

1 [Grant Contract - Retroactive - California Department of Parks and Recreation - Outdoor
2 Recreation Legacy Partnership Grant - Bay View Playground - \$375,225]

3 **Resolution retroactively authorizing the Recreation and Park Department (RPD) to enter**
4 **into and amend a grant contract with the California Department of Parks and**
5 **Recreation in the amount of \$375,225 that requires RPD to construct improvements at**
6 **Bay View Playground on the condition that RPD then maintain the Playground as**
7 **public open space in perpetuity pursuant to Charter, Section 9.118(a); and authorizing**
8 **the RPD General Manager to record a Declaration of Restriction against Assessor's**
9 **Parcel Block No. 5420, Lot No. 001, providing notice of these restrictions.**

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11 WHEREAS, The City and County of San Francisco ("City") owns Assessor's Parcel
12 Block No. 5420, Lot No, 001, commonly known as Bayview Park (hereafter, the "Property");
13 and

14 WHEREAS, The City, through its Recreation and Park Department (the "Department"),
15 operates and maintains the Property; and

16 WHEREAS, On April 15, 2016, the Department General Manager submitted an
17 application to the California Department of Parks and Recreation for Land and Water
18 Conservation Fund Outdoor Recreation Legacy Partnership Grant funding in the amount of
19 \$375,225 to support improvements to the Property; and

20 WHEREAS, The Department subsequently was awarded a \$375,255 grant
21 to construct a new physical fitness path, exercise equipment, play structures, gathering/picnic
22 and BBQ area, and improve existing pedestrian access points on the Property ("the Grant"),
23 and the Board of Supervisors appropriated the Grant funds for the Department as a budget
24 line item in the Fiscal Year 2018-2019, Fiscal Year 2019-2020 Annual Appropriation
25 Ordinance No.181-18; and

1 WHEREAS, The Department entered into a Grant Contract with the California
2 Department of Parks and Recreation, which is on file with the Clerk of the Board under File
3 No. 210873 and which is hereby declared to be part of this Resolution as if set forth fully
4 herein; and

5 WHEREAS, The Grant Contract currently states that the Department shall complete
6 the improvements by June 30, 2021, but the Department is seeking an amendment to extend
7 the period to complete construction through June 30, 2022; and

8 WHEREAS, The Grant Contract requires the City to agree to operate and maintain the
9 project site as public open space in perpetuity, unless the Secretary of the Interior approves
10 the conversion of the project site to some other use; and

11 WHEREAS, As a condition of receiving the grant, the California Department of Parks
12 and Recreation requires the City to record a declaration of restriction to ensure that the
13 Property is used for a purpose consistent with the Grant in perpetuity; and

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

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

17 RESOLVED, That the Board of Supervisors retroactively authorizes the General
18 Manager of the Recreation and Park Department to enter into the Grant Contract; and

19 FURTHER RESOLVED, That the Board of Supervisors authorizes the Recreation and
20 Park Department General Manager to amend the contract to extend the period to complete
21 construction to June 30, 2022, and also authorizes any further modifications and amendments
22 to the Grant Contract, including to any of its exhibits, and authorizes the General Manager of
23 the Recreation and Park Department to execute further agreements and instruments related
24 to the Project, that the General Manager determines, in consultation with the City Attorney,
25 are in the best interests of the City and do not materially increase the obligations or liabilities

1 of the City, are necessary or advisable to effectuate the purposes of the Project or this
2 Resolution, and are in compliance with all applicable laws, including the City's Charter; and,
3 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 or her designee, to record a
8 Declaration of Restriction against the Assessor's Parcel Block No. 5420, Lot No, 001
9 providing the restrictions contained in the Grant Contract will in perpetuity.

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11 Recommended:

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13 _____ /s/

14 General Manager

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