

1 [Accept and Expend Grant - Retroactive - California Department of Parks and Recreation -
2 Twin Peaks Promenade and Trails Improvement - \$1,900,000]

3 **Resolution retroactively authorizing the Recreation and Park Department (RPD) to**
4 **accept and expend grant funding in the amount up to \$1,900,000 from the California**
5 **Department of Parks and Recreation for the Twin Peaks Promenade and Trails**
6 **Improvement Project for the term of July 1, 2020, through June 30, 2025; approving the**
7 **grant contract which requires the Recreation and Park Department to maintain the**
8 **project for the duration of the Contract Performance Period from July 1, 2020, through**
9 **June 30, 2050, pursuant to Charter, Section 9.118(b); and authorizing the Recreation**
10 **and Park Department General Manager to enter into modifications and amendments to**
11 **the grant contract that do not materially increase the obligations or liabilities to the City**
12 **and are necessary to effectuate the purposes of the project or this Resolution.**

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14 WHEREAS, Proposition 68, the California Drought, Water, Parks, Climate, Coastal
15 Protection, and Outdoor Access for All Act of 2018 was approved by the voters on June 5,
16 2018; and

17 WHEREAS, The California Department of Parks and Recreation (“Department”)
18 administers Proposition 68 funds under its Regional Park Program, which makes funds
19 available for improvements to regional parks; and

20 WHEREAS, On October 21, 2021, the San Francisco Recreation and Park
21 Commission adopted Resolution No. 2110-005 approving the Recreation and Park
22 Department’s (“RPD’s”) application for Regional Park Program funds for the Twin Peaks
23 Promenade and Trails Improvement Project, authorizing the RPD General Manager to
24 negotiate agreements with the State concerning the administration of the grants, and
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1 recommending that the Board of Supervisors approve the grant contract and authorize RPD to
2 accept and expend the grant; and

3 WHEREAS, RPD identified the Twin Peaks Promenade and Trails Improvement
4 Project as a competitive candidate for the Regional Park Program and submitted a grant
5 application for the Project requesting \$1,900,000 in funding (the “Grant”); and

6 WHEREAS, As a condition of receiving the Grant, RPD is required to agree to the
7 terms of the attached Grant Contract substantially in the form as the draft contract which is on
8 file with the Clerk of the Board under File No. 221006 and which is hereby declared to be part
9 of this Resolution as if set forth fully herein; and

10 WHEREAS, Relevant terms of the Grant Contract include completion of the project by
11 June 30, 2025, and an agreement to continue operating the property for public recreation for
12 the duration of the contract performance period July 1, 2020, through June 30, 2050; and

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

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

16 RESOLVED, That the Board of Supervisors retroactively authorizes the Recreation and
17 Park Department to accept and expend the Grant; and, be it

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

20 FURTHER RESOLVED, That the Board of Supervisors approves the Grant Contract;
21 and, be it

22 FURTHER RESOLVED, That the Board of Supervisors authorizes the RPD General
23 Manager to enter into any modifications and amendments to the Grant Contract, including to
24 any of its exhibits, and authorizes the RPD General Manager to execute further agreements
25 related to the Project, that the RPD General Manager determines, in consultation with the City

1 Attorney, are in the best interests of the City and do not materially increase the obligations or
2 liabilities of the City, are necessary or advisable to effectuate the purposes of the Project or
3 this Resolution, and are in compliance with all applicable laws, including the City's Charter;
4 and, be it

5 FURTHER RESOLVED, That the Board of Supervisors authorizes the General
6 Manager, or their Designee to record a Declaration of Restriction with the Assessor-Recorder
7 on the Twin Peaks Open Space Assessor's Parcel Block No. 2643, Lot No 006, Assessor's
8 Parcel Block No. 2643, Lot No. 007, Assessor's Parcel Block No. 2643, Lot No. 009,
9 Assessor's Parcel Block No. 2643, Lot No. 014, Assessor's Parcel Block No. 2643, Lot No.
10 027 to provide notice of the restrictions that shall apply for the duration of the Contract
11 Performance Period from July 1, 2020, through June 30, 2050; and, be it

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

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Recommended:

_____/s/_____
Department Head

Approved: _____/s/_____

Mayor

Approved: _____/s/_____

Controller