

1 [Accept-Expend Federal Grant]

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3 **Resolution authorizing the Port of San Francisco to accept and expend a grant in the**
4 **amount of \$2,280,000 from the United States Department of Commerce, Economic**
5 **Development Administration, for environmental investigation and hazardous materials**
6 **abatement at the Port of San Francisco, Pier 70.**

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8 WHEREAS, The United States Navy and its contractors maintained industrial ship
9 building and repair operations at Pier 70 for over 60 years, making the US Navy a potentially
10 responsible party to any environmental contamination at the site; and,

11 WHEREAS, In 2007, Port and Mayoral legislative staff worked with congressional
12 representatives to secure a \$2.4 million appropriation from the FY2008 United States
13 Department of Defense budget for environmental investigation and hazardous materials
14 abatement at Pier 70, to be administered through the Department of Commerce, Economic
15 Development Administration's (EDA) grant process; and,

16 WHEREAS, EDA will retain \$120,000 of the funding for their administration costs; and,

17 WHEREAS, On March 27, 2008, Port staff submitted EDA's "pre-application" for
18 \$2,280,000 in funding, and on May 1, 2008, EDA notified the Port of their approval of the pre-
19 application, requesting a formal application in order to award the funding appropriated to the
20 Port for this grant; and,

21 WHEREAS, On May 13, 2008, through Port Commission Resolution 08-29, the Port
22 Commission authorized Port staff to apply for, accept and expend \$2,280,000 in grant funding
23 from EDA; and,

24 WHEREAS, On June 18, 2008, Port staff submitted a full application to EDA; and,

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1 WHEREAS, While the EDA is the administering agency, the United States Department
2 of Defense has appropriated this funding exclusively for the Port of San Francisco's
3 environmental investigation and hazardous materials abatement project at Pier 70, and based
4 on this, the successful pre-application, and contact with EDA agency staff, Port staff fully
5 expect an award of \$2,280,000, pending an authorizing resolution from the Board of
6 Supervisors; and,

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

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

12 RESOLVED, That the Board of Supervisors hereby authorizes the San Francisco Port
13 Commission to accept and expend \$2,280,000 in grant funds for environmental investigation
14 and hazardous materials abatement at the Port of San Francisco, Pier 70, from EDA, the
15 agency charged with administering funding appropriated by the United States Department of
16 Defense for this purpose; and be it

17 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the
18 Executive Director of the Port or her designee to execute an agreement and any documents
19 required for the implementation of this grant, including any amendments, augmentations or
20 extensions thereof; and be it

21 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of
22 indirect costs in the grant budgets; and be it

23 FURTHER RESOLVED, That the Executive Director of the Port, or her designee, is
24 hereby authorized to approve, sign and execute an agreement to hold the granting agencies
25 harmless from liability associated with activities funded with or by this grant.

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Recommended:

Department Head

Approved: _____

Mayor

Approved: _____

Controller