

1 [Accept and Expend; Grant Agreement Amendment - Retroactive - Trust for Public Land -
2 Buchanan Street Mall Renewal Project - Up to \$8,000,000]

3 **Resolution retroactively authorizing the Recreation and Park Department to amend a**
4 **grant agreement with the Trust for Public Land to increase the grant by \$7,100,000**
5 **which includes up to \$5,800,000 in grant funding from the California Department of**
6 **Parks and Recreation, for a total amount of \$8,000,000 and to accept and expend the**
7 **additional funds for the Buchanan Mall Renewal Project; and approving a grant**
8 **contract with the California Department of Parks and Recreation, which includes a**
9 **requirement to maintain the project for the duration of the contract performance period**
10 **from July 1, 2020, through June 30, 2050, pursuant to Charter, Section 9.118(a).**

11
12 WHEREAS, The City, through Recreation and Park Department ("RPD"), operates and
13 maintains Buchanan Street Mall ("the Property"), a five-block pedestrian mall between Eddy
14 Street and Grove Street that includes five consecutive blocks of green space, three
15 playgrounds, a half basketball court, and asphalt paths; and

16 WHEREAS, The Trust for Public Land ("TPL") is a national non-profit organization that
17 has successfully worked in partnership with San Francisco and other communities in the Bay
18 Area for 40 years to create parks and to support healthy, livable communities; and

19 WHEREAS, TPL has worked with RPD, Citizen Film, Green Streets, The
20 Exploratorium, and the community to develop the Buchanan Mall Vision Statement and to
21 implement a temporary activation project on the Property; and

22 WHEREAS, In 2019, the Board of Supervisors adopted Resolution No. 356-19,
23 authorizing RPD to accept from TPL a grant in the amount up to \$900,000 for project planning
24 and outreach, conceptual design, preparation of construction documents, and construction
25 management services for the renovation of Buchanan Mall (the "Project"), and RPD and TPL

1 subsequently entered into an agreement for the administration of the grant funds which is on
2 file with the Clerk of the Board under File No. 210511 and which is hereby declared to be part
3 of this Resolution as if set forth fully herein (the "Agreement"); and

4 WHEREAS, TPL, in collaboration with RPD, has applied for a Statewide Park and
5 Community Revitalization Grant ("State Grant") requesting an additional \$5,800,000 to
6 support the first phase of renovation work on the Property's two northern blocks, Eddy Street
7 to Turk Street and Turk Street to Golden Gate Avenue ("the Phase I Project Area"); and

8 WHEREAS, The State Grant is a program under Proposition 68, the California Drought,
9 Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018, and is
10 administered by the California Department of Parks and Recreation to benefit projects that
11 would create a new park or new recreation facility that serves a critically disadvantaged
12 community, defined as a community with a median household income less than or equal to
13 \$56,982 or be a community with less than 3 acres of open space per 1,000 residents; and

14 WHEREAS, If the State Grant is awarded, TPL will use those funds to support the
15 Project, and will also grant RPD additional in-kind services and cash grant valued at up to
16 \$1.3 million, for a combined total of \$7,100,000 in additional funding for the Project, as set
17 forth in the proposed amendment to the Agreement (the "Amended Agreement") which is on
18 file with the Clerk of the Board under File No. 210511 and which is hereby declared to be part
19 of this Resolution as if set forth fully herein; relevant terms include a consent to the transfer of
20 TPL's agreement with the California Department of Recreation which would require the City to
21 continue operating and maintaining the property as a public park for the duration of the
22 contract period which ends June 30, 2050; and

23 WHEREAS, On April 15, 2021, the San Francisco Recreation and Park Commission
24 adopted Resolution No. 2104-006 recommending that the Board of Supervisors authorize the
25

1 Recreation and Park Department to accept the additional funds from TPL and to enter into the
2 foregoing agreements with TPL and the California Department of Parks and Recreation; and

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

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

6 RESOLVED, That the Board of Supervisors retroactively approves the Amended
7 Agreement between the Recreation and Park Department and TPL regarding the award of
8 Grant Funds, and authorizes the Recreation and Park Department to accept and expend the
9 additional Grant Funds, for purposes of the Project; and, be it

10 FURTHER RESOLVED, That within thirty (30) days of the amendment being fully
11 executed by all parties, the Recreation and Park Department shall provide the final
12 amendment to the Clerk of the Board for inclusion into the official file.

13 FURTHER RESOLVED, That the Board of Supervisors authorizes the Recreation and
14 Park Department to enter into an agreement with the State following completion of the Project
15 to operate and maintain the park improvements until July 1, 2050; and

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

24 FURTHER RESOLVED, That the Board of Supervisors authorizes the General
25 Manager, or his or her designee to record a Declaration of Restriction with the Assessor-

