

1 [Accept and Expend Grant - Retroactive - California Department of Parks and Recreation -
2 Twin Peaks Promenade Project - \$1,493,692]

3 **Resolution retroactively authorizing the Recreation and Park Department (RPD) to**
4 **accept and expend grant funds in the amount of \$1,493,692 from the California**
5 **Department of Parks and Recreation (CDPR) for the Twin Peaks Promenade Project, for**
6 **a grant performance period from September 20, 2024, through March 15, 2027; approve**
7 **the Grant contract with CDPR that requires RPD to operate and maintain the project for**
8 **a period of 20 years commencing upon project completion, pursuant to Charter,**
9 **Section 9.118(b); and to authorize the RPD General Manager to enter into amendments**
10 **or modifications to the Grant contract that do not materially increase the obligations or**
11 **liabilities to the City and are necessary to effectuate the purposes of the Grant contract**
12 **or this Resolution.**

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14 WHEREAS, The Recreational Trails Program (RTP) is a state-administered local
15 assistance program of the U.S. Department of Transportation’s Federal Highway
16 Administration (FHWA); and

17 WHEREAS, The California Department of Parks and Recreation (“Department”) is
18 authorized to administer the non-motorized RTP Projects on behalf of the FHWA; and

19 WHEREAS, The Recreation and Park Department (RPD) identified the Twin Peaks
20 Promenade Project as a competitive candidate for the Recreational Trails Program and
21 submitted a grant application for the Project; and

22 WHEREAS, On September 21, 2023, the San Francisco Recreation and Park
23 Commission adopted Resolution No. 2309-010 approving the Recreation and Park
24 Department’s (“RPD’s”) application for Recreational Trails Program funds for the Twin Peaks
25 Promenade Project, authorizing the RPD General Manager to negotiate agreements with the

1 State concerning the administration of the grants, and recommending that the Board of
2 Supervisors approve the grant contract and authorize RPD to accept and expend the grant;
3 and

4 WHEREAS, RPD was awarded \$1,493,692 in funding (the “Grant”); and

5 WHEREAS, As a condition of receiving the Grant, RPD is required to agree to the
6 terms of the attached Grant Contract substantially in the form which is on file with the Clerk of
7 the Board under File No. 241174 and which is hereby declared to be part of this Resolution as
8 if set forth fully herein; and

9 WHEREAS, Relevant terms of the Grant Contract include a grant performance period
10 starting on September 20, 2024, and ending on March 15, 2027, and a contract performance
11 period requiring the continue operating the property for public recreation for a period of 20-
12 years upon project completion; and

13 WHEREAS, As a condition of the Grant Contract, the City must agree to maintain the
14 area developed with grant funds a public open space in perpetuity; and

15 WHEREAS, Any changes to land ownership require approval by the Federal Highway
16 Transportation Administration; and

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

18 WHEREAS, The Grant will not require an amendment to the Annual Salary Ordinance;

19 and

20 WHEREAS, Administrative Code, Section 2.6-3, requires the Budget Analyst to review
21 legislation and report on matters that are deemed to have fiscal impact and the Budget and
22 Legislative Analyst determined this matter has fiscal impact and requires a fiscal impact report
23 be submitted prior to the legislation being heard in a fiscal committee; now, therefore, be it
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1 RESOLVED, Due to the lack of a fiscal impact report, as required by Administrative
2 Code, Section 2.6-3, the funds accepted for this grant shall be placed into the Board of
3 Supervisors' reserve until released; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors retroactively authorizes the
5 Recreation and Park Department to accept the Grant; and, be it

6 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of
7 indirect costs as part of this Grant budget; and, be it

8 FURTHER RESOLVED, That the Board of Supervisors retroactively approves the
9 Grant Contract; and, be it

10 FURTHER RESOLVED, Once the fiscal impact requirements of Administrative Code,
11 Section 2.6-3 have been resolved, the Board of Supervisors delegates their authority to
12 release these funds to the Budget and Finance Committee and the Clerk of the Board is
13 directed to schedule a hearing at the Budget and Finance Committee to duly review the
14 complete file and consider the release of the funds to the Recreation and Park Department;
15 and, be it

16 FURTHER RESOLVED, That the Recreation and Park Department shall be hereby
17 authorized to expend the grant award of \$1,493,692 upon the release of funds from the Board
18 of Supervisors' Reserve; and, be it

19 FURTHER RESOLVED, That the Board of Supervisors authorizes the RPD General
20 Manager to enter into any modifications and amendments to the Grant Contract, including to
21 any of its exhibits, and authorizes the RPD General Manager to execute further agreements
22 related to the Project, that the RPD General Manager determines, in consultation with the City
23 Attorney, are in the best interests of the City and do not materially increase the obligations or
24 liabilities of the City, are necessary or advisable to effectuate the purposes of the Project or
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1 this Resolution, and are in compliance with all applicable laws, including the City's Charter;
2 and, be it

3 FURTHER RESOLVED, That within 30 days of the Grant Contract being fully-executed
4 by all parties, RPD shall provide the final Grant Contract to the Clerk of the Board for inclusion
5 into the official file.

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9 Recommended:

Approved: /s/_____

Benjamin McCloskey

Interim Mayor's Budget Director

12 /s/_____

13 Phil Ginsburg

14 Recreation and Park
15 General Manager

Approved: /s/Jocelyn Quintos for Greg Wagner

Greg Wagner, Controller

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