



Edwin M. Lee, Mayor  
Philip A. Ginsburg, General Manager

**Date:** August 5, 2015

**To:** Recreation and Park Commission Capital Committee

**Through:** Philip A. Ginsburg, General Manager  
Dawn Kamalanathan, Director, Planning and Capital Projects

**From:** Nicole Avril, Project Director, Capital Partnerships

**Subject:** India Basin MOU between RPD, India Basin Investors, TPL and SFPA

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### **AGENDA WORDING**

Discussion and possible action to approve an Memorandum of Understanding between the Recreation and Park Commission, India Basin Investors LLC and its affiliates and assignees, The Trust for Public Land and San Francisco Parks Alliance establishing the general framework, workplan, and roles and responsibilities for a partnership between the parties that shall coordinate, plan and develop India Basin parks and open space including 900 Innes, India Basin Shoreline Park, India Basin Open Space, and the Big Green at 700 Innes.

### **BACKGROUND**

In August 2014, the City of San Francisco (the “City”) acquired property, 900 Innes, which is adjacent to India Basin Shoreline Park and India Basin Shoreline Open Space. 900 Innes Avenue consists of 2.4 acres, 1.8 of which is on land. Innes Avenue and neighboring areas have been included for planning purposes in the Bayview Hunters Point Area Plan and the India Basin Shoreline SubArea Plan, in addition to the San Francisco Bay Trail Plan and the Port of San Francisco’s 13-mile Blue Greenway Plan.

On this site, the Recreation and Park Department (“RPD”) plans to develop a new full service park for the community, providing residents local access to open space and parkland resources as well as new recreational opportunities. The proposed park plan will include closing the final gap in the San Francisco Bay Trail around India Basin, connecting two existing shoreline parks (India Basin Shoreline and India Basin Shoreline Open Space), and creating a segment of the Blue Greenway. The site has scenic views, waterfront access (including the potential for small boat access facilities), and natural resources and wildlife habitat restoration opportunities.

RPD was awarded a Coastal Conservancy grant in the amount of \$500,000 for 900 Innes/India Basin Shoreline Park Planning. RPD has contracted with The Trust for Public Land (TPL) to conduct public outreach to the India Basin and Bayview communities, as well as citywide and regional and stakeholders; the preparation of site analysis, environmental studies and a



conceptual park plan with cost estimates and strategies for the possible implementation of future park improvements. TPL has retained WRA Environmental Consultants (“WRA”), Moffat & Nichol engineers (“Moffat & Nichol”), Page & Turnbull, Langan Treadwell Rollo, BKF, and Meridian for the technical studies necessary to support the design. RPD is also working with San Francisco Parks Alliance (SFPA) on stakeholder outreach and engagement.

### **The Waterfront Plan**

900 Innes is the mid-point of the 1.5 mile-long India Basin shoreline. The India Basin Shoreline is comprised of seven properties (described below), six of which are in varying stages of development, and three of which are owned by RPD. As such, RPD, TPL, India Basin Investors LLC (Build Inc.), and San Francisco Parks Alliance (SFPA) are leading a new public-private process to create The India Basin Waterfront Plan: Parks, Trails and Open Space (“Waterfront Plan”). The Waterfront Plan includes Heron’s Head Park (fully-developed SF Port property), Hunters Point Shoreline (a 100’ shoreline zone owned and being remediated by PG&E); RPD’s existing India Basin Shoreline Park, 900 Innes, RPD-owned India Basin Open Space, Build Inc.’s proposed “Big Green” Park located at 700 Innes, and the future Lennar-funded Northside Park (part of the Shipyard-Candlestick development plan). A central goal of the Waterfront Plan is to ensure that all seven properties eventually look, feel and operate as an integrated parks system.

The scope of the Plan includes specific proposals for public programming, access and circulation, habitat restoration, ecological and sea level rise strategies, public-private funding and stewardship proposals, and public signage and branding.

A Task Force of over thirty Bay View Hunters Point/India Basin-based community organizations and City agencies has convened to help guide the Waterfront Plan and ultimately the future development of this extraordinary network of new and renovated shoreline parks. Outreach regarding the Waterfront Plan has taken the form of informational and participatory booths at the Bay View Hunters Point Sunday Streets on May 4, 2015 and the Black Love Festival at Heron’s Head Park on July 18, 2015, as well as through SFPA’s participation in over a dozen Bay View Hunters Point-based public meetings.

### **AGREEMENT**

The goal of the Memorandum of Understanding (MOU) is to establish the general workplan and roles and responsibilities framework for a public-private partnership between RPD, Build Inc., TPL and SFPA (the “Parties”) that shall coordinate, plan and develop one of the longest contiguous publicly accessible waterfront areas in San Francisco into a spectacular public open space network.

The Parties recognize that this mutual goal to create a new integrated waterfront park can be better achieved through the effective cooperation and communication among all Parties where planning, programming, design and development are coordinated to improve collective outcomes and eliminate potential conflicts and redundancies between the future design and development of each individual property within the Waterfront Plan. The Parties’ efforts and the public would also benefit through greater efficiency and cost savings derived from cooperative project

management, community outreach, planning, designing, programming, fundraising, stewardship and construction of future improvements.

The two project areas addressed in the MOU include:

**“Project Area - RPD” [9.58 acres]** which includes: 1) 900 Innes, a collection of 7 parcels totaling 2.4 acres, 1.8 acres of which are on land and includes the historic Shipwrights Cottage located on the north side of Innes Avenue at the intersection of Griffith Street; .6 underwater; 2) India Basin Shoreline Park, an existing 5.6 acre park located between Hunters Point Boulevard to the west and 900 Innes to the South; and 3) Griffith and Hudson Street right-of-ways, 1.58 acres of public right-of-way between Hunters Point Boulevard to the west and Innes Avenue to the south.

**“Project Area - Build Inc.” [13.40 acres]** which includes: 1) approximately 5.63 acres that will be kept as open space adjacent to RPD’s India Basin Open Space property which is part of 700 Innes Street, an approximately 16.94 acre site surrounding Arelious Walker Drive and generally bounded by Innes Avenue and Earl Street to the northwest, owned by Build Inc.; 2) India Basin Open Space, a 6.15 acre existing open space owned by RPD located between 700 Innes and 900 Innes; and 3) Arelious Walker and Hudson Street right-of-ways, 1.62 acres of public right-of-way between Innes Avenue and India Basin Open Space and the portion of Hudson Street adjacent to 900 Innes.

### **Key Provisions**

In addition to the Waterfront Plan, and individual and shared responsibilities of the Parties, the MOU covers key areas such as:

### Financial Commitments

The MOU stipulates that Build Inc.’s financial commitments to RPD are the following:

- Costs for the Design Competition for RPD’s Project Area
- Advanced Conceptual Design and Cost Estimate for Advanced Concept Design for RPD’s Project Area
- Planning Department and consultant fees for the Shared CEQA Document
- Schematic Design and Cost Estimate for Schematic Design for RPD’s Project Area

Build Inc.’s financial commitment for the design of Project Area-RPD is the following:

<b>Item</b>	<b>Amount</b>	<b>Notes</b>
Design Competition	\$110,000	Not to exceed
Advanced Concept Design	\$75,000	Not to exceed
CEQA Process/Document	\$400,000	Not to exceed
Schematic Design	\$720,000	Est. $\geq$ \$720,000, contingent upon City approvals
<b>TOTAL</b>	<b><math>\geq</math> \$1,305,000</b>	<b>(if Schematic Design est. value <math>\geq</math> \$720,000)*</b>

\* Please note that Build Inc.’s obligation to fund the Schematic Design budget shall only be effective when and if Build Inc. has secured its “Final Entitlements” (please see MOU for definition of “Final Entitlements”).

Please also note that the table above only reflects Build Inc.'s commitment to RPD for the design of Project Area-RPD. For a complete overview of Build Inc.'s and RPD's financial commitments to the India Basin planning and design process, please see Exhibit D of the MOU.

#### Design Competition/Concept Design

RPD and TPL shall organize a design competition to select a Landscape Architect team to produce the concept design for RPD's Project Area. A limited number of qualified firms/teams will be invited to submit proposals, and a specialized jury, selected by RPD, TPL and Build Inc., with the oversight of the Design Competition Advisor, will review the proposals and select a winning Landscape Architecture team. The design team will present each iteration of the concept design to the community for review and feedback.

#### Advanced Concept Design and Cost Estimation:

Advanced Concept Design shall further develop the most relevant aspects of the concept design documents to allow for a more accurate concept design cost estimate.

#### CEQA

Environmental Evaluation Application ("EE Applications") for both RPD's and Build's properties have been submitted thus initiating the CEQA review process. RPD and Build Inc. have agreed to process their EE Applications in a joint environmental review document ("Shared CEQA Document").

Schematic Design: Schematic Design drawings shall generally include, without limitation: 1) perspective drawings; 2) a site plan at appropriate scale; 3) plans and elevations sufficient to describe the improvement proposal; 4) sections showing height relationships of the areas; and 5) a one-foot interval contour schematic level grading plan.

#### Operations and Maintenance

The Parties acknowledge that an Operations and Maintenance Plan shall be necessary to: 1) clarify how the Project shall be maintained; 2) define the appropriate public-private management structure for maintaining the Project; and 3) identify ongoing maintenance funding responsibilities. The Parties also acknowledge that they are considering a variety of funding sources, and that they shall work together through the Future Agreement(s) discussions to consider other funding alternatives.

#### Term/Termination

The term of this Agreement shall commence on the date of execution and shall continue until the milestones and deliverables contemplated in the agreement are complete. If the Planning Commission or Board of Supervisors either (1) does not approve Build, Inc.'s India Basin Development Project or (2) delays approval of Build Inc.'s India Basin Development Project beyond an outside date of December 31, 2017, Build, Inc. may unilaterally terminate the MOU. The MOU may also be terminated by the mutual agreement of all Parties. Additionally, any Future Agreement (s) will supersede the MOU.

**STAFF RECOMMENDATION**

Department Staff recommends that the Commission approve the Memorandum of Understanding between the Recreation and Park Commission, India Basin Investors LLC and its affiliates and assignees, The Trust for Public Land and San Francisco Parks Alliance establishing the general framework, workplan, and roles and responsibilities for a partnership between the parties that shall coordinate, plan and develop India Basin parks and open space including 900 Innes, India Basin Shoreline Park, India Basin Open Space, and the Big Green at 700 Innes.

**SUPPORT**

Build Inc.  
India Basin Neighborhood Association  
Office of Economic and Workforce Development  
Parks 94124  
San Francisco Parks Alliance  
Trust for Public Land

**Opposition**

None

**ATTACHMENTS**

MOU