

BOARD of SUPERVISORS



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MEMORANDUM

LAND USE & ECONOMIC DEVELOPMENT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Eric Mar, Chair
Land Use & Economic Development Committee

FROM: Alisa Somera, Committee Clerk

DATE: February 7, 2011

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, February 8, 2011

The following file should be presented as **COMMITTEE REPORT** at the Board meeting, Tuesday, February 8, 2011. This item was acted upon at the Committee Meeting on February 7, 2011 at 1:00 p.m., by the votes indicated.

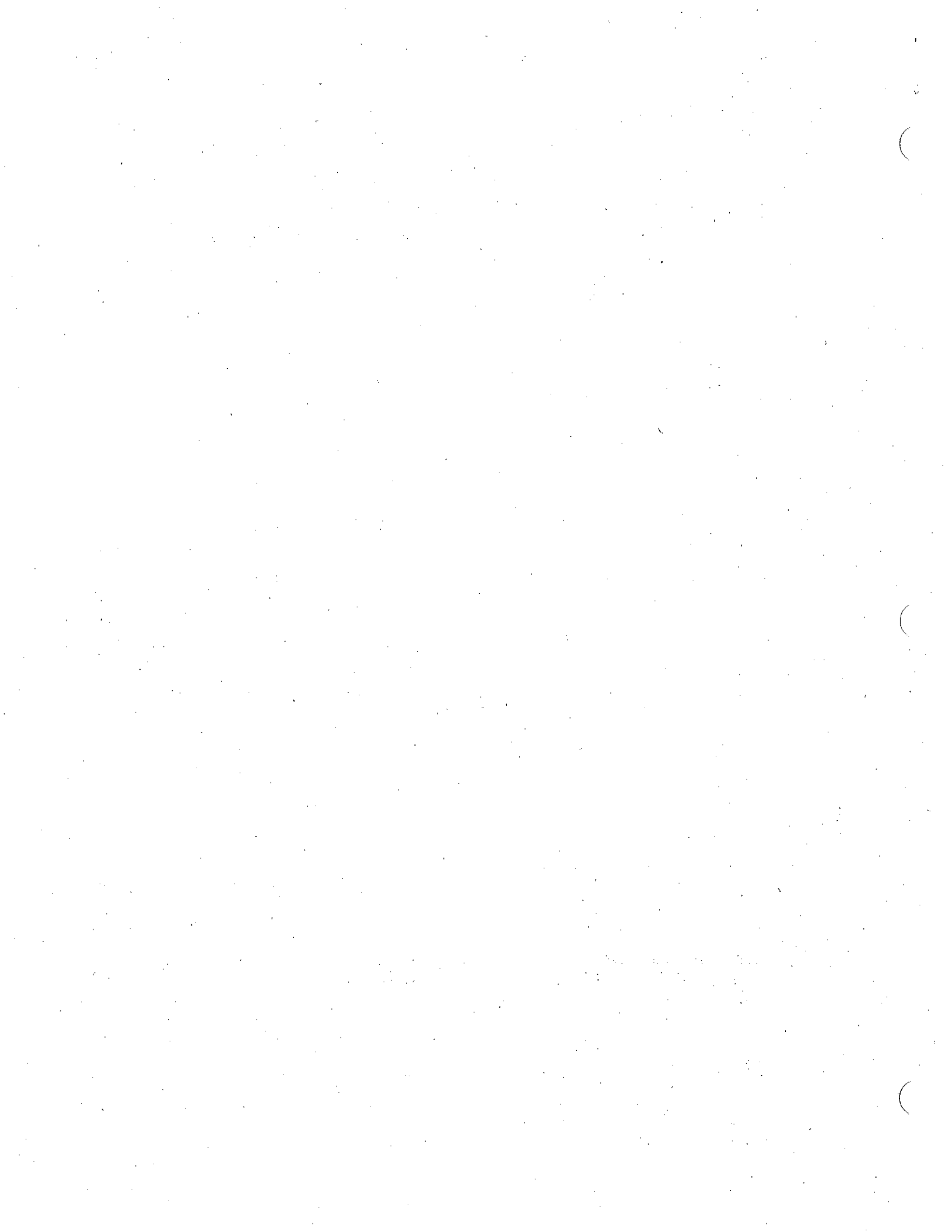
Item No. 23 File No. 110026

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$15,200 from the California Department of Boating and Waterways, Abandoned Watercraft Abatement Fund, for removal and demolition of abandoned recreational watercraft on the Port's waterfront.

RECOMMENDED AS COMMITTEE REPORT

Vote: Supervisor Eric Mar - Aye
Supervisor Malia Cohen - Aye
Supervisor Scott Wiener - Aye

c: Board of Supervisors
Angela Calvillo, Clerk of the Board
Rick Caldeira, Deputy Legislative Clerk
Cheryl Adams, Deputy City Attorney



File Nos. 110026 Committee Item Nos. 1
 Board Item No. 23

COMMITTEE/BOARD OF SUPERVISORS
 AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date February 7, 2011

Board of Supervisors Meeting Date February 8, 2011

Cmte Board

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|-------------------------------------|-------------------------------------|----------------------------------------------|
| <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"/> | Youth Commission 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 checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Port Commission Resolution No. 10-70</u>
<input type="checkbox"/>	<input type="checkbox"/>	_____
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Completed by: Alisa Somera Date February 3, 2011
 Completed by: Alisa Somera Date February 7, 2011

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

1 [Accept and Expend State Grant - Removal of Abandoned Recreational Watercraft - \$15,200]

2
3 **Resolution authorizing the Port of San Francisco to accept and expend a grant in the**
4 **amount of \$15,200 from the California Department of Boating and Waterways,**
5 **Abandoned Watercraft Abatement Fund for removal and demolition of abandoned**
6 **recreational watercraft on the Port's waterfront.**

7
8 WHEREAS, In October 1997, Senate Bill 172 (Rainey) created the Abandoned
9 Watercraft Abatement Fund, administrated by the Department of Boating and Waterways
10 (DBW), providing funds for removal and demolition of abandoned recreational vessels; and

11 WHEREAS, Port staff have identified seven abandoned recreational watercraft within
12 the Port's jurisdiction that pose potential navigation and environmental hazards; and

13 WHEREAS, In March 2010, the Port applied to DBW for funding to remove and
14 dispose of these vessels; and

15 WHEREAS, On August 16, 2010, DBW awarded the Port \$15,200 for this purpose;
16 and

17 WHEREAS, On October 26, 2010, through Resolution No. 10-70, the Port Commission
18 authorized Port staff to accept and expend the DBW, Abandoned Watercraft Abatement
19 funds; and

20 WHEREAS, The Port will use funds from its 2009-2010 Maritime Division, Boat
21 Disposal Fund to meet the 10% (\$1,520) grant matching requirement; and

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

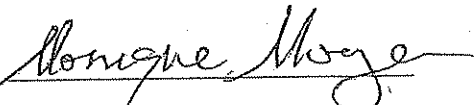
1 WHEREAS, All grant funding will go toward removal and disposal of abandoned
2 watercraft, with no monies to be applied to indirect costs; now, therefore, be it

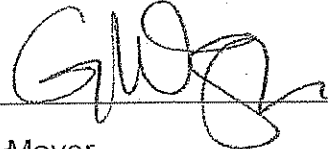
3 RESOLVED, That the Board of Supervisors hereby authorizes the San Francisco Port
4 Commission to accept and expend \$15,200 in grant funding from DBW for removal and
5 demolition of abandoned watercraft along the Port's waterfront; and be it

6 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of
7 indirect costs as a part of this grant; and be it


8 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the
9 Executive Director of the Port or her designee to execute any documents required to enter
10 into this grant, including any amendments, augmentations or extensions thereto.

11
12 Recommended:

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15 Department Head

Approved: 

For Mayor

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Approved: 

Controller

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Trisha Prashad, Port of San Francisco

DATE: December 14, 2010

SUBJECT: Accept and Expend State Grant Funds

GRANT TITLE: \$15,200 grant from the California Department of Boating and Waterways, Abandoned Watercraft Abatement Fund, for removal and disposal of abandoned water vessels on the Port waterfront.

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

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

X Grant information form, including disability checklist

X Grant application

X Award Letter

 Other (Explain):

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: 1100
(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: **California Department of Boating and Waterways, Abandoned Watercraft Abatement Fund**

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: **\$15,200**

6a. Matching Funds Required: **10% (\$1,520)**

b. Source(s) of matching funds (if applicable): **Port's 2009-2010 Maritime Division, boat disposal fund.**

7a. Grant Source Agency: **California Department of Boating and Waterways**

b. Grant Pass-Through Agency (if applicable): **n/a**

8. Proposed Grant Project Summary:

Port staff identified seven abandoned recreational water vessels in the Fisherman's Wharf area, and applied to DBW for \$15,200 in grant funding to properly dispose of them. The total cost is based estimates provided by marine salvage contractors for removal and demolition work. The Port has successfully made use of this program in the past.

9. Grant Project Schedule, as allowed in approval documents, or as proposed:

Start-Date: **September 1, 2010** End-Date: **June 30, 2011**

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: **\$15,200**

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 (excluded from this package) consist of pictures, descriptions and Department of Motor Vehicles information on the various watercraft that are to be removed and demolished. These documents are available from Port staff, if parties are interested.**

Departmental or Mayor's Office of Disability Reviewer: Wendy Probst
(Name)

Date Reviewed: 11/29/2010

Department Approval: Monique Moyer, Executive Director
(Name) (Title)

Monique Moyer
(Signature)



MEMORANDUM

October 21, 2010

TO: MEMBERS, PORT COMMISSION
Hon. Rodney Fong, President
Hon. Kimberly Brandon, Vice President
Hon. Ann Lazarus

FROM: Monique Moyer *Monique Moyer*
Executive Director

SUBJECT: Request authorization to accept and expend \$15,200 in grant funding from the California Department of Boating and Waterways Abandoned Watercraft Abatement Fund for removal and demolition of abandoned recreational watercraft on the Port waterfront.

DIRECTOR'S RECOMMENDATION: Approve Attached Resolution

Funding Overview

In October 1997, Senate Bill 172 (Rainey) created the California Department of Boating & Waterways' (DBW) *Abandoned Watercraft Abatement Fund*, providing for a grant program available to public agencies for removal and demolition of abandoned recreational vessels from navigable waterways.

The Project

In March, Port staff identified seven abandoned recreational water vessels in the Fisherman's Wharf area, and applied to DBW for \$15,200 in grant funding to properly dispose of them. The total application amount was based on cost estimates provided by marine salvage contractors for removal and demolition work. On August 16, 2010, Port staff received an award letter from DBW for the full amount requested. This program requires 10% in matching funds from the Port, which Port staff intend to provide through in-kind services.

DBW requires that the Port indemnify the State of California, its officers, agents and employees from any and all claims that arise in connection with the performance of the proposed grant agreement, and that all funding from this grant be expended no later than June 30, 2011.

THIS PRINT COVERS CALENDAR ITEM NO. 8A

Removal of the abandoned watercraft will not only beautify San Francisco's waterfront, but also greatly improve boating safety by reducing navigation hazards and potential environmental dangers.

Port Commission Action

Port staff seek Port Commission authorization for the Executive Director to accept and expend \$15,200 in grant funds from DBW.

Prepared by: Hedley Prince, Harbormaster, Fisherman's Wharf
Maritime Division

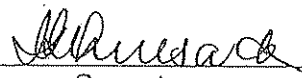
Daley Dunham, Special Projects Group
Executive Division

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

RESOLUTION NO. 10-70

- WHEREAS, In October 1997, Senate Bill 172 (Rainey) created the Abandoned Watercraft Abatement Fund, providing for a grant program available to public agencies for removal and demolition of abandoned recreational vessels from California navigable waterways; and
- WHEREAS, Port staff have identified seven abandoned recreational vessels within the Port's jurisdiction that pose potential navigation and environmental hazards; and
- WHEREAS, In March 2010, the Port applied to the California Department of Boating and Waterways (DBW) for Abandoned Watercraft Abatement Fund monies for removal and demolition of seven derelict vessels; and
- WHEREAS, On August 16, 2010, DBW awarded the Port \$15,200 for this purpose; now, therefore, be it
- RESOLVED, That the San Francisco Port Commission hereby authorizes Port staff to accept and expend \$15,200 in grant funds from DBW for removal and demolition of abandoned watercraft within the Port's jurisdictional area, including Fisherman's Wharf; and, be it further
- RESOLVED, That the San Francisco Port Commission hereby authorizes the Executive Director or her designee to execute any grant agreement or documents necessary for the purpose of obtaining and expending these grant funds, including any extensions, augmentations or amendments thereto; and, be it further
- RESOLVED, That the San Francisco Port Commission hereby indemnifies the State of California, its officers, agents and employees from any and all claims that arise in connection with the performance of the proposed grant agreement; and, be it further
- RESOLVED, That the San Francisco Port Commission hereby authorizes the Executive Director to seek Board of Supervisors approval to accept and expend the grant funds awarded by DBW to the Port under the Abandoned Watercraft Abatement Fund.

I hereby certify that the foregoing resolution was adopted by the Port Commission at its meeting of October 26, 2010.


Secretary



April 26, 2010

Mary Thomas
California Department of Boating & Waterways
2000 Evergreen St., Suite 100
Sacramento, CA 95815-3888

Dear Ms. Thomas

This letter of intent is for the Port of San Francisco to apply for funding from the Department of Boating & Waterways through the Abandoned Watercraft Abatement Fund.

The Port of San Francisco is an enterprise agency of the City & County of San Francisco, with jurisdiction over seven and one half miles of City waterfront, held in public trust for the people of California.

Within the jurisdiction of the Port of San Francisco there are five marinas and three yacht clubs with over 2000 recreational vessels berthed at the various facilities. In addition to that, there are numerous areas where boats can be left at anchor or tied to piers without authorization. The Port of San Francisco is particularly susceptible to abandoned boats, because of its size and because there is no single entrance. The entire Port is open to the Bay.

Although dealing with illegally moored and abandoned vessels at the Port of San Francisco has been made much easier by working closely with the San Francisco Police Department Marine Unit, abandoned boats remain an ongoing problem for the Port.

Since the Port's last AWAF grant in 2008, 7 more abandoned boats have found their way to the Port of San Francisco. Two of the boats are berthed in marinas, and five have already been removed from the water.

The Port of San Francisco uses qualified marine salvage companies as well as our own staff to remove, demolish and dispose of these vessels as safely and as cleanly as possible. A professional lien service is employed to ensure that all laws and proper procedures concerning titles and liens are followed.

We have included in our application photographs and all of the necessary information for the current grant request.

The Port of San Francisco looks forward to once again working with the Department of Boating & Waterways to keep our part of San Francisco Bay clean & safe.

Best regards,

Hedley Prince, Wharfinger
Port of San Francisco
Pier 1
San Francisco, CA 94111
415-274-0513

DEPARTMENT OF BOATING AND WATERWAYS

2000 Evergreen Street, Suite 100
SACRAMENTO, CA 95815-3888
(916) 283-1331



August 16, 2010

Port of San Francisco
Mr. Hedley Prince
Pier 1, Embarcadero
San Francisco CA 94111

AWAF Contract #: 10-214-501
Fiscal Year: 2010/2011
Amount: \$15,200.00

Dear Mr. Prince:

Your application to participate in the Abandoned Watercraft Abatement Fund has been reviewed and approved. Enclosed is a complete copy of the contract between the State of California, Department of Boating and Waterways (Department) and your agency. ~~All contracts are pending FY 10/11 State Budget approval. Do not begin bid process or any AWAF activities related to this contract until you receive a fully executed contract letter.~~ In addition to the contract, several other documents have been enclosed for signature. For your convenience, areas of concern have been tagged and highlighted.

An original copy of the Minute Order or Resolution from your County Board / City Council authorizing the execution of this contract is required. The Minute Order or Resolution must authorize by name and title the signatory of the contract. After processing, an approved copy of the contract will be sent to you.

If you have any further questions, please feel free to contact me at (916) 263-8181.

Sincerely,

A handwritten signature in cursive script that reads "Denise Peterson".

Denise Peterson
Boating Law Enforcement Manager
Enforcement Unit



ABANDONED WATERCRAFT #1



1964 Chris Craft "So Soon!"

Registration: CF 6065 CE HIN: CXB370077H

Last Registered Owner: Racko Joshua Martin
2145 Baker Street
San Francisco, CA 94115

Description: 37' wood hull, gasoline powered, twin engine, cabin cruiser

Condition: The hull leaks and vessel must be de-watered regularly. The port side engine has been removed, and engine parts are scattered throughout. The fuel tanks are dry and the oil has been removed from the starboard engine.

Actions: On Tuesday, January 5, 2010, this vessel was found at anchor in the navigation channel leading to the public launch ramp near Pier 52 in San Francisco. The boat was poorly anchored and was deemed to be an imminent hazard to navigation. An orange notice to remove the vessel immediately was posted on the cabin door. On Friday, January 8, 2010 the vessel had not been moved so it was towed to Hyde Street Harbor. The San Francisco Police Department Marine Unit was unable to contact the last registered owner, but they did discover that Oyster Point Marina held a lien on the vessel. It has not been determined how the vessel got to Pier 52 or who anchored it there.



ABANDONED WATERCRAFT #2



WWII era LCVP

Registration: CF 3169 BC (DMV has no record of that reg. number)

Last Registered Owner: Unknown

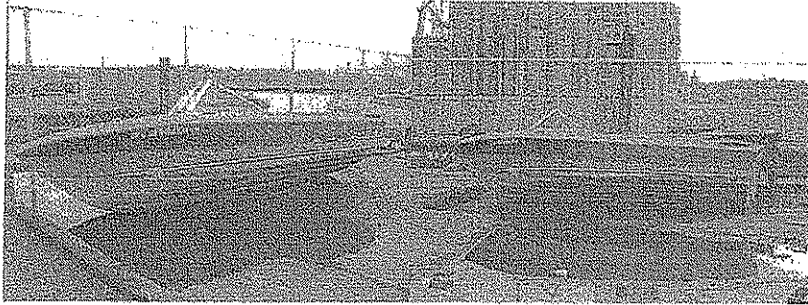
Description: 40' wood hull, single diesel engine

Condition: Very poor condition and requires constant de-watering to keep it afloat.

Actions: Pier 39 management have evicted a homeless man living on board and have removed a large amount of oily bilge from the boat. The boat is currently in berth D-43 of Pier 39 Marina.



ABANDONED WATERCRAFT #3



1981 Caravelle

Registration: CF 4127 GZ

HIN: AUNO1174M80K81

Last Registered Owner: Jose Ramon Somavia
P.O. Box 306
Tres Pinos, CA 95075

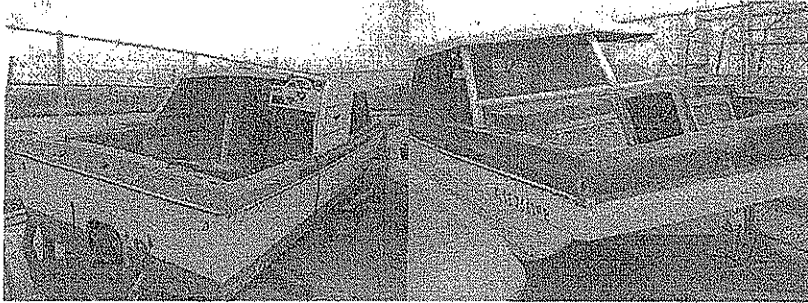
Description: 17' fiberglass runabout

Condition: Hull appears to be sound, but motor and everything of value has been stripped off the boat.

Actions: Vessel was found in Islia Creek on 10/16/09. It was being used for various criminal activities including stealing copper wire. The San Francisco Police Department Marine Unit investigated and attempted to contact the last registered owner, but were unable to do so. The Port of San Francisco towed the vessel to Pier 80, where it was lifted out of the water and placed in the Port's impound yard.



ABANDONED WATERCRAFT #5



1982 Piperston

Registration: CF 7661 HB HIN: 039970

Last Registered Owner: George Thomas Brown JR
4049 Cowell Road
Concord, CA 94518

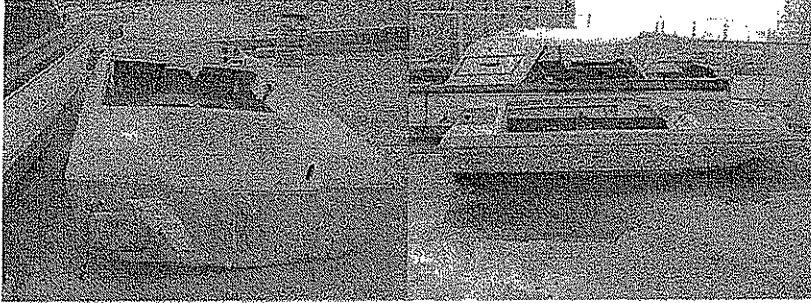
Description: 23' tri-hull fiberglass inboard/outboard motorboat

Condition: Engine, outdrive unit and everything else of value has been removed.

Actions: On April 9, 2009, this vessel was found submerged on the public launch ramp at Pier 52 in San Francisco. A witness in the Bayview Boat Club next to the launch ramp said he saw someone driving a black pickup launch the vessel and drive away quickly with the trailer. The vessel sank immediately due to a large hole in the stern where the outdrive had been. The San Francisco Police Department investigated this incident, but there was no resolution to the case. Port maintenance staff removed the vessel from the launch ramp and placed it in the Port's impound yard.



ABANDONED WATERCRAFT #6



Manufacturer Unknown

Registration: 2H54109 HIN: 650331172

Last Registered Owner: Unknown

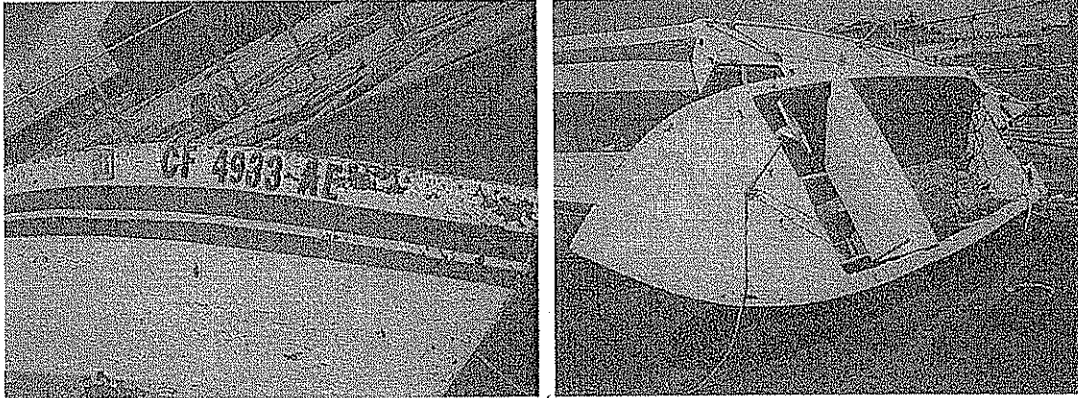
Description: 16' fiberglass runabout

Condition: Hull and deck are all that remain. Everything else has been stripped from the boat.

Actions: Vessel appeared on Port of San Francisco property at Pier 80 sometime in January 2010. It is unknown how the vessel got there or who it belongs to. The San Francisco Police Marine Unit ran the HIN number with no results and the number on the bow is not a regular state registration format. The license plate attached to the back of the boat is off a trailer belonging to a local pump-out company called Baygreen. When the company was contacted they said the license plate had been stolen off their trailer and would like to get it back. The vessel has been placed in the Port of San Francisco impound yard.



ABANDONED WATERCRAFT #7



1961 Home Built Boat

Registration: CF 4933 AE HIN: none

Last Registered Owner: Jose Cardenas
707 York Street
San Francisco, CA 94110

Description: 13' plywood / fiberglass runabout

Condition: Dilapidated with no engine or seats

Actions: Vessel was found swamped but still floating near Pier 80 in San Francisco. It was lifted out of the water and is being stored in the Port of San Francisco impound yard. DMV records show that it was transferred to Ms. Rose Scott, 1540 Newhall Street, San Francisco on February 14, 2010. The vessel has not been registered since the transfer. A letter has been sent to Ms. Scott informing her that the vessel is in the possession of the Port of San Francisco, and giving her the contact information if she wishes to claim the boat.

