File No.	171114	Committee Item No
		Board Item No

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee:	Budget & Finance Committee	Date January 11, 2018
Board of Su	pervisors Meeting	Date
Cmte Boar	·d	
	Motion Resolution Ordinance Legislative Digest Budget and Legislative Analyst Youth Commission Report Introduction Form Department/Agency Cover Lette MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 – Ethics Commission Award Letter Application Public Correspondence	
OTHER	(Use back side if additional space	ce is needed)
	Recreation and Park Commission	m Resolution
Completed I		Date January 5, 2018 Date

[Accept and Expend Grant - San Francisco Parks Alliance - Let'sPlaySF! Playground Renovation Initiative - \$15,000,000]

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant from the San Francisco Parks Alliance for the renovation of San Francisco playgrounds, to partner on the Let'sPlaySF! Playground Renovation Initiative, for \$15,000,000.

WHEREAS, It is central to the missions of RPD and SFPA that all San Franciscans have inspiring, clean and safe places to play; and

WHEREAS, San Francisco voters approved the 2012 Clean and Safe Neighborhood Parks Bond, which identified \$15,500,000 to renovate and remediate dilapidated playgrounds; and

WHEREAS, In April 2014 the Recreation and Park Commission appointed a task force that included park professionals, children's advocates and city-wide open space advocates to determine the most dilapidated playgrounds in San Francisco; and

WHEREAS, The task force held six public meetings over six months to set criteria for prioritizing the playgrounds most in need of renovation and developed a list of 13 playgrounds, consisting of "Tier 1" and "Tier 2" playgrounds as highest and second highest priority for renovation based on factors such as the presence of wood treated with Chromated Copper Arsenate (CCA), low neighborhood median income, and high neighborhood youth density; and

WHEREAS, Since \$15,500,000 is not sufficient to renovate all 13 playgrounds, SFPA and RPD agreed to partner on Let'sPlaySF! – a fundraising campaign dedicated to ensuring that no child in San Francisco has to play on a playground constructed with CCA-treated wood and that playgrounds in areas of low median income and high youth density are

transformed into safe places to play; and

WHEREAS, SFPA intends to provide such private support in the form of cash and inkind grants with a total value of up to \$15,000,000 over the next eight years; and

WHEREAS, RPD will provide an annual report on cash and in-kind grants received from SFPA with the offices of the Mayor, the Controller, the Board of Supervisors and the Recreation and Parks Commission; and

WHEREAS, RPD proposes to maximize use of available Grant funds on project expenditures by not including indirect costs in the Grant budget; and

WHEREAS, On December 15, 2016, the Recreation and Park Commission voted, by Resolution No. 1612-010, to recommend that the Board of Supervisors accept this Grant; now, therefore, be it

RESOLVED, That the Board of Supervisors approves the Grant, and authorizes the General Manager of the Recreation and Park Department to accept and expend the Grant and to perform all acts required of the City there under; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Recreation and Park General Manager to enter into any modifications to the Grant that the Recreation and Park General Manager determines, in consultation with the City Attorney, are in the best interests of the City and do not materially increase the obligations or liabilities of the City, are necessary or advisable to effectuate the purposes of the Grant or this Resolution, and are in compliance with all applicable laws, including the City's Charter.

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4	Recommended:		
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8	General Manager, Recreation and Pa	ark Department	
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11	Approved:	Approved:	
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16	Mayor	W Controller	
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File Number: 171114 (Provided by Clerk of Board of Supervisors)	
	tion Information Form tive July 2011)
Purpose: Accompanies proposed Board of Supervisexpend grant funds.	sors resolutions authorizing a Department to accept and
The following describes the grant referred to in the	accompanying resolution:
1. Grant Title: Let'sPlaySF! Playground Renovation	n Initiative
2. Department: Recreation and Park Department	
3. Contact Person; Lisa Bransten	Telephone: 415-831-2704
4. Grant Approval Status (check one):	
[X] Approved by funding agency	[] Not yet approved
5. Amount of Grant Funding Approved or Applied for	or: \$15,000,000
6a. Matching Funds Required: \$0 b. Source(s) of matching funds (if applicable): N/A	
7a. Grant Source Agency: San Francisco Parks Allia b. Grant Pass-Through Agency (if applicable): N/A	
Parks Department to provide private funds to supple 2012 Clean and Safe Neighborhoods Parks Bond to	
9. Grant Project Schedule, as allowed in approval	documents, or as proposed;
Start-Date: January 19 th , 2017 End	-Date: January 19 th , 2025
 10a. Amount budgeted for contractual services: 0 b. Will contractual services be put out to bid? N/A c. If so, will contract services help to further the grequirements? Yes, Contractor Monitoring Division d. Is this likely to be a one-time or ongoing request. 	goals of the Department's Local Business Enterprise (LBE) will set an LBE goal for contract.
 b1. If yes, how much? b2. How was the amount calculated? c1. If no, why are indirect costs not included? [] Not allowed by granting agency [] Other (please explain): 	[] Yes [X] No [X] To maximize use of grant funds on direct services have been the indirect costs? Approximately \$550,000

12. Any other significant grant requirements or comments:

Disability Access Checklist*(Department must forward a copy of all completed Grant Information Forms to the Mayor's Office of Disability)				
13. This Grant is intended for	13. This Grant is intended for activities at (check all that apply):			
[X] Existing Site(s) [] Rehabilitated Site(s) [] New Site(s)	[] Existing Structure(s) [] Rehabilitated Structure(s) [] New Structure(s)	[] Existing Program(s) or Service(s) [] New Program(s) or Service(s)		
14. The Departmental ADA Coordinator 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 disability rights laws and regulations and will allow the full inclusion of persons with disabilities. These requirements include, but are not limited to:				
1. Having staff trained in	how to provide reasonable modifica	ations in policies, practices and procedures;		
2. Having auxiliary aids a	nd services available in a timely ma	nner in order to ensure communication access;		
3. Ensuring that any service areas and related facilities open to the public are architecturally accessible and have been inspected and approved by the DPW Access Compliance Officer or the Mayor's Office on Disability Compliance Officers.				
If such access would be technically infeasible, this is described in the comments section below:				
Comments:				
Conceptual plans and construction drawings for all projects will be reviewed and approved by the City's Disability Access Coordinator for compliance with ADA requirements.				
Departmental ADA Coordinator or Mayor's Office of Disability Reviewer:				
Paulina Arata (Name)				
ADA Compliance Coordinates, Perestin and Fark Perts. Capital Drivin-				
Date Reviewed: 2/28/17 Signature Regulified)				

Department Head or Designee Approval of Grant Information Form: Philip A. Ginsburg (Name)

General Manager, Recreation and Park Department (Title)







TRANSFORMING PLAYGROUNDS TOGETHER

Let'sPlaySF! Preliminary Budget

Let'sPlaySF Initiative Budget		Totals Minimum	Totals Max
EXPENSES			
Construction Expenses			
Tier 1 Design and Construction		\$16,100,000	\$16,100,000
Tier 2 Design and Construction		\$15,000,000	\$15,000,000
Other Expenses (over 5 years)*			
SFPA Staff		\$702,470	\$702,470
Campaign Expenses		\$188,000	\$188,000
	TOTAL EXPENSES	\$31,990,470	\$31,990,470
SOURCES			
2012 Park Bond		\$15,500,000	\$15,500,000
Other Public Funds**	·	\$4,994,488	\$4,994,488
Other Grants / TPL***		\$500,000	\$500,000
Let'sPlaySF		\$11,000,000	\$15,000,000
	TOTAL SOURCES	\$31,994,488	\$35,994,488

^{*}Only Private Funds will be used for these items.

^{**} This amount consists of public funds previously designated for four Tier 2 Playgrounds and includes General Fund allocations to RPD for Buchanan Street Mall, Herz Playground and West Portal Playground; and Community Opportunity Fund awards to West Portal Playground and Juri Commons.

^{***} In-kind grant of design services at Sgt. Macaulay Park from The Trust for Public Land.

AGREEMENT BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND THE SAN FRANCISCO PARKS ALLIANCE

This Agreement ("Agreement") is made and entered into as of March 14, 2017 (the "Effective Date"), by and between the City and County of San Francisco (the "City"), acting by and through the Recreation and Park Department (the "RPD"), and the San Francisco Parks Alliance, a California non-profit public benefit corporation (the "SFPA"). For purposes of this Agreement, "Party" means RPD or SFPA, as a party to this Agreement; and "Parties" means both RPD and SFPA, as parties to this Agreement.

RECITALS

- A. WHEREAS, it is central to the missions of RPD and SFPA that all San Franciscans have inspiring, clean and safe places to play; and
- B. WHEREAS, San Francisco voters approved the 2012 Clean and Safe Neighborhood Parks Bond, which identified \$15.5 million to renovate and remediate dilapidated playgrounds; and
- C. WHEREAS, in April 2014 the Recreation and Park Commission appointed a task force that included park professionals, children's advocates and city-wide open space advocates to determine the most dilapidated playgrounds in San Francisco; and
- D. WHEREAS, the task force held six public meetings over six months to set criteria for prioritizing the playgrounds most in need of renovation and developed a list of 13 playgrounds, consisting of "Tier 1" and "Tier 2" playgrounds as highest and second highest priority for renovation as set forth in Exhibit A, based on factors such as the presence of wood treated with Chromated Copper Arsenate (CCA), low neighborhood median income, and high neighborhood youth density; and
- E. WHEREAS, In December 2014 the Recreation and Park Commission unanimously adopted the task force's list of 13 highest priority playgrounds for renovation; and
- F. WHEREAS since \$15.5 million is not sufficient to renovate all 13 playgrounds, SFPA and RPD agreed to partner on Let'sPlaySF a fundraising campaign dedicated to ensuring that no child in San Francisco has to play on a playground constructed with CCA-treated wood and that playgrounds in areas of low median income and high youth density are transformed into safe places to play; and
- G. WHEREAS, on <u>Dec 15</u>, 2016, the Recreation and Park Commission ("Commission") approved this Agreement and recommended that the Board of Supervisors accept grants totaling up to \$15 million from SFPA in cash and in-kind contributions to support the renovation of all 13 playgrounds named in this initiative. Acceptance of this grant from the SFPA is conditioned upon acceptance by the Board of Supervisors.

NOW, THEREFORE, subject to and effective upon the execution of this Agreement by both Parties (the "Effective Date"), the Parties agree as follows:

- 1. <u>Term of Agreement</u>. This Agreement shall become effective upon acceptance of this grant the City in accordance with applicable City Charter and Code provisions and full execution by the Parties (the "Effective Date") and shall expire, unless otherwise earlier terminated by mutual agreement of the parties, eight years from the Effective Date, unless the Parties mutually agree to extend the term (the "Term").
 - **2. Budget.** The Parties agree to the preliminary budget attached to this agreement as Exhibit B. Changes to the budget shall be reviewed and agreed upon by Parties.
 - a) Notwithstanding anything contained in herein to the contrary, the City shall have final authority on the expenditure of public funds in compliance with all applicable City laws, rules, regulations and policies.
 - Any unexpended private Initiative funds shall be used to fund work at Initiative playgrounds at the conclusion of the Initiative.

3. Roles and Responsibilities.

3.1 RPD

- A. Funding. City Funds budgeted for the Initiative consist of \$15.5 million from the 2012 Clean and Safe Neighborhood Bond for design and construction of dilapidated playgrounds. Pursuant to the recommendation of the Failing Playgrounds Task Force, which were approved by the Recreation and Park Commission, Tier 1 playgrounds will be prioritized.
- B. Approvals. RPD shall be responsible for assisting with all City and other required approvals in order to complete the renovation projects and further the Initiative. These approvals shall include, but are not limited to Environmental Review, compliance with disability access laws and internal RPD and Commission reviews and reviews by all other departments and agencies as needed.
- **C. Project Management.** RPD shall provide the services of a Project Manager for each of the 13 playground projects.

- A. Funding. SFPA shall secure up to \$15 million in cash and in-kind grants to ensure the renovation of all 13 playgrounds identified in Exhibit A. SFPA support for this initiative is expected to include cash grants for playground design and construction, in-kind grants of design and construction services and in-kind grants of construction materials and supplies.
- **B.** Reporting. SFPA shall work with RPD on joint quarterly Cost Control Reports for all playground projects containing private support.

4. Miscellaneous.

- **4.1. Entire Agreement.** This Agreement, including the exhibits hereto, which are made a part of this Agreement, contains the entire understanding between the Parties and supersedes all other oral or written agreements, with the exception of duly executed and approved Related Project Agreements.
- **4.2. Amendment.** This Agreement may be amended only by the mutual written consent of each of the Parties, executed in the same manner as the original agreement.
- **4.3. Notices.** All notices under this Agreement shall be sufficiently given if hand delivered or mailed by registered or certified mail, postage prepaid, or by overnight express delivery, cost prepaid, to:

City:	SFPA:
Philip A. Ginsburg	Rachel Norton
General Manager	Interim CEO
Recreation and Park Department	San Francisco Parks Alliance
McLaren Lodge	1663 Mission Street
501 Stanyan Street	Suite 320
San Francisco, CA 94117	San Francisco, California 94103
Fax No.: (415) 831-2096	Fax No.: (415) 703-0889
Sarah Madland	Rachel Norton
Director of Policy and Public Affairs	Director of External Affairs
Recreation and Park Department	San Francisco Parks Alliance
McLaren Lodge	1663 Mission Street, Suite 320
501 Stanyan Street	San Francisco, California 94103
San Francisco, CA 94117	
with a copy to:	with a copy to:

Office of the City Attorney City Hall, Room 234 1 Dr. Carlton B. Goodlett Place San Francisco, California 94102

Attn: Manu Pradhan Deputy City Attorney Pillsbury Winthrop Shaw Pittman LLP Four Embarcadero Center, 22nd Floor San Francisco CA 94111

Attn: Brian Wong

- **4.4. Governing Law.** This Agreement shall be construed and enforced in accordance with the laws of the State of California and the City's Charter.
- **4.5. Approvals.** All City approvals under the agreements contemplated hereby shall be given by the Department's General Manager, or his designee in his or her reasonable discretion, except as otherwise specified herein or in the City Charter, or the S.F. Municipal Code.
- 4.6. Independent Relationship of the Parties. The City shall not be liable for any act of the SFPA and the SFPA shall not be liable for any act of the City, and nothing herein contained shall be construed as creating the relationship of employer and employee between the City and the SFPA or any of their respective agents or employees. The SFPA shall at all times be deemed an independent contractor and shall be wholly responsible for the manner in which it performs the duties required of it by the terms of this Agreement. The SFPA has and hereby retains the right to exercise full control and supervision of its duties and full control of employment, direction, compensation and discharge of all persons assisting it in the performance this Agreement. The SFPA agrees to be solely responsible for all matters relating to payment and employment of employees, including compliance with social security, withholding and all other regulations governing such matters. Nothing set forth in this Agreement shall be deemed to render the City a partner in the SFPA's business, or joint venture or member in any joint enterprise with the SFPA.
- **4.7. No Third Party Beneficiaries.** Except as expressly provided, nothing contained in this Agreement shall create or justify any claim against the City or the SFPA by any third person with respect to the performance of any duties or other projects being undertaken by the SFPA or the City. The provisions of this Agreement are not intended to benefit any third party, and no third party may rely hereon.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement:

CITY AND COUNTY OF SAN FRANCISCO	SFPA
By:	By:
APPROVED AS TO FORM:	
DENNIS J. HERRERA City Attorney	
By: Manu Pradhan	
Deputy City Attorney	

Exhibit A

LIST AND LOCATION OF PLAYGROUND PROJECT SITES TO BE RENOVATED AS PART OF LET'SPLAYSF

RPD operates and maintains real property owned by the City and County of San Francisco acting through the Recreation and Park Department at all of the following locations.

TIER 1 PLAYGROUNDS

- 1) The playground at Washington Square at Filbert and Powell Streets
- 2) Merced Heights Playground at Byxbee and Shields Streets
- 3) Sergeant John Macaulay Park at Larkin and O'Farrell Streets
- 4) The playground in the Golden Gate Park panhandle commonly known as Panhandle Playground at Oak Street near Ashbury Street
- 5) The playground at the group picnic area in John McLaren Park near John F. Shelley Drive
- 6) Alice Chalmers Playground at 670 Brunswick Street

TIER 2 PLAYGROUNDS

- 7) A playground at Buchanan Street Mall on a pedestrian portion of Buchanan Street between Grove and Eddy Streets.
- 8) Herz Playground at Hahn and Visitacion Streets
- 9) Juri Commons at Guerrero and 26th Streets
- 10) The playground at Sigmund Stern Grove at Sloat Boulevard near 21st Avenue
- 11) Richmond Playground at 18th Avenue and Lake Streets
- 12) The playground at Golden Gate Heights Park at 12th Avenue and Rockridge Drive
- 13) West Portal Playground at Ulloa and Lenox Streets

RECREATION AND PARK COMMISSION City and County of San Francisco Resolution No. 1612-010

LET'SPLAYSF INITIATIVE

RESOLVED, That this Commission does: 1) approve a Memorandum of Understanding ("MOU") between the Recreation and Park Department ("RPD") and the San Francisco Parks Alliance ("SFPA") to partner on the Let'sPlaySF Initiative to renovate the 13 playgrounds in San Francisco prioritized as most in need by the Failing Playgrounds Task Force, 2) approve a grant agreement between RPD and SFPA in which SFPA hopes to contribute up to \$15 million to RPD for the playground renovations, and 3) recommend that the Board of Supervisors accept this grant of up to \$15 million in cash and in-kind contributions from SFPA for the Initiative.

Adopted by the following vote:

Ayes	•	6
Noes		0
Absent		0

I hereby certify that the foregoing resolution was adopted at the Recreation and Park Commission meeting held on December 15, 2016.

Marganet A. McArthur, Commission Liaison



Edwin M. Lee, Mayor Philip A. Ginsburg, General Manager

TO:	Angela Calvillo, Clerk of the Board of Supervisors			
FROM:	Lisa Bransten, SF Recreation and Parks Partnerships			
DATE: March 3, 2017				
SUBJECT:	Γ: Accept and Expend Grant Resolution for Let'sPlaySF!			
GRANT TITLE:	Let'sPlaySF! Playground Ren	novation Initiative - \$15,000,000		
Attached please fine	d the original and 4 copies of ea	ch of the following:		
X Proposed gran	t resolution; original signed by D	Department, Mayor, Controller		
X Grant Informat	ion form, including disability acc	ess check list		
X Grant Budget				
X Grant Agreeme	X Grant Agreement			
X Rec Park Com	mission Resolution No. 1612-01	0		
Special Timeline F can proceed.	Requirements: As quickly as po	ssible so that renovation projects		
Departmental representative to receive a copy of the adopted resolution: Name: Lisa Bransten Phone: 415-831-2704				
Interoffice Mail Address: <u>lisa.bransten@sfgov.org</u>				
Certified copy requi	red: Yes	No 🖂		
(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).				

OFFICE OF THE MAYOR SAN FRANCISCO



EDWIN M. LEE

TO:

Angela Calvillo, Clerk of the Board of Supervisors

FROM: For Mayor Edwin M. Lee

RE:

Accept and Expend Grant - Let's PlaySF! Playground Renovation Initiative

--- \$15,000,000

DATE:

October 17, 2017

Attached for introduction to the Board of Supervisors is a resolution authorizing the Recreation and Park Department to accept and expend a Grant from the San Francisco Parks Alliance for the renovation of San Francisco playgrounds.

Should you have any questions, please contact Mawuli Tugbenyoh (415) 554-5168.