

1 [Accept-Expend Federal Grant]

2

3 **Resolution authorizing the San Francisco Port Commission to accept and expend**
4 **\$1,800,000 in federal American Recovery and Reinvestment Act grant funds from the**
5 **State Water Resources Control Board to fund utility infrastructure improvements at the**
6 **Pier 45 fish processing facility.**

7

8 WHEREAS, Aquatic Park Beach in San Francisco is a popular recreation and
9 swimming area; and,

10 WHEREAS, Port staff and the San Francisco Public Utilities Commission have
11 recorded elevated bacteria counts at Aquatic Park during the herring commercial fishing
12 season; and,

13 WHEREAS, Port staff believe fish processing activities at Pier 45 are a contributing
14 factor to observed bacteria counts and have developed a utility improvement project with the
15 goal of reducing those counts; and,

16 WHEREAS, On November 15, 2006, through Board Resolution No. 2006-0082, the
17 State Water Resources Control Board (SWRCB) approved a grant of \$1.8 million to the Port
18 of San Francisco to fund this project from the Clean Water State Revolving Fund; and,

19 WHEREAS, Subsequent to that award, on December 18, 2008 the Port received notice
20 from the Stated Department of Finance that, due to State cash flow issues, all projects funded
21 through State Revolving Fund were put on hold indefinitely; and,

22 WHEREAS, On April 6, 2009 the Port was notified by the SWRCB that the proposed
23 project at Pier 45 was eligible to receive alternate funding from the American Recovery and
24 Reinvestment Act made available through the SWRCB; and,

25

1 WHEREAS, On April 22, 2009, through Commission Resolution No. 09-22, the Port
2 Commission authorized the Executive Director of the Port to enter into an agreement with the
3 State Water Resources Control Board to accept and expend these grant funds; and,

4 WHEREAS, This grant does not create any new positions, and will not require an
5 amendment to the Annual Salary Ordinance; and,

6 WHEREAS, The Port Commission proposes to maximize use of grant funds on
7 program expenditures by not including indirect costs in the grant budget; now, therefore, be it

8 RESOLVED, That the Board of Supervisors authorizes the San Francisco Port
9 Commission to accept and expend \$1.8 million in American Recovery and Reinvestment Act
10 grant funds from the State Water Resources Control Board for utility improvements at the Pier
11 45 fish processing facility; and be it

12 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of
13 indirect costs in the grant budget; and be it

14 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the
15 Executive Director of the Port to execute any documents required for the implementation of
16 this grant, including any amendments, augmentations or extensions thereof; and be it

17 FURTHER RESOLVED, That the Executive Director of the Port, or her designee, is
18 authorized to approve, sign and execute an agreement to hold the granting agency harmless
19 from liability arising out of the Project.

20

21 Recommended:

Approved: _____

22

Mayor

23

24 Department Head

Approved: _____

25

Controller