

1 [Grant Contract - Retroactive - California Department of Parks and Recreation Habitat  
2 Conservation Fund Grant - Sharp Park Habitat Conservation Project - \$200,500]

3 **Resolution retroactively approving a California Department of Parks and Recreation**  
4 **Habitat Conservation Fund Grant Contract in the amount of \$200,500 that requires the**  
5 **Recreation and Park Department to maintain a certain portion of Sharp Park as habitat**  
6 **for the San Francisco Garter Snake for the duration of the contract performance period**  
7 **from July 1, 2019, through June 30, 2039, pursuant to Charter, Section 9.118(a); and**  
8 **authorizing the Recreation and Park Department General Manager to file a Deed**  
9 **Restriction against the property designated as San Mateo County Assessor’s Parcel**  
10 **Block No. 016-43-0020, providing the restrictions contained in the Grant Contract will**  
11 **apply until June 30, 2039.**

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13 WHEREAS, The City and County of San Francisco (“City”) owns San Mateo County  
14 Assessor’s Parcel Block No. 016-43-0020 located at Sharp Park in the City of Pacifica  
15 (hereafter, the “Property”); and

16 WHEREAS, The City, through its Recreation and Park Department (the “Department”),  
17 operates and maintains the Property; and

18 WHEREAS, On November 15, 2018, the Recreation and Park Commission adopted  
19 Resolution No. 1811-002 approving the Department’s submission of a Habitat Conservation  
20 Fund grant application to the California Department of Parks and Recreation to support the  
21 restoration of San Francisco Garter Snake habitat in Sharp Park and recommending that the  
22 Board of Supervisors approve the terms of the Grant Contract which is on file with the Clerk of  
23 the Board under File No. 210609 and which is hereby declared to be part of this Resolution as  
24 if set forth fully herein; and WHEREAS, The Department was awarded a Habitat Conservation  
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1 Fund Grant (“Grant”) in the amount of \$200,500 to restore one acre of San Francisco Garter  
2 Snake habitat at the Property by June 30, 2024 (the “grant performance period”); and

3 WHEREAS, The Board of Supervisors appropriated the Grant funds for the Department  
4 as a budget line item in the Fiscal Year 2020-21, 2021-22 Annual Appropriation Ordinance, to  
5 allow the project to be initiated and be completed within the grant performance period; and

6 WHEREAS, The Grant Contract requires the City to agree to operate and maintain the  
7 project site for the duration of the contract performance period, which extends from  
8 July 1, 2019, through June 30, 2039; and

9 WHEREAS, As a condition of receiving the grant, DPR requires the City to record a  
10 deed restriction to ensure that the Property is used for a purpose consistent with the Grant for  
11 the duration of the contract performance period; and

12 WHEREAS, The Grant Contract and the deed restriction do not preclude the City from  
13 transferring the property to another eligible entity, provided the successor entity assumes the  
14 obligations imposed under the contract and with written approval of the state; and

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

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

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

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

5 FURTHER RESOLVED, That the Board of Supervisors authorizes the General  
6 Manager of the Recreation and Park Department, or his or her designee, to record a Deed  
7 Restriction against the property (designated as San Mateo County Assessor's Parcel Block  
8 No. 016-43-0020) providing the restrictions contained in the Grant Contract will apply until  
9 June 30, 2039.

10 FURTHER RESOLVED, That within thirty (30) days of the Deed Restriction being  
11 recorded, the Recreation and Park Department shall provide the recorded Deed Restriction to  
12 the Clerk of the Board for inclusion into the official file.

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15 Recommended:

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17 /s/ \_\_\_\_\_

18 General Manager

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