

BOARD of SUPERVISORS



City Hall  
Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
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Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

### CITY OPERATIONS AND NEIGHBORHOOD SERVICES

#### SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor John Avalos, Chair  
City Operations and Neighborhood Services

FROM: Gail Johnson, Committee Clerk

DATE: June 27, 2011

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**  
Tuesday, June 28, 2011

The following files should be presented as a **COMMITTEE REPORT** at the June 28, 2011, Board Meeting. These items were acted upon at the Committee Meeting on Monday, June 27, 2011, at 10:00 a.m., by the votes indicated.

Item No. 48            File No. 110449

Resolution authorizing the Office of Treasurer-Tax Collector to accept and expend a grant in the amount of \$240,000 from the Earned Assets Resource Network for Kindergarten to College Program Participant Incentive Funds.

#### RECOMMENDED AS A COMMITTEE REPORT

Vote:            Avalos:        Aye  
                     Mar:            Aye  
                     Elsbernd:     Aye

Item No. 49

File No. 110456

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$7,783,556 from the Department of Homeland Security, 2009 Port Security Grant Program fund, for the Pier 27 Cruise Ship Terminal Security System at the Port of San Francisco.

RECOMMENDED AS A COMMITTEE REPORT

Vote:	Avalos:	Aye
	Mar:	Aye
	Elsbernd:	Aye

Item No. 50

File No. 110457

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$1,612,357 from the Department of Homeland Security, 2007 Supplemental Infrastructure Protection Port Security Grant Program for homeland security improvements on the Port's waterfront.

RECOMMENDED AS A COMMITTEE REPORT

Vote:	Avalos:	Aye
	Mar:	Aye
	Elsbernd:	Aye

cc: Angela Calvillo, Clerk of the Board  
Cheryl Adams, Deputy City Attorney  
Rick Caldeira, Legislative Deputy Director  
Binder Copy

File No. 110456

Committee Item No. 2  
Board Item No. 49

### COMMITTEE/BOARD OF SUPERVISORS AGENDA PACKET CONTENTS LIST

Committee CITY OPERATIONS AND  
NEIGHBORHOOD SERVICES

Date 6/27/11

Board of Supervisors Meeting

Date 6/28/11

#### Cmte Board

- |                                     |                                     |                                              |
|-------------------------------------|-------------------------------------|----------------------------------------------|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form (for hearings)             |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU                                          |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

(Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
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Completed by: Gail Johnson  
Completed by: [Signature]

Date 6/23/11  
Date 6/27/11

An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document is in the file.

1 **[Accept and Expend Grant - Cruise Terminal Security - \$7,783,556]**

2  
3 **Resolution authorizing the Port of San Francisco to accept and expend a grant in the**  
4 **amount of \$7,783,556 from the Department of Homeland Security, 2009 Port Security**  
5 **Grant Program fund, for the Pier 27 Cruise Ship Terminal Security System at the Port of**  
6 **San Francisco.**

7  
8 WHEREAS, On May 20, 2010, Secretary Napolitano announced nearly \$790 Million in  
9 critical infrastructure and preparedness grants including the Port Security Grant Program  
10 (PSGP), allocating \$288 Million to protect critical port infrastructure from terrorism; enhance  
11 maritime domain awareness and risk management capabilities to protect against improvised  
12 explosive devices and other non-conventional weapons; and,

13 WHEREAS, On January 13, 2009, the Port of San Francisco submitted an application  
14 for grant funds under the PSGP; and,

15 WHEREAS, On January 17, 2011 the Port of San Francisco was awarded \$7,783,556  
16 in grant funds for security enhancements at the Pier 27 cruise terminal; and,

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

19 WHEREAS, On May 10, 2011, through Resolution 11-28, the Port Commission  
20 authorized Port staff to accept and expend the Homeland Security, Port Security Grant  
21 Program funds; and,

22 WHEREAS, The Port Commission hereby authorizes the Executive Director to seek  
23 the Board of Supervisors' approval to accept and expend the grant; and,

24 WHEREAS, All grant funding will go toward the development of a port-wide risk  
25 management plan; and,

1           WHEREAS, A combination of Port revenue bonds and capital funds have been  
2 identified to provide the required \$2,594,520 (25% of total project costs) in required non-  
3 federal match monies; and,

4           WHEREAS, The grant terms prohibit including indirect costs in the grant budget; and  
5 be it

6           RESOLVED, That the Board of Supervisors hereby authorizes the San Francisco Port  
7 Commission to accept and expend \$7,783,556 in grant funding from DHS for homeland  
8 security improvements along the Port's waterfront; and be it

9           RESOLVED, that the Port Commission hereby urges the Board of Supervisors to  
10 approve the request for approval to accept and expend the grant; and be it

11           FURTHER RESOLVED, The Board of Supervisors hereby waives inclusion of indirect  
12 costs as a part of this grant; and, therefore, be it

13           FURTHER RESOLVED, that the Executive Director or her designee is hereby  
14 authorized to execute an agreement, on behalf of the City and County, indemnifying the  
15 Marine Exchange of the San Francisco Bay Region for liability associated with the activities  
16 funded through this grant to the extent approved by the City's Risk Manager, if required by the  
17 granting agency; and be it

18           FURTHER RESOLVED, that the Port Commission, subject to the Board of Supervisors'  
19 approval, hereby authorizes the Executive Director or her designee to execute for and on  
20 behalf of the City and County, any documents necessary to enter into the grant agreement  
21 with the Marine Exchange of the San Francisco Bay Region, the Federal Emergency  
22 Management Agency and Department of Homeland Security, including any extensions,  
23 augmentations or amendments, thereof.

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Recommended:

Monique Moyer  
Department Head

Approved:

[Signature]

For Mayor

Approved:

[Signature]

Controller

**TO:** Angela Calvillo, Clerk of the Board of Supervisors

**FROM:** Trisha Prashad, Port of San Francisco

**DATE:** May 19, 2011

**SUBJECT:** Accept and Expend Federal Grant Funds

**GRANT TITLE:** \$7,783,556 grant from the Department of Homeland Security, 2009 Port Security Grant Program (PSGP) fund for Pier 27 Cruise Ship Terminal Security System to enhance terminal design consistent with Department of Homeland Security requirements.

Attached please find the original and 4 copies of each of the following:

Proposed grant resolution; original signed by Department, Mayor, Controller

Grant information form, including disability checklist

Grant application

Award Letter

Other (Explain): Budget and Port Commission resolution

**Special Timeline Requirements:**

**Departmental representative to receive a copy of the adopted resolution:**

Name: Trisha Prashad

Phone: 415.274.0421

Interoffice Mail Address: Port of San Francisco, Pier 1

Certified copy required Yes

No

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).

**File Number:** \_\_\_\_\_  
(Provided by Clerk of Board of Supervisors)

**Grant Information Form**  
(Effective January 2000)

Purpose: Accompanies proposed Board of Supervisors resolutions authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: **Department of Homeland Security, 2009 Infrastructure Protection Port Security Grant Program.**
2. Department: **Port of San Francisco**
3. Contact Person: **Trisha Prashad** Telephone: **415-274-0421**
4. Grant Approval Status (check one):  
 Approved by funding agency                       Not yet approved
5. Amount of Grant Funding Approved or Applied for: **\$7,783,556**
- 6a. Matching Funds Required: 25% (\$2,594,520) in required non-federal matching funds.  
b. Source(s) of matching funds (if applicable): Combinations of Port revenue bonds and Port capital funds have been identified.
- 7a. Grant Source Agency: **Department of Homeland Security**  
b. Grant Pass-Through Agency (if applicable): **n/a**
8. Proposed Grant Project Summary:  
  
**\$7,783,556 – Pier 27 Cruise Ship Terminal Security System** - to enhance passenger, baggage, cargo and terminal security; improve access control, detection, surveillance and communications systems; and ensure terminal design consistent with DHS security requirements.
9. Grant Project Schedule, as allowed in approval documents, or as proposed:  
  
Start-Date: **January 17, 2011** End-Date: **September 30, 2014**
10. Number of new positions created and funded: **None**
11. If new positions are created, explain the disposition of employees once the grant ends? **n/a**
- 12a. Amount budgeted for contractual services: **\$1,646,926**  
b. Will contractual services be put out to bid? **Yes.**  
c. If so, will contract services help to further the goals of the department's MBE/WBE requirements? **Yes.**  
d. Is this likely to be a one-time or ongoing request for contracting out? **One time.**



13a. Does the budget include indirect costs?  Yes  No

b1. If yes, how much? \$

b2. How was the amount calculated?

c. If no, why are indirect costs not included?

Not allowed by granting agency

To maximize use of grant funds on direct services

Other (please explain):

14. Any other significant grant requirements or comments:

**\*\*Disability Access Checklist\*\*\***

15. This Grant is intended for activities at (check all that apply):

Existing Site(s)

Existing Structure(s)

Existing Program(s) or Service(s)

Rehabilitated Site(s)

Rehabilitated Structure(s)

New Program(s) or Service(s)

New Site(s)

New Structure(s)

16. The Departmental ADA Coordinator and/or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local access laws and regulations and will allow the full inclusion of persons with disabilities, or will require unreasonable hardship exceptions, as described in the comments section:

Comments: **The exhibits to the grant application consist of the award letter.**

Departmental or Mayor's Office of Disability Reviewer: Wendy Proctor

(Name)

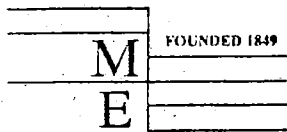
Date Reviewed: 5/10/2011

Department Approval: Monique Moyer, Executive Director

(Name)

(Title)

(Signature)



**MARINE EXCHANGE** OF THE SAN FRANCISCO BAY REGION  
505 Beach Street, Suite 300 San Francisco, CA 94133-1131 phone: (415) 441-6600 website: [www.sfmex.org](http://www.sfmex.org)  
fax: (415) 441-1025 email: [info@sfmx.org](mailto:info@sfmx.org)

January 17, 2011

Ms. Sidonie Sansom  
Port of San Francisco  
Pier I, The Embarcadero  
San Francisco CA 94111

RE: PSGP FY 2009 – Grant Award #2009-PU-T9-K032  
SF Bay Region IJ Project #5 – Port of San Francisco – Pier 27 Cruise Terminal Security System  
(Federal Match Value: \$7,783,556.00 USD)

Dear Sidonie:

I am pleased to inform you that your project submitted under the FEMA Port Security Grant Program, FY 2009 has received final approval and may begin immediately.

Enclosed please find two copies of the Sub-Grantee Agreement between the Marine Exchange of the San Francisco Bay Region acting as Fiduciary Agent and your organization. Please sign both documents and return one of the original documents to the Marine Exchange of the San Francisco Bay Region, 505 Beach Street, Suite 300, San Francisco, CA 94133. The Sub-Grantee agreement must be signed and returned to the Marine Exchange of the San Francisco Bay Region before any payments can be authorized.

All projects must be completed and the grant closed out by September 30, 2014. This date is inflexible. If you have any concerns about your ability to execute the required Sub-Grantee Agreement or to complete your project before the final termination date, please contact me immediately.

Again, congratulations. If you have any questions or concerns, please contact me via email at [grants@sfmx.org](mailto:grants@sfmx.org) or by phone at 415.254.2213.

I look forward to working with you.

Sincerely,

Captain Lynn Korwach  
Executive Director  
Marine Exchange of the San Francisco Bay Region



**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** Port of San Francisco  
**DATE:** May 19, 2011  
**SUBJECT:** Budget Breakdown - 2009 Port Security Grant Program,  
 \$7,783,556 – Pier 27 Cruise Ship Terminal Security System

**The Port's Grant Application**

The Port was awarded the following funding during this round of the 2009 Port Security Grant Program:

- \$7,783,556 – Pier 27 Cruise Ship Terminal Security System** - to enhance passenger, baggage, cargo and terminal security; improve access control, detection, surveillance and communications systems; and ensure terminal design consistent with DHS security requirements. A combination of Port revenue bonds and capital funds have been identified to provide the required \$2,594,520 in required non-federal matching funds.

Budget Category	Amount		
	Total	Fed	Non-Fed
A. Personnel	0	0	0
B. Fringe Benefits	0	0	0
C. Travel	0	0	0
D. Equipment	8,731,150	6,548,362	2,182,788
E. Supplies	0	0	0
F. Consultants/Contracts	1,646,926	\$1,235,194	411,732
G. Other	0	0	0
<b>Total Direct Costs</b>	<b>10,378,076</b>	<b>7,783,566</b>	<b>2,594,520</b>
H. Indirect Costs	0	0	0
<b>Federal Request</b>		<b>\$7,783,556</b>	
<b>Non-Federal Amount</b>			<b>2,594,520</b>
<b>Combined Total Project Costs</b>	<b>\$10,378,076</b>		





## MEMORANDUM

May 5, 2011

**TO:** MEMBERS, PORT COMMISSION  
Hon. Kimberly Brandon, President  
Hon. Ann Lazarus, Vice President  
Hon. Francis X. Crowley  
Hon. Leslie Katz

**FROM:** Monique Moyer *M. Moyer*  
Executive Director

**SUBJECT:** Request authorization to accept and expend \$7,783,556 in 2009 Infrastructure Protection Program Port Security Grant Program funds from the Department of Homeland Security for security improvements at the Port of San Francisco

**DIRECTOR'S RECOMMENDATION:** Approve Attached Resolution

### Funding Overview

On January 13, 2009, the Port of San Francisco, along with the Ports of Oakland, Richmond and Stockton, through their Fiduciary Agent, accepted a regional allocation from the Department of Homeland Security (DHS) for the 2009 Infrastructure Protection Program Port Security Grant Program (PSGP). Consistent with the 2007, 2007 Supplemental and 2008 Port Security grants, the four major regional ports remained grouped together as a Tier I (highest risk) port area. As with the 2007 Supplemental and 2008 PSGP rounds, port stakeholders were asked by the Federal Emergency Management Agency (FEMA) to identify a single entity that would apply for and accept funding on behalf of the stakeholders, as well as act as the responsible Fiduciary Agent for the port area and ensure that all port partners were incorporated in the planning and grant allocation processes. The Executive Director of the Marine Exchange of the San Francisco Bay Region (Marine Exchange), a 501(c)(1) non-profit membership organization, was again selected as the Fiduciary Agent (FA). In the 2009 PSGP grant cycle DHS allocated \$25,533,655 to the San Francisco Bay Region, for which each eligible entity within the region could apply. In this round, DHS required 25% cash or 'in kind' match for all approved projects submitted by eligible entities.

THIS PRINT COVERS CALENDAR ITEM NO. 8B

Applicants for funding under the 2009 PSGP used findings and recommendations from the Port-Wide Risk Management/Mitigation and Business Continuity/Resumption of Trade Plan (Plan), which had been mandated by DHS during the 2007 Supplemental PSGP round to increase regional cooperation and create a more strategic port area-wide focus, to justify their applications. A committee made up of representatives from the four major ports and representatives from each port stakeholder community evaluated the applications, using the criteria and priorities set forth in the 2009 PSGP Guidance and Application Kit. The Coast Guard Captain of the Port reviewed the committee's recommendations prior to the applications being sent to FEMA for review and approval. The region experienced multi-year delays in receiving approval for 2009 PSGP applications, due to the reorganization of grant management responsibilities within DHS. FEMA approved this 2009 PSGP application in early 2011.

The grant performance period is a maximum of thirty-six months, plus twenty-four additional months of extensions, which are usually granted in six-month increments. All 2009 PSGP-funded projects must be completed by September 30, 2014.

Because the Marine Exchange is a 501(c)(1) non-profit entity, and their Executive Director is the port area's Fiduciary Agent, a hold harmless provision is required as part of the Marine Exchange's agreement with each sub-grantee in order for the Marine Exchange to disburse grant funds. In past grant rounds, recipients received funding directly from DHS or FEMA, which as federal entities do not require hold harmless provisions. Without the hold harmless provision in the Marine Exchange's sub-grantee agreement with the Port of San Francisco, the Port will not be able to access grant funds. There is no additional cost to the Port for this hold harmless provision. The City and County of San Francisco's Risk Manager supports the Port's decision to grant the hold harmless provision.

### **The Port's Grant Application**

The Port was awarded the following funding during this round of the 2009 Port Security Grant Program:

- **\$7,783,556 – Pier 27 Cruise Ship Terminal Security System** - to enhance passenger, baggage, cargo and terminal security; improve access control, detection, surveillance and communications systems; and ensure terminal design consistent with DHS security requirements. A combination of Port revenue bonds and capital funds have been identified to provide the required \$2,594,520 in required non-federal matching funds.

Port staff, in conjunction with other city agencies and consulting firms, are completing plans for the Pier 27 cruise terminal.

**Requested Port Commission Action**

Port staff seek Port Commission authorization for the Executive Director to accept and expend \$7,783,556 in 2009 Infrastructure Protection Program Port Security Grant Program funds from the Department of Homeland Security for security improvements at the Port of San Francisco. Port staff also seek Port Commission authorization for the Executive Director to indemnify the Fiduciary Agent.

Prepared by: Sidonie Sansom  
Director of Homeland Security

**PORT COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO**

**RESOLUTION NO. 11-28**

WHEREAS, the Department of Homeland Security Infrastructure Protection Program's Port Security Grant Program (PSGP) provides grant funding to port areas for the protection of critical port infrastructure from terrorism; and the PSGP funds are primarily intended to assist ports in enhancing risk management capabilities, increasing domain awareness and improving capabilities for prevention, detection, response and recovery from attacks involving improvised explosive devices and other nonconventional weapons; and

WHEREAS, on January 13, 2009 the Port of San Francisco submitted an application for grant funds under the PSGP; and

WHEREAS, on January 17, 2011 the Port of San Francisco was awarded \$7,783,556 in grant funds for security enhancements at the Pier 27 cruise terminal (the "grant"); and

WHEREAS, the Federal Emergency Management Agency (FEMA), on behalf of the Department of Homeland Security, appointed the Marine Exchange of the San Francisco Bay Region (the "Marine Exchange"), a 501(c)(1) non-profit, to act as the fiduciary agent for the disbursement, administration and management of the grant; and

WHEREAS, the Marine Exchange requires an agreement with the City, through the Port Commission, for the disbursement, management and administration of the grant; and

WHEREAS, the Marine Exchange requires that in the agreement the Port Commission agree to indemnify, defend, and hold harmless the Marine Exchange against all liability, loss, cost or expense imposed upon the Marine Exchange, arising out of or related to the Port's performance under the agreement; now, therefore, be it

RESOLVED, that the Port Commission hereby authorizes the Executive Director to seek the Board of Supervisors' approval to accept and expend the grant; and be it further

RESOLVED, that the Port Commission hereby urges the Board of Supervisors to approve the request for approval to accept and expend the grant; and be it further

RESOLVED, that, subject to the Board of Supervisors' approval, the Port Commission hereby authorizes the Executive Director or her designee to execute, on behalf of the City, an agreement with the Marine Exchange for the



disbursement, administration and management of the grant, wherein the City agrees to indemnify, defend, and hold harmless the Marine Exchange against all liability, loss, cost or expense imposed upon the Marine Exchange, arising out of or related to the Port's performance under the agreement; subject to the approval of such indemnity and hold harmless provision by the City's Risk Manager; and be it further

RESOLVED, that the Port Commission, subject to the Board of Supervisors' approval, hereby authorizes the Executive Director or her designee to execute for and on behalf of the City and County of San Francisco, any additional documents necessary to enter into the grant agreement with the Marine Exchange, the Federal Emergency Management Agency or the Department of Homeland Security, including any extensions, augmentations or amendments thereof.

***I hereby certify that the foregoing resolution was adopted by the Port Commission at its meeting of May 10, 2011.***

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Secretary

