

1 [Accept and Expend Grant - San Francisco Bay Restoration Authority - Heron's Head Park  
2 Shoreline Resilience Project Phase I - \$297,000]

3 **Resolution authorizing the Port of San Francisco to accept and expend a grant in the**  
4 **amount of \$297,000 from the San Francisco Bay Restoration Authority to fund Phase I**  
5 **of the Heron's Head Park Shoreline Resilience Project from October 2020, through**  
6 **December 2027.**

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8 WHEREAS, The Port manages the San Francisco waterfront within its jurisdictional  
9 boundaries as the gateway to a world-class city, and advances environmentally and financially  
10 sustainable maritime, recreational and economic opportunities to serve the City, Bay Area,  
11 and California; and

12 WHEREAS, The Port delivers vibrant and diverse waterfront experiences that enrich  
13 the City and San Francisco Bay Area; and

14 WHEREAS, Heron's Head Park is a 22-acre open space and thriving wildlife habitat  
15 located on Port property in the City's Southeast Sector; and

16 WHEREAS, Since its creation over 20 years ago the park has evolved, with the  
17 addition of the EcoCenter in 2010 and additional expansion and improvements of the park in  
18 2012; and

19 WHEREAS, Heron's Head Park has also experienced significant erosion and invasion  
20 by non-native plants, resulting in decreased size and ecological value of the tidal wetland; and

21 WHEREAS, The Port has developed the Heron's Head Park Shoreline Resilience  
22 Project to construct a living shoreline and restore wetland habitat in order to mitigate negative  
23 impacts to the tidal wetland; and

24 WHEREAS, The San Francisco Bay Restoration Authority Act, Government Code, §§  
25 66700-66706, establishes the San Francisco Bay Restoration Authority ("Authority") as a

1 regional entity to generate and allocate resources for the protection and enhancement of tidal  
2 wetlands and other wildlife habitat in San Francisco Bay and along its shoreline, and  
3 authorizes the Authority to award grants to public and private entities to achieve these  
4 purposes; and

5 WHEREAS, The Authority awards grants for eligible projects consistent with  
6 Government Code, § 66704.5, the Authority’s Grant Program Guidelines (first adopted in May  
7 2017), and the Authority’s San Francisco Bay Clean Water, Pollution Prevention and Habitat  
8 Restoration Measure (“Measure AA”), passed by the voters in June 2016; and

9 WHEREAS, On November 18, 2018, the Port submitted an application for grant funds  
10 to the Authority to construct a living shoreline and restore tidal wetland habitat at Heron’s  
11 Head Park, including employment of youth representing the neighboring community in  
12 southeast San Francisco (“Project”); and

13 WHEREAS, At its July 17, 2020, meeting, the Authority adopted a resolution  
14 authorizing a grant to the Port in the amount of \$297,000 (“Grant Agreement”) for the Heron’s  
15 Head Park Shoreline Resilience project: Phase I; the Authority’s resolution was adopted by  
16 the Authority pursuant to, and is included in, the Authority’s July 17, 2020 staff  
17 recommendation, a copy of which is on file with the Port of San Francisco, the Authority, and  
18 the Clerk of the Board of Supervisors; and

19 WHEREAS, Port intends to enter into a contract with Literacy for Environmental Justice  
20 (LEJ) to implement the Project using the grant monies; and

21 WHEREAS, LEJ is a City of San Francisco-certified non-profit local business enterprise  
22 dedicated to addressing the ecological and health concerns of the communities of southeast  
23 San Francisco; among other activities, LEJ trains youth for rewarding green careers and  
24 engages community volunteers to care for their open spaces; and its native plant nursery,  
25

1 located in Hunters Point, specializes in growing locally adapted native species for shoreline  
2 habitats; and

3 WHEREAS, LEJ was the only respondent to Port's July 2020 Request for Information  
4 able to provide all of the components of the scope of work for the grant-funded project; and

5 WHEREAS, LEJ is uniquely qualified to the scope of work for the grant funds; and

6 WHEREAS, On August 25,2020, the Office of Contract Administration approved a sole  
7 source contract with LEJ to implement the Project; and

8 WHEREAS, On August 25, 2020, the San Francisco Port Commission through  
9 Resolution No. 20-42 authorized the Port Executive Director or her designee to execute a 28-  
10 month sole contract with LEJ for an amount not to exceed \$297,000 pending Board of  
11 Supervisors' approval of the Grant Agreement; and

12 WHEREAS, The Port of San Francisco proposes to maximize the use of grant funds on  
13 the program expenditures by not including indirect costs in the grant budget; and

14 WHEREAS, The Port of San Francisco will not provide matching funds for Phase I of  
15 the Heron's Head Park Shoreline Resilience Project; now, therefore, be it

16 RESOLVED, That the Board of Supervisors authorizes the Port Executive Director to  
17 accept and expend a grant in the amount of \$297,000 from the San Francisco Bay  
18 Restoration Authority to fund Phase I of the Heron's Head Park Shoreline Resilience Project;  
19 and, be it

20 FURTHER RESOLVED, That the Board of Supervisors authorizes the Port Executive  
21 Director or her designee to conduct all negotiations, and execute and submit all documents,  
22 including but not limited to applications, agreements, amendments, and payment requests,  
23 that may be necessary for completion of the Project and fulfillment of the grant terms that the  
24 Port Executive Director determines, in consultation with the City Attorney, are in the best  
25 interests of the City and do not materially increase the obligations or liabilities of the City, are

1 necessary or advisable to effectuate the purposes of the Project or this Resolution, and are in  
2 compliance with all applicable laws, including the City's Charter; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of  
4 indirect costs as part of this Grant budget; and, be it,

5 FURTHER RESOLVED, That within thirty (30) days of the Grant Agreement being fully  
6 executed by all parties, the Port Executive Director shall provide the final agreement to the  
7 Clerk of the Board of Supervisors for inclusion into the official file.

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12 Recommended:

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15  /s/ \_\_\_\_\_  
16 Executive Director, Port of San Francisco

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19 Approved:

Approved:

20  
21  
22  
23  /s/ \_\_\_\_\_  
24 Mayor

/s/ \_\_\_\_\_  
Controller