to address your ADA compliance questions related to the Buena Vista Park Project. On July 9th, I met with Kevin W. Jensen, ADA Coordinator for the Department of Public Works, to discuss approval the Buena Vista Park Southeast Slope Improvement Project. He confirmed that the project, inclusive of work proposed to be funded by Land and Water Conservation Funds (LWCF), is in compliance with the American Disability Act under programmatic accessibility. The programmatic element of this park is access to scenery and we demonstrated that the ADA accessible path in construction would achieve these goals.

In terms of the LWCF project trail area, the existing trail was evaluated for ADA access improvements. To achieve ADA accessibility, it would require that the site be significantly altered due to the natural topography, sandy soils and severe erosion issues on the southeast slope. This is deemed contrary to the conservation requirements, and as a result only stabilization work was proposed to be done in this area. The ADA coordinator considers this to be trail maintenance and therefore is not required to meet ADA compliance. Another condition of departure from ADA compliance is the prevailing construction practices. As stated in the grant application, the San Francisco Conservation Corps will perform the proposed work on the trail. This agency provides construction training opportunities for young people and the crew working the project will be using hand tools to complete such tasks as grading trails, grubbing plants, construction of small retaining walls and wooden stair rehabilitation.

In terms of ADA access to the lawn area, the path of travel to the area commences at the location of the future ADA parking spot and drop-off zone. However, at this point the park visitors' path of travel moves along the existing sidewalk. The existing sidewalk leading to the lawn area meets all the ADA criteria of a walkway people with disability require with the exception of the grade and the grade of the sidewalk is only required to meet the grade of the street. According to Mr. Jensen, when a project is considered a remodel (as opposed to new construction), not all paths of travel need to be repaired, therefore, we are not required to modify the sidewalk to meet ADA grade requirements.

I hope this provides the clarification on how the project meets ADA compliance. Please contact me at (415) 581-2555 if you have additional questions.

Toni Moran, Environmental Specialist, San Francisco Recreation and Park Department

cc: Kevin W. Jensen, ADA Coordinator, San Francisco Department of Public Works.



Mayor Gavin Newsom  
General Manager Phil Ginsburg