

RESOLUTION NO. 55-2009

Adopted June 2, 2009

APPROVING A FISCAL YEAR 2009-2010 OPERATING BUDGET IN AN AMOUNT NOT TO EXCEED \$255,194 UNDER THE MAINTENANCE AND MANAGEMENT AGREEMENT WITH THE PORT OF SAN FRANCISCO FOR THE MAINTENANCE AND MANAGEMENT OF RINCON PARK; RINCON POINT-SOUTH BEACH REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION


1. Rincon Park is a two-acre waterfront park located at the foot of Folsom Street in the Rincon Point-South Beach Redevelopment Project Area. The Redevelopment Agency of the City and County of San Francisco (the "Agency") operates the park under a 65-year lease with the Port of San Francisco (the "Port"). The park includes landscaped areas, walkways, and the 60-foot-tall "Cupid's Span" art sculpture. The park was completed in February 2003.
2. On November 19, 2002, by Resolution No. 199-2002, the Commission authorized a Maintenance and Management Agreement (the "Agreement") with the Port for an approximate three-year term beginning February 6, 2003 and ending on June 30, 2006 to provide comprehensive management services, including gardening, janitorial and security services, at the park. The Agreement requires Commission approval of the Port's annual operating budget for the park. The Commission-approved operating budgets for the first three fiscal years were \$390,000, \$336,257, and \$326,257 respectively.
3. On February 7, 2006, by Resolution No. 17-2006, the Commission authorized a first amendment to the Agreement extending the term one year through June 30, 2007. The Commission-approved operating budget for that fiscal year was \$285,000.
4. On June 5, 2007, by Resolution No. 55-2007, the Commission authorized a second amendment to the Agreement extending the term three years through June 30, 2010. The Commission-approved operating budget for fiscal year 2007-2008 was \$285,000. For fiscal year 2008-2009, the Port used unspent funds from previous years to cover the park's operating costs.
5. Port staff has now provided the Agency with a budget for its park management services for the fiscal year beginning July 1, 2009 and ending June 30, 2010 in an amount not to exceed \$255,194. This cost is shared between the Agency and Gap Inc., a leading international specialty retailer headquartered in San Francisco ("Gap"), which paid for the construction of the park.

6. Under Gap's 1995 Disposition and Development Agreement with the Agency, Gap contributes \$100,000 for security services and sculpture maintenance at the park for 10 years beginning in 2003 and ending in 2012. Therefore, Gap will contribute \$100,000 toward the Port's proposed fiscal year 2009-2010 operating budget and the Agency will fund the remaining \$155,194 from the Rincon Point-South Beach Redevelopment Project Area budget.
7. Staff recommends approval of the Port's fiscal year 2009-2010 operating budget for the maintenance and management of Rincon Park.
8. The provision of an operating budget for landscape maintenance, management, and related services for Rincon Park would have no resultant significant impacts on the physical environment, and are activities that are exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15301(h) and 15061(b)(3).

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the fiscal year 2009-2010 operating budget in an amount not to exceed \$255,194 under the Maintenance and Management Agreement with the Port of San Francisco for the maintenance and management of Rincon Park in the Rincon Point-South Beach Redevelopment Project Area is approved.

APPROVED AS TO FORM:


James B. Morales 8/27/09
Agency General Counsel