

1 [Accept-Expend State Grant]

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4 **Resolution authorizing the San Francisco Port Commission to accept and expend a**
5 **federal grant in the amount of \$500,000.00 from the Federal Transportation Security**
6 **Administration to fund the Port's security assessment efforts.**

7 WHEREAS, The security of our national seaports is now at the forefront of
8 concern in the aftermath of the terrorist attacks of September 11, 2001; and

9 WHEREAS, The Port of San Francisco manages assets consisting of 7 ½ miles
10 of urban waterfront properties with a wide array of uses and facilities, including
11 container and bulk cargo terminals, a cruise ship terminal, ferry and excursion
12 passenger terminals, a substantial ship repair yard and drydock, multiple layberths for
13 Maritime Administration vessels, commercial fishing harbors, power plants, the western
14 base of the Bay Bridge, the landmark Ferry Building, the Pacific Bell Park, numerous
15 harbor facilities, and world-renowned tourist attractions; and

16 WHEREAS, The Port's diverse harbor facilities provide critical maritime,
17 commercial and transportation functions for both the City and greater Bay Area region,
18 thereby presenting unique and important security needs and responsibilities;

19 WHEREAS, Recognizing these needs and responsibilities, the Port of San
20 Francisco is participating in a regional Port Security Committee for the purpose of
21 reviewing security issues and needs affecting the San Francisco Bay Area ports and
22 terminals; and

23 WHEREAS, On February 28, 2002, United States Secretary of Transportation,
24 Norman Mineta, announced a new Port Security Grants Program, under the Department
25 of Transportation, Maritime Administration, as agent for Transportation Security

1 Administration, to finance security assessments and mitigation strategies for local ports;
2 and

3 WHEREAS, On March 28, 2002, Port of San Francisco staff submitted an
4 application to the federal Transportation Security Administration for funds under the
5 Port Security Grants Program to conduct a comprehensive security assessment of the
6 Port's facilities and operations, and evaluate and identify areas of vulnerability and
7 appropriate mitigation strategies; and

8 WHEREAS, the Transportation Security Administration is coordinating the
9 Security Grants Program with the Maritime Administration and the Coast Guard, and
10 has awarded grants to critical national seaports based upon the need for security
11 assessments and enhancements; and

12 WHEREAS, The Transportation Security Administration has awarded the Port of
13 San Francisco a grant in the amount of \$500,000 under the Port Security Grants
14 Program under the category of Security Assessments and Mitigation Strategies; and

15 WHEREAS, Congress is considering two items of proposed legislation that
16 would appropriate additional funding of a) \$390 million for enhanced port security
17 (under Senate Bill 1214 known as the Port and Maritime Security Act), and b) \$75
18 million annually for the next three years to reimburse ports for security improvements
19 (under House Bill 3983 known as the Maritime Antiterrorism Act of 2002); and

20 WHEREAS, The undertaking of a comprehensive security assessment program
21 at the Port of San Francisco would greatly benefit the Port and the City and County of
22 San Francisco, and likely enhance the Port's ability to qualify for additional funding
23 under the proposed federal legislation, if approved; and

24 WHEREAS, The San Francisco Port Commission, by Resolution No. 02-33,
25 dated August 27, 2002, authorized the Port's Executive Director to accept and expend

1 \$500,000 in grant funds awarded to the Port of San Francisco from the Transportation
2 Security Administration for a security assessment program for the Port; and

3 WHEREAS, The grant agreement between the Port of San Francisco and
4 Transportation Security Administration for the disbursement of the funding under the
5 Port Security Grants Program requires the Port to indemnify and hold the
6 Transportation Security Administration harmless from any claims arising from the use
7 of the funds, and the City Risk Manager has approved the indemnification agreement
8 pursuant to Administrative Code Section 1.24; and

9 WHEREAS, The grant budget includes provision for indirect costs not to exceed
10 \$500,000, but only after the Department expends \$100,000 in indirect costs as the
11 Department's contribution; and

12 WHEREAS, The San Francisco Port Commission now seeks the approval of the
13 Board of Supervisors to accept and expend \$500,000 in funds from the United States
14 Transportation Security Administration under its Port Security Grants Program, for the
15 purpose of undertaking a security assessment program for the Port's facilities and
16 operations; now therefore be it

17 RESOLVED, That this Board of Supervisors hereby authorizes the San
18 Francisco Port Commission to apply for, accept, and expend \$500,000 in funds from
19 the United States Transportation Security Administration under its Port Security Grants
20 Program, for undertaking a security assessment program for the Port's facilities and
21 operations; and be it

22 FURTHER RESOLVED That the Executive Director of the Port, or his designee,
23 is authorized to approve and execute the grant agreement with the Transportation
24 Security Administration to hold harmless and indemnify the Department of
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1 Transportation, Maritime Administration (as agent of the Transportation Security
2 Administration) for claims and liabilities arising out of the grant agreement.

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5 Recommended: Approved: _____
6 Mayor

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8 _____ Approved: _____
9 Department Head Controller

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