

1 [Accept and Expend Grant - Hilltop Park - La Salle and Whitney Young- \$5,000,000]

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3 **Resolution authorizing the Recreation and Park Department to retroactively accept a**
4 **grant in place from the Trust for Public Land for improvements to Hilltop Park, located**
5 **at La Salle and Whitney Young (Assessor’s Block No. 4713, Lot No. 013), valued at**
6 **\$5,000,000 from July 1, 2011, through June 30, 2019**

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8 WHEREAS, The San Francisco Recreation and Park Department (“RPD”) operates and
9 maintains real property owned by the City and County of San Francisco located at La Salle
10 and Whitney Young (Assessor’s Block No. 4713 Lot No. 013) in San Francisco commonly
11 known as Hilltop Park (“the Property”); and

12 WHEREAS, The Trust for Public Land (“TPL”), through its Parks for People initiative,
13 seeks to build great parks which strengthen communities particularly in areas which are
14 under-served by existing parks and recreation facilities; and

15 WHEREAS, RPD and TPL desire to renovate and improve Hilltop Park, which currently
16 includes a recently upgraded restroom, declining picnic area, skate bowl, lawn, sundial
17 sculpture, pathways that are worn and not accessible, and an area in which play structures
18 have been removed; and

19 WHEREAS, In Spring 2011, TPL led a series of public workshops to develop a
20 community-supported conceptual plan for improvements to Hilltop Park for the purposes of
21 applying to the California Department of Parks and Recreation (“State”) for 2006 Parks Bond
22 Act Statewide Park Development and Community Revitalization grant funding; and

23 WHEREAS, Through this community process, TPL developed a conceptual plan for
24 improvements to Hilltop Park that includes construction of two new play areas for school-age
25 children and tots; adult fitness equipment; an improved perimeter walking path; a lawn area; a

1 stage and performance area; site furnishings including lighting, benches, picnic tables and
2 bike racks; and new landscaping (the “Hilltop Park Renovation Project” or “Project”); and

3 WHEREAS, With RPD and community support, TPL prepared the State grant
4 application for the Project based on the conceptual plan supported by the community; and

5 WHEREAS, On June 16, 2011, the Recreation and Park Commission adopted
6 Resolution No. 1106-05, approving RPD’s filing of the application for State grant funding for
7 the Project; and

8 WHEREAS, On March 26, 2012, the State informed RPD that the City had been
9 selected to receive a \$5 million grant (the “Grant”) for the Hilltop Park Renovation Project, but
10 the City did not accept the Grant; and

11 WHEREAS, RPD and TPL have jointly requested that the State re-award the Grant to
12 TPL so that TPL may directly implement the Hilltop Park Renovation Project as the Grantee
13 and then donate the completed improvements to RPD as a grant-in-place valued at \$5 million
14 (“Grant-in-Place”) and transfer the Grant agreement obligations from TPL to RPD; and

15 WHEREAS, At the request of the State, RPD and TPL have negotiated a Design and
16 Construction Agreement (“Agreement”) on file at the Clerk of the Board of Supervisors in File
17 No. 130625, which is hereby declared to be part of this resolution as if set forth fully herein
18 and which sets forth the terms by which TPL will implement the Hilltop Park Renovation
19 Project as the Grantee under the Grant agreement and upon completion of the Project, TPL
20 will request that the State approve the transfer of the Grant agreement obligations, including
21 the Land Tenure Requirements set forth therein, to RPD; and

22 WHEREAS, On March 21, 2013, the Planning Department issued a Certificate of
23 Determination that the Project is exempt from the requirements of the California
24 Environmental Quality Act; and

25 WHEREAS, On April 18, 2013, the Recreation and Park Commission adopted

1 Resolution No. 1304-005, approving the Agreement between TPL and RPD for the
2 implementation of the Project and recommending that the Board of Supervisors accept the
3 Grant-in-Place from TPL valued at \$5,000,000, inclusive of \$110,000 in reimbursements for
4 RPD Project Management and environmental clearance cost; and

5 WHEREAS, The terms and conditions of the Grant agreement are detailed in Exhibit G
6 of the Agreement; and

7 WHEREAS, The Grant agreement requires the City to operate and maintain the
8 project site and use the project site only for the purposes of the Grant and consistent with the
9 grant scope for the duration of the Contract Performance Period, which extends from July 1,
10 2011 through June 30, 2041; and

11 WHEREAS, The Grant agreement requires the City to record a deed restriction against
12 Hilltop Park to ensure that the property is used for a purpose consistent with the Grant for the
13 duration of the Contract Performance Period; and

14 WHEREAS, The Grant does not require an ASO Amendment; and

15 WHEREAS, The Grant terms prohibit including indirect costs in the grant budget; now,
16 therefore, be it

17 RESOLVED, That the Board of Supervisors authorizes the Recreation and Park
18 Department to accept from TPL a grant-in-place valued at \$5,000,000 for the Hilltop Park
19 Renovation Project; and, be it

20 FURTHER RESOLVED, That the Board of Supervisors waives inclusion of indirect
21 costs in the grant budget; and, be it

22 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Real
23 Estate to record a deed restriction with the Assessor-Recorder against the Property,
24 designated as Assessor's Block Number 4713, Lot No. 013 providing that the use restrictions
25 contained in the Grant Agreement will be covenants, conditions and restrictions on the use of

1 the Property for the duration of the Contract Performance Period from July 1, 2011 through
2 June 30, 2041; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors authorizes the General
4 Manager of the Recreation and Park Department, or his or her designee, to conduct all
5 negotiations, execute and submit all documents, including, but not limited to applications,
6 agreements, amendments, payment requests and so on, which may be necessary for the
7 completion of the project.

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Recommended:

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Philip A. Ginsburg, General Manager, Recreation and Park Department

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15 Recommended:

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John Updike, Director of Real Estate

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21 Approved: _____

22 Mayor

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25 Approved: _____

1 Controller

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