abatement at the Port of San Francisco, Pier 70.

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

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

WHEREAS, EDA will retain \$120,000 of the funding for their administration costs; and, WHEREAS, On March 27, 2008, Port staff submitted EDA's "pre-application" for \$2,280,000 in funding, and on May 1, 2008, EDA notified the Port of their approval of the pre-application, requesting a formal application in order to award the funding appropriated to the Port for this grant; and,

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

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

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

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

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

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

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

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

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

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Recommended:

€v^rDepartment Head

Approved: Mayor

Mayor

Approved:

Controller



City and County of San Francisco Tails

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Resolution

File Number:

081192

Date Passed:

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

October 7, 2008 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell,

Mirkarimi, Peskin, Sandoval Excused: 1 - McGoldrick File No. 081192

I hereby certify that the foregoing Resolution was ADOPTED on October 7, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo Clerk of the Board

Mayor Gavin Newsom

Date Approved