



MEMORANDUM

February 22, 2019

TO: MEMBERS, PORT COMMISSION
Hon. Kimberly Brandon, President
Hon. Willie Adams, Vice President
Hon. Gail Gilman
Hon. Victor Makras
Hon. Doreen Woo Ho

FROM: Elaine Forbes
Executive Director

SUBJECT: Informational presentation regarding operation and programming at The EcoCenter at Heron's Head Park and proposed Memorandum of Understanding with San Francisco Recreation & Parks Department to use and operate the EcoCenter at Heron's Head Park.

DIRECTOR'S RECOMMENDATION: Informational Only

EXECUTIVE SUMMARY

The Port of San Francisco (Port) created Heron's Head Park as a fill removal and habitat restoration project in 1999, and constructed additional improvements to the park entrance and parking lot, in 2010 (see Exhibit A: Heron's Head Park and EcoCenter Location; Exhibit B: EcoCenter Site Plan). Since its inception, Heron's Head Park has been a beloved refuge for people and wildlife in the primarily industrial southern waterfront. The Port has funded environmental education programs and volunteer opportunities at Heron's Head Park for 18 years.

In 2010, non-profit organization and former Port tenant, Literacy for Environmental Justice (LEJ), completed construction of the EcoCenter at Heron's Head Park (EcoCenter). LEJ turned the EcoCenter over to Port ownership in 2013. The EcoCenter is a unique and beautiful facility, designed to serve as a model for green building, sustainable resource use, environmental justice, experiential learning and community engagement for San Francisco's southeastern neighborhoods. The EcoCenter is LEED

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Platinum certified, featuring a living roof, solar power, rainwater capture, and on-site wastewater treatment and re-use. Its only connection to municipal utilities is the potable water supply.

The non-profit organization bay.org has operated the EcoCenter and provided education and community benefit programs for the past five years, under a lease that expires in February 2019. The Port also has been working with the San Francisco Recreation & Parks Department (SFRPD), which provides environmental education, volunteer participation, and youth development programs for Heron's Head Park under a current Interdepartmental Work Order. Port staff propose to enter into a Memorandum of Understanding (MOU) with SFRPD to expand its role at Heron's Head Park, to serve as the primary operator of the EcoCenter. Under the MOU, RPD would continue to provide environmental education, volunteer programs, youth development opportunities, and other public benefits at the EcoCenter and Heron's Head Park.

STRATEGIC PLAN

Operation of The EcoCenter fulfills the goals of the Port's Strategic Plan as follows:

#3 ENGAGEMENT

Increase the public's awareness of the purpose and benefits of Port functions and activities.

The Port's ENGAGEMENT goal specifically calls us to partner with City departments and others to promote waterfront projects and activities. The Port's public trust mission includes supporting public use of the waterfront for natural habitat protection, fishing, and other water-oriented activities, such as walking along the shoreline and enjoying views and access to the bay. Operation of Heron's Head Park, the outdoor education and volunteer programs, and the EcoCenter are all Port activities that engage the public, support recreational activities, and educate visitors about the Port's efforts to enhance wetland and bay habitat.

#4 EQUITY

Ensure Port activities advance equity and public benefit and attract a diversity of people to the Waterfront.

The "EQUITY" goal reflects the Port's efforts to provide public benefit related to its facilities and operations. The EcoCenter was created to be a resource for community use and provide recreation, education, and other public benefits to the southern waterfront community that has historically had less access to such resources. The EcoCenter attracts a tremendous number and variety of visitors to Heron's Head Park for both education and recreation. The EcoCenter provides an opportunity to house and enrich the Port's environmental education programs at Heron's Head Park, which are offered at

low or no cost to schools, community groups, and the general public. The proposed MOU with SFRPD will continue and further enrich the activities at the EcoCenter that focus on serving the surrounding community and promoting equitable access to the recreational and educational opportunities that the EcoCenter offers.

BACKGROUND

In 1999, the Port of San Francisco (Port) constructed Heron's Head Park, an approximately 22-acre peninsula of land comprised of fill that the Port had placed in San Francisco Bay during the 1970s. Heron's Head Park included approximately 8 acres of wetland habitat and 14 acres of adjacent open space (see Exhibit A). The upland portions of Heron's Head Park are used for passive recreation, including walking, picnicking, fishing, bird-watching. Visitors enjoy expansive views of the bay from the eastern tip of the peninsula, which extends approximately 1/3 of a mile from the shoreline.

Beginning in 2001, with the Port's agreement, a Bayview Hunter's Point community-based organization, Literacy for Environmental Justice (LEJ), secured funding from the City and County of San Francisco's Department of Environment and numerous private donors to design and construct a small building within Heron's Head Park to serve as a community resource and demonstration of green building technology. In 2005, the Port leased approximately 2,300 sq. ft. for the building footprint and licensed an additional 6,000 sq. ft. of surrounding landscaped area to LEJ to construct the envisioned EcoCenter (see Exhibit B).

LEJ constructed the EcoCenter in 2009 and 2010 to provide an educational resource for the surrounding community. The EcoCenter serves as a demonstration of green building technology, including solar power, a green roof, sustainable building materials, on-site wastewater treatment, and rainwater harvesting and reuse. In July 2013, the EcoCenter was certified by the United States Green Building Council as a Leadership in Energy and Environmental (LEED) Platinum building. It is the first LEED Platinum – Zero Net Energy Building¹ in San Francisco.

After constructing the EcoCenter, LEJ changed its executive director and focused its operations on its native plant nursery and youth development programs in Candlestick Point. In 2013, the Port and LEJ executed a mutual termination agreement through which the Port took ownership of the EcoCenter.

In late 2013 the Port undertook a competitive leasing process to offer the EcoCenter virtually rent-free to a qualified tenant who could operate the building and provide free public programs out of the EcoCenter. The leasing process was intended to realize the

¹ A Zero Net Energy Building is generally defined as an energy efficient building enabled to generate energy from renewable sources to compensate its own energy demand

EcoCenter's potential to provide public benefit, serving as a community meeting room, a hub for education about green building technology, bay and shoreline habitat, and complement to the pre-existing outdoor environmental education programs that the Port had been offering in the park since Heron's Head Park opened. In 2014, the Port executed a lease with bay.org (formerly The Bay Institute Aquarium Foundation or Aquarium of the Bay) for a five-year term that expires February 28, 2019.

Bay.org has offered rich education and community engagement programs at the EcoCenter, often with other community/partner organizations. With PUC and City College of San Francisco, bay.org has offered paid and credit-based internships for high-school and college students at the EcoCenter. Bay.org produced "Bay Splash", a STEAM (science, technology, engineering, arts, mathematics) – focused event involving over 30 community-based organizations at the EcoCenter and adjacent Hunter's Point Now property. Bay.org collaborates with SFRPD on two of the four Science Saturday events each month: "Second Saturday", at which the Greenagers lead volunteers to care for the native plants in Heron's Head Park, and a "Healthy Parks, Healthy People" trail walk, led by RPD staff and concluding at the EcoCenter for a tour.

SF RECREATION & PARK DEPARTMENT SERVICES

Since 2010, before the EcoCenter was constructed, the Port has collaborated with the San Francisco Recreation & Park Department (SFRPD) to provide outdoor environmental education and volunteer programs in Heron's Head Park. These programs have engaged over 1,200 participants and provided approximately 3,200 hours of park stewardship through the Youth Stewardship and Greenager Programs each year. SFRPD has had a consistent core of staff leading the programs at Heron's Head Park and at other facilities in the southeast of San Francisco. Consequently, SFRPD staff working at Heron's Head Park have a deep knowledge of the ecology, history, and habitat management needs of the park as well as the history and needs of the community. Much of SFRPD's work at Heron's Head Park has focused on creating leadership opportunities for local youth. SFRPD, through its work at Heron's Head Park in partnership with the Port and through other programs and facilities that it operates in the surrounding community, has developed long-term connections with many community-based organizations serving youth and adults in southeast San Francisco. These connections have and will continue to facilitate partnerships to increase engagement of the community in activities at the EcoCenter.

With the expiration of the bay.org lease, Port Staff proposes to enter into a Memorandum of Understanding with SFRPD to operate the EcoCenter on the terms described below. SFRPD proposes to leverage its expertise, tenure in the community, and existing partnerships to expand on programming at the EcoCenter. SFRPD proposes to operate the EcoCenter, as it does at many of its other recreation centers and clubhouses, on a "hub and spoke" model, wherein SFRPD works with numerous local organizations to provide the resources and programming most relevant to the community that the particular facility serves.

During the past five years that bay.org has operated the EcoCenter, SFRPD and bay.org staff have regularly collaborated to offer programs that used both the EcoCenter and the outdoor environment of Heron's Head Park to complement and enrich the education and recreation programs that each offers. Similarly, SFRPD has collaborated with the Wilderness Arts and Literacy Collaborative (WALC), a program of Downtown Alternative High School for over 15 year. For the past seven years, SFRPD has based its work with WALC at Heron's Head Park, leading a series of educational field trips on watersheds, wetlands and environmental Justice each year. WALC culminates each of their sessions by having their youth lead their final exhibition in which they showcase all of their learn knowledge and skills. Jewish Vocational Services. In another partnership with the Jewish Vocation Services (JVS), SFRPD and JVS youth workers have used Heron's Head Park as their home base. SFRPD provides training and work experiences in the park to help build students' confidence and ability in basic project planning, implementation, restoration, and leading volunteers. SFRPD hopes to continue such partnerships to expand educational programing and promote the EcoCenter as a community resource.

TERMS OF PROPOSED RPD MEMORANDUM OF UNDERSTANDING

The proposed Port-SFSFRPD MOU includes the following terms:

Permitted Use. The EcoCenter will be used primarily for education and public access with a focus on green building, sustainability, and San Francisco Bay habitats. The EcoCenter must be open for free public access at least four days per week, including at least one weekend day, although SFRPD has scheduled staff to have the EcoCenter open five days per week, including both Saturday and Sunday. The EcoCenter will also be used for community meetings and assembly space for purposes related to its education and public benefit mission. Subject to prior consent by the Port, SFRPD may hold a limited number of special events to support fundraising for operation and programming of the EcoCenter.

SFRPD will develop an "*Operations and Program Plan*" that describes its proposed use of the EcoCenter and how it will fulfill the goals for the EcoCenter as an educational and community resource. The Operations and Program will describe SFRPD's goals for programing at the EcoCenter, such as type (age, school, volunteer, professional) and number of participants or programs, participation by local partners (businesses, community organizations, students, families). SFRPD will keep records regarding programming and report quarterly to the Port.

Prohibited Uses. The following are prohibited:

- Use of the premises for overnight stays, sleeping, or for personal living quarters;
- Activities that would prevent or impede public access to the non-exclusive license area or other publicly accessible areas of the park;

- Any activity that requires an After Hours Permit from the San Francisco Police Department or Entertainment Commission;
- Parties or events that use any amplified music, or any live music that can be heard 120 feet or more from the building to avoid impact to wildlife and/or neighbors;
- Parties or events requiring an entry fee sponsored by entities other than the City; and
- Retail sales other than branded items or other park-related items sold as part of fundraising activities to support EcoCenter operations.

Term. Port staff recommends a minimum 5-year term with two possible 2-year options to be offered at Port's sole discretion.

Rent Free Use. The primary purpose of the EcoCenter is to serve the community by promoting public access for education and recreation, providing high-quality, readily accessible programming, and supporting stewardship of the building and the park. The proposed uses of the EcoCenter are limited and offer no significant opportunity to generate revenue. SFRPD's proposed program for the EcoCenter will provide staffing that will have the EcoCenter open free to the public five days per week, for which expense is to be borne by SFRPD. Considering the expense of operating the EcoCenter and the benefit to the public trust, staff recommends that the MOU not include any use fee.

Maintenance/Repairs. During the term of the MOU the Port will be responsible for routine building operations and maintenance, including maintaining and monitoring the energy, water and wastewater systems, reporting on system functions as required by regulations, and repairing building components as-needed due to normal wear and tear. SFRPD will be responsible for providing timely notification to the Port when building systems appear in need of maintenance or repair outside of the Port's existing routine preventative maintenance schedule (for example, leaks around doors or windows, audible pump failure, notifications from automated alarms), and weeding, watering, and replacing plants in the non-exclusive license area. SFRPD will also be responsible for telephone, internet, and security alarm service. At the expiration or termination of the MOU, SFRPD shall surrender the Premises to Port in at least as good condition as when received (other than normal wear and tear) and shall repair any damage to the Premises.

Standard Provisions. The MOU will contain other current standard MOU provisions including protection from claims and damages and insurance by operators.

NEXT STEPS

For the reasons described above, Port staff proposes to continue negotiations with SFRPD to operate the EcoCenter. The final terms of the MOU will be negotiated by Port Staff, consistent with the terms described in this staff report, and will be subject to final approval by the Port Commission.

SFRPD staff plans to introduce the EcoCenter MOU for consideration by the Operations Committee and the full Recreation and Parks Commission in March. Port staff also is actively working with bay.org and SFRPD to facilitate the transition of primary responsibility for operations to SFRPD, exploring programs that bay.org and SFRPD may continue to provide in partnership, and developing SFRPD's plans for ongoing operations and programming.

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Attachments:

- A. Location map
- B. Site Layout

Exhibit A. Site Location, The EcoCenter at Heron's Head Park

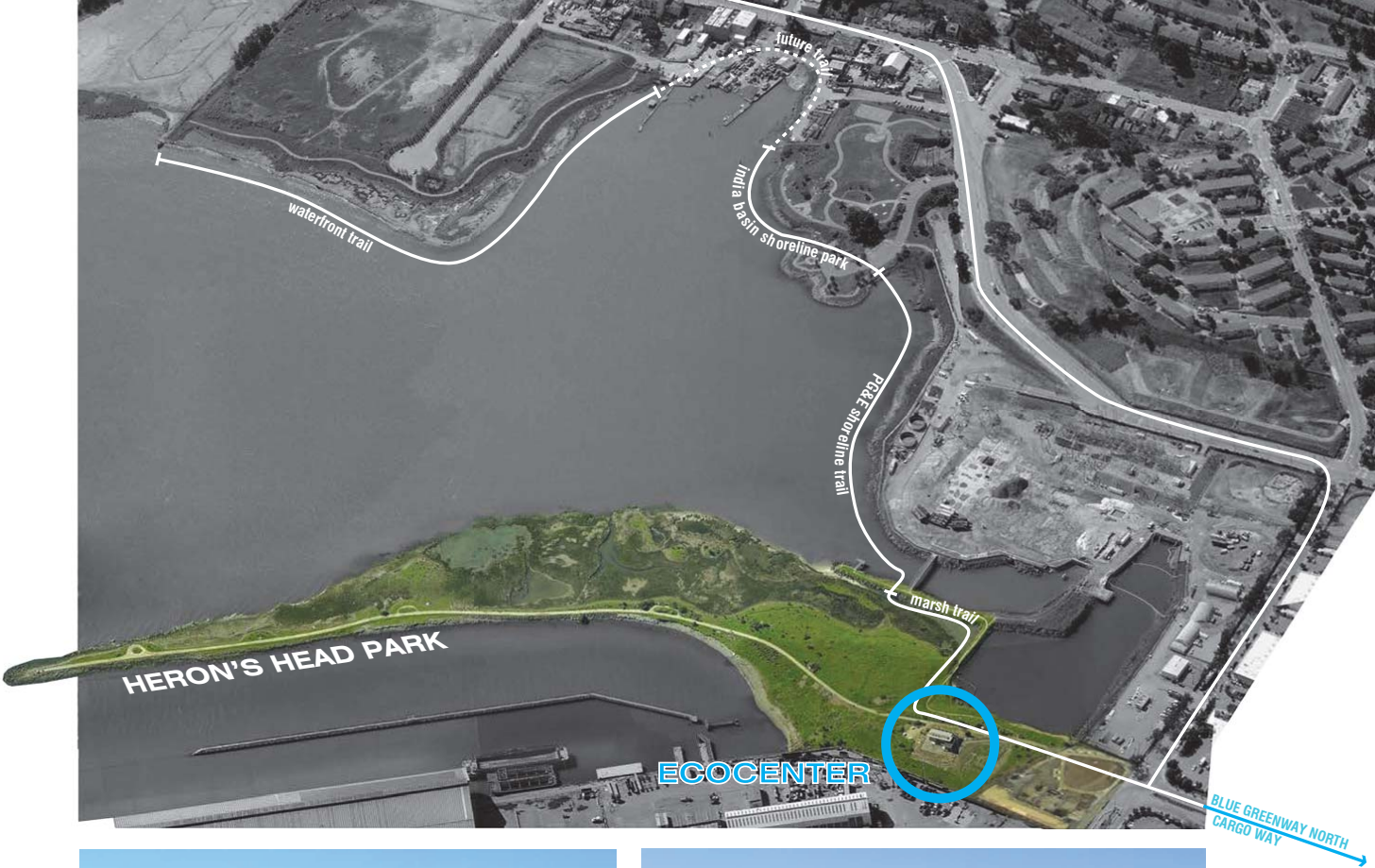
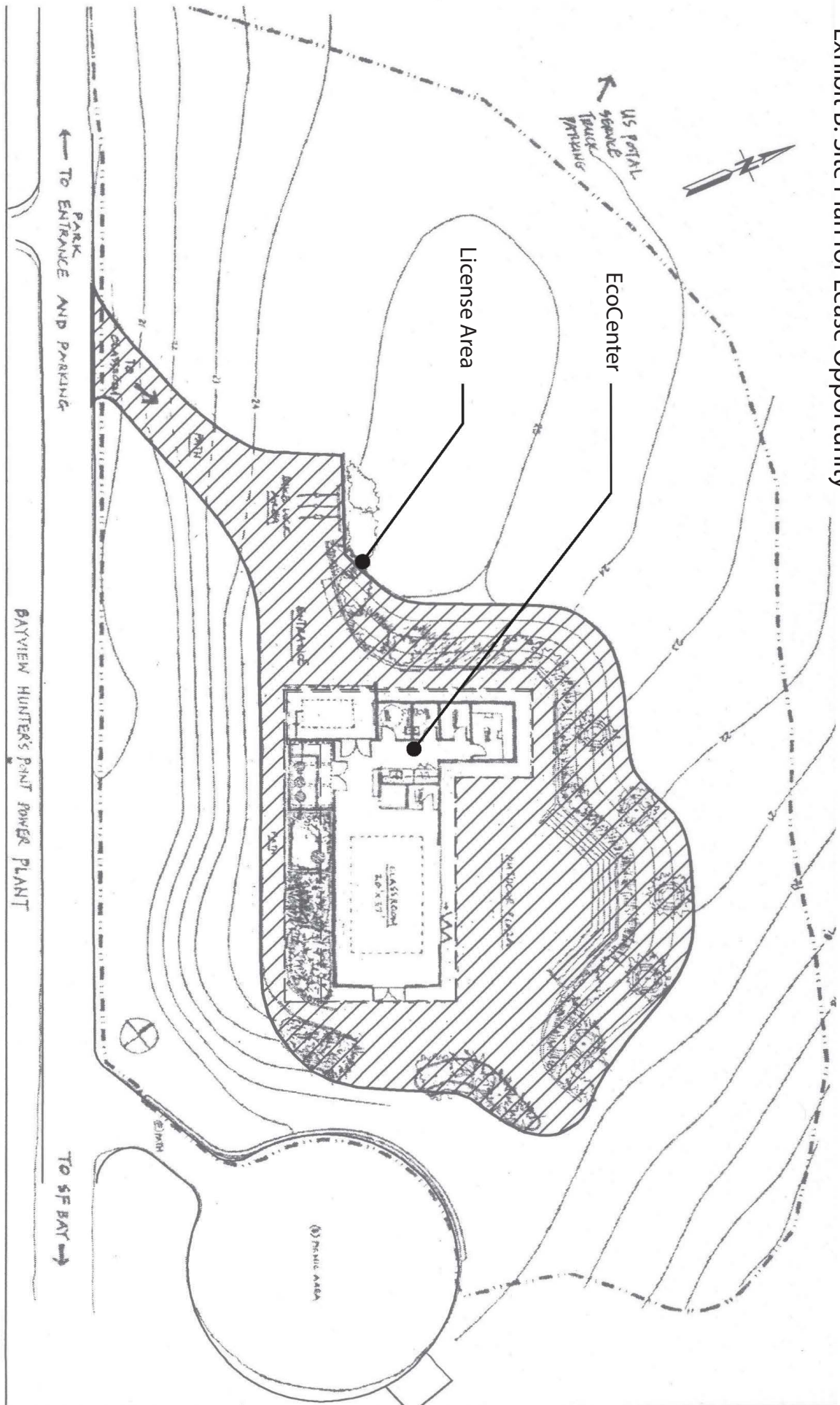


Exhibit B. Site Plan for Lease Opportunity



SCALE: 1" = 30'



NON-EXCLUSIVE LICENSE
AREA ≈ 6,058 SQ. FT.
(NOT INCLUDING FLOOR PLAN AREA)