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

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

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

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

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

WHEREAS, Through this community process, TPL developed a conceptual plan for
improvements to Hilltop Park that includes construction of two new play areas for school-age
children and tots; adult fitness equipment; an improved perimeter walking path; a lawn area; a
stage and performance area; site furnishings including lighting, benches, picnic tables and
bike racks; and new landscaping (the "Hilltop Park Renovation Project" or "Project"); and
WHEREAS, With RPD and community support, TPL prepared the State grant
application for the Project based on the conceptual plan supported by the community; and
WHEREAS, On June 16, 2011, the Recreation and Park Commission adopted
Resolution No. 1106-05, approving RPD's filing of the application for State grant funding for
the Project; and
WHEREAS, On March 26, 2012, the State informed RPD that the City had been
selected to receive a $5 million grant (the "Grant") for the Hilltop Park Renovation Project, but
the City did not accept the Grant; and
WHEREAS, RPD and TPL have jointly requested that the State re-award the Grant to
TPL so that TPL may directly implement the Hilltop Park Renovation Project as the Grantee
and then donate the completed improvements to RPD as a grant-in-place valued at $5 million
("Grant-in-Place") and transfer the Grant agreement obligations from TPL to RPD; and
WHEREAS, At the request of the State, RPD and TPL have negotiated a Design and
Construction Agreement ("Agreement") on file at the Clerk of the Board of Supervisors in File
No. 130625, which is hereby declared to be part of this resolution as if set forth fully herein
and which sets forth the terms by which TPL will implement the Hilltop Park Renovation
Project as the Grantee under the Grant agreement and upon completion of the Project, TPL
will request that the State approve the transfer of the Grant agreement obligations, including
the Land Tenure Requirements set forth therein, to RPD; and
WHEREAS, On March 21, 2013, the Planning Department issued a Certificate of
Determination that the Project is exempt from the requirements of the California
Environmental Quality Act; and
WHEREAS, On April 18, 2013, the Recreation and Park Commission adopted
Resolution No. 1304-005, approving the Agreement between TPL and RPD for the
implementation of the Project and recommending that the Board of Supervisors accept the
Grant-in-Place from TPL valued at $5,000,000, inclusive of $110,000 in reimbursements for
RPD Project Management and environmental clearance cost; and
WHEREAS, The terms and conditions of the Grant agreement are detailed in Exhibit G
of the Agreement; and
WHEREAS, The Grant agreement requires the City to operate and maintain the
project site and use the project site only for the purposes of the Grant and consistent with the
grant scope for the duration of the Contract Performance Period, which extends from July 1,
2011 through June 30, 2041; and
WHEREAS, The Grant agreement requires the City to record a deed restriction against
Hilltop Park to ensure that the property is used for a purpose consistent with the Grant for the
duration of the Contract Performance Period; and
WHEREAS, The Grant does not require an ASO Amendment; and
WHEREAS, The Grant terms prohibit including indirect costs in the grant budget; now,
therefore, be it
RESOLVED, That the Board of Supervisors authorizes the Recreation and Park
Department to accept from TPL a grant-in-place valued at $5,000,000 for the Hilltop Park
Renovation Project; and, be it
FURTHER RESOLVED, That the Board of Supervisors waives inclusion of indirect
costs in the grant budget; and, be it
FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Real
Estate to record a deed restriction with the Assessor-Recorder against the Property,
designated as Assessor’s Block Number 4713, Lot No. 013 providing that the use restrictions
contained in the Grant Agreement will be covenants, conditions and restrictions on the use of
the Property for the duration of the Contract Performance Period from July 1, 2011 through
June 30, 2041; and, be it

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

Recommended:

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

Recommended:

John Updike, Director of Real Estate

Approved:  
Mayor

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

July 10, 2013 Budget and Finance Sub-Committee - RECOMMENDED

July 16, 2013 Board of Supervisors - ADOPTED
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

I hereby certify that the foregoing Resolution was ADOPTED on 7/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Date Approved 7/16/2013

Mayor