

1 [Behested Payment Waiver - India Basin Waterfront Park]

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3 **Resolution to authorize the Mayor, the Mayor's Chief of Staff, Chief of Infrastructure,**
4 **Assistant Chief of Infrastructure, Chief of Housing and Economic Development,**
5 **Director of Public Affairs, and Policy Advisor, and the General Manager of RPD, the**
6 **Director and staff of RPD's Partnership Division, RPD's Director of Capital and**
7 **Planning, RPD's India Basin Project Manager, and RPD's India Basin Equitable**
8 **Development Plan Manager to solicit donations for the India Basin Waterfront Park**
9 **Initiative from nonprofits, private organizations, grantmakers, and foundations for six**
10 **months from the effective date of this Resolution, notwithstanding the Behested**
11 **Payment Ordinance.**

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

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

21 WHEREAS, This advocacy moved closer to reality when the Recreation and Park
22 Department (RPD) acquired the 900 Innes property adjacent to the south side of the Park in
23 2014, with the goal of cleaning the formerly industrial site and connecting it to the existing
24 Park and waterfront spaces; and

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

5 WHEREAS, The India Basin Waterfront Park Initiative (the Initiative) is a multi-pronged
6 \$200 million public-private partnership in which RPD is working in close partnership with the
7 Bayview-Hunters Point community, the Trust for Public Land, the San Francisco Parks
8 Alliance, and the A. Philip Randolph Institute (collectively, the Partners) to build IBWP in one
9 of the City's most historically underserved neighborhoods; and

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

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

17 WHEREAS, RPD has secured public grants to date totaling approximately
18 \$125,000,000 including \$29,000,000 from the 2020 Health and Recovery Bond; and

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

21 WHEREAS, The Partners have agreed to privately fundraise approximately
22 \$55,000,000 in order to complete construction and implement the EDP; and

23 WHEREAS, On December 5, 2023 the Board of Supervisors unanimously approved
24 Resolution Nos. 577-23, 578-23, 579-23 and 580-23 authorizing RPD to Accept and Expend
25 approximately \$55 million in private funding from the non-profit partners on the project,

1 respectively the San Francisco Foundation, Trust for Public Land, A. Philip Randolph Institute
2 and San Francisco Parks Alliance; and

3 WHEREAS, The partners are continuing to work together to fundraise for the Initiative;
4 and

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

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

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

17 WHEREAS, The Mayor, the Mayor's Chief of Staff, Chief of Infrastructure, Assistant
18 Chief of Infrastructure, Chief of Housing and Economic Development, Director of Public
19 Affairs, and Policy Advisor, and the General Manager of RPD, the Director and staff of RPD's
20 Partnership Division, RPD's Director of Capital and Planning, RPD's India Basin Project
21 Manager, and RPD's India Basin Equitable Development Plan Manager seek a new waiver of
22 the City's Behested Payment Ordinance for six months from the effective date of this
23 Resolution so that they may solicit donations from private organizations and philanthropists to
24 support the India Basin Waterfront Park Initiative including EDP activities; and
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1 WHEREAS, The parties receiving this waiver have agreed to report to the Board of
2 Supervisors donations to the City that were solicited under this waiver; such reports will
3 identify the donor, the amount of the donation, and the interested relationship the donor has
4 with the department that solicited the donation; the department or office will submit the reports
5 to the Board within 60 days of the expiration of the 6-month period authorized by this waiver;
6 now, therefore, be it

7 RESOLVED, That under Section 3.620(f) of the Campaign and Governmental Conduct
8 Code, the Board of Supervisors hereby waives application of the Behested Payment
9 Ordinance as to the Mayor, the Mayor's Chief of Staff, Chief of Infrastructure, Assistant Chief
10 of Infrastructure, Chief of Housing and Economic Development, Director of Public Affairs, and
11 Policy Advisor, and the General Manager of RPD, the Director and staff of RPD's Partnership
12 Division, RPD's Director of Capital and Planning, RPD's India Basin Project Manager, and
13 RPD's India Basin Equitable Development Plan Manager for six months from the effective
14 date of this Resolution to fundraising from nonprofits, private organizations, grantmakers and
15 foundations to support the Initiative; and, be it

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

20 FURTHER RESOLVED, That granting this waiver under Section 3.620(f) does not
21 create an appearance of impropriety.
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Phil Ginsburg,
General Manager, Recreation and Park Department