

1 [Accept and Expend Grant - Retroactive - California State Coastal Conservancy - 900 Innes
2 Redevelopment Project - \$5,100,000]

3 **Resolution retroactively authorizing the Recreation and Park Department to accept and**
4 **expend a grant from the California State Coastal Conservancy for a term effective upon**
5 **execution of the Grant Agreement through December 31, 2024, in the amount of**
6 **\$5,100,000 for the 900 Innes Redevelopment Project; approving the associated grant**
7 **agreement; approving the recording of a deed restriction that prohibits residential use**
8 **and commercial uses defined as “sensitive” on the property in perpetuity; and**
9 **authorizing the Recreation and Park Department to enter into amendments or**
10 **modifications to the agreement that do not materially increase the obligations or**
11 **liabilities of the City and are necessary to effectuate the purposes of the Project or this**
12 **Resolution.**

13
14 WHEREAS, The City and County of San Francisco owns the 900 Innes Property
15 (“Property”), and has placed the Property under the jurisdiction of the Recreation and Park
16 Department (“RPD”); and

17 WHEREAS, RPD is pursuing a project to remediate the Property and to include the
18 Property as part of the India Basin Waterfront Parks Initiative, a partnership with the Trust for
19 Public Land (TPL), the San Francisco Park Alliance (SFPA), and Bayview Hunters Point
20 (BVHP) community, and others, to develop a new park that when completed will reflect the
21 values and the culture of the BVHP community, and will provide public access and new
22 waterfront recreation for the community at large; and

23 WHEREAS, RPD has completed remediation on the Property under a series of federal
24 and state grants, including a grant from the Environmental Protection Agency (“EPA”) that the
25 Board of Supervisors approved via Resolution No. 396-19, and the EPA requires in exchange

1 for its financial support that RPD must record a deed restriction on the Property to establish
2 that the Property will prohibit residential use, and certain commercial uses defined as
3 “sensitive uses” in perpetuity; and

4 WHEREAS, Sensitive uses consist of (a) a hospital for humans, (b) a public or private
5 school for persons less than 18 years of age, (c) a day care center for children, or (d) any
6 permanently occupied habitation other than those used for industrial purposes; and

7 WHEREAS, The Project was initiated in Fall 2022 and is currently in construction with
8 completion anticipated Summer 2024; and

9 WHEREAS, To help complete the design and development of the Property, RPD has
10 also applied for a \$5,100,000 grant from the California State Coastal Conservancy (“SCC”),
11 which administers grant programs that support Climate Resilience, Public Access, Habitat
12 Restoration, and Wildfire Resilience (the “SCC Grant”); and

13 WHEREAS, On September 14, the SCC Board authorized grant funding in the amount
14 of \$5,100,000 for the Project; and

15 WHEREAS, On September 21, 2023, the San Francisco Recreation and Park
16 Commission adopted Resolution No. 2309-006 approving the RPD’s application for the SCC
17 Grant, authorizing the RPD General Manager to negotiate agreements with the State
18 concerning the administration of the grants, and recommending that the Board of Supervisors
19 approve the grant contract and authorize RPD to accept and expend the grants; and

20 WHEREAS, As a condition of receiving the SCC Grant, RPD is required to agree to
21 Grant Contract substantially in the form as the draft contract which is on file with the Clerk of
22 the Board under File No. 231169 and which is hereby declared to be part of this Resolution as
23 if set forth fully herein; and

1 WHEREAS, As a further condition of receiving the SCC Grant, the SCC requires the
2 City maintain and operate the Project for a period of 20-years commencing upon Project
3 completion; and

4 WHEREAS, The SCC Grant terms prohibit including indirect costs in the grant budget;
5 and

6 WHEREAS, The SCC Grant will not require an amendment to the Annual Salary
7 Ordinance; now, therefore, be it

8 RESOLVED, That the Board of Supervisors authorizes the Recreation and Park
9 Department to accept and expend the SCC Grant; and, be it

10 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of
11 indirect costs as part of this grant budget; and, be it

12 FURTHER RESOLVED, That the Board of Supervisors approves the SCC Grant
13 Contract; and, be it

14 FURTHER RESOLVED, That the Board of Supervisors authorizes the General
15 Manager to record a deed restriction as required by the EPA, on the Property to establish that
16 the Property will prohibit residential use, and certain commercial uses defined as “sensitive
17 uses” in perpetuity; and, be it

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

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

Recommended:	Approved: _____
	Mayor

_____/s/	
Phil Ginsburg	Approved: _____
General Manager	Controller
Recreation and Park Department	