

FILE NO. 040056

RESOLUTION NO. 113-04

1 [Approval of a cost sharing agreement to address Ocean Beach erosion issues.]

2 Feasibility

3 **Resolution approving a Fiscal-Cost Sharing Agreement with the U.S. Army Corps of**
4 **Engineers concerning the study and development of alternatives to protect the Great**
5 **Highway and Ocean Beach from beach and bluff erosion and authorizing other official**
6 **acts in connection with this Agreement.**

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8 WHEREAS, The bluff erosion along the Great Highway South of Sloat Boulevard has
9 threatened City owned and operated infrastructure; and

10 WHEREAS, City residents and visitors to San Francisco rely on Ocean Beach as a
11 recreational amenity; and

12 WHEREAS, The Board of Supervisors in Resolution No. 698-99 urged a
13 comprehensive planning process for long-term and short-term solutions to the erosion
14 problem at Ocean Beach. A copy of said Resolution is on file with the Clerk of the Board of
15 Supervisors in File No. 991163;

16 WHEREAS, In January 2000, the Mayor appointed the Ocean Beach Task Force to
17 facilitate discussion among the public and private stakeholders concerning activities at Ocean
18 Beach; and

19 WHEREAS, The City though general fund obligations has spent over \$1,000,000 on
20 various solutions including the placement of a protective sand barrier on the beach and
21 development of an emergency detour lane on the Great Highway; and

22 WHEREAS, The California Department of Boating and Waterways urged the
23 Department of Public Works to work cooperatively with the U.S. Army Corps of Engineers
24 (ACOE) on solutions to these problems; and

25
Mayor
Supervisors Ma, Hall, McGoldrick
Departments of Public Works and the Environment
BOARD OF SUPERVISORS

1 WHEREAS, In response, the Department of Public Works, Recreation and Park
2 Department, and the Department on the Environment solicited services from the ACOE to
3 help in studying and developing solutions to address beach and bluff erosion issues; and

4 WHEREAS, To assist the ACOE in its efforts, Congresswoman Nancy Pelosi was
5 successful in securing a \$100,000 earmark for this project; and

6 WHEREAS, There are five phases of a federal project to develop a long-term plan:
7 reconnaissance, feasibility, design, construction, and operations maintenance; and

8 WHEREAS, With this \$100,000 in federal funding, the ACOE completed the
9 reconnaissance phase on September 30, 2002 and declared a federal interest in proceeding
10 with the feasibility phase of the project; and

11 WHEREAS, The ACOE completed the reconnaissance phase and the project is now in
12 its feasibility phase. The feasibility phase consists of scoping the project objectives,
13 developing and reviewing alternatives, preparing environmental documents, and selecting a
14 preferred alternative. The feasibility phase has an active community involvement component
15 and will bring together the project's stakeholders. An Executive Committee comprised of
16 representatives from the City, the GGNRA, the State Department of Boating and Waterways,
17 and the ACOE, will guide various aspects of this phase of the project; and

18 WHEREAS, The Ocean Beach Task Force also has developed a list of alternatives that
19 will be evaluated as part of the feasibility phase of a federal project to develop long-term
20 solutions to erosion problems at Ocean Beach; and

21 WHEREAS, The federal budget has provided annual appropriations to the ACOE to
22 perform studies that are in the federal interest, and, in order to allocate and expend such
23 federal funds under the ACOE's formal project implementation process for a civil works
24 project, the ACOE must enter into a Feasibility Fiscal Cost Sharing Agreement ("Agreement") with the
25 local participating government; and

1 WHEREAS, The ACOE determined that resolution of erosion issues at Ocean Beach is
2 in the federal interest and, as a consequence, the ACOE has agreed to participate in studying
3 the causes and impacts of erosion and development of alternative solutions to minimize the
4 impacts of erosion on public facilities; and

5 WHEREAS, The ACOE has developed a specific planning process for project
6 development and implementation, including the preparation of a comprehensive Project
7 Management Plan for Shoreline Protection of Ocean Beach ("PMP"). The PMP identified
8 studies to be performed and the roles responsibilities and various property owners and
9 stakeholders; and

10 WHEREAS, The feasibility studies that will analyze alternatives on beach and bluff
11 erosion issues under the Agreement and PMP are anticipated to cost approximately
12 ~~\$2,800,000~~ and \$2,782,000

13 WHEREAS, Under the Agreement, the ~~\$2,800,000~~ \$2,782,000 cost will be divided between ACOE,
14 which will provide 50 percent of the funding, and the City, which will provide the remaining 50
15 percent; and

16 WHEREAS, DPW has secured \$1,100,000 in grant funds from the State of California
17 for this effort and has expended approximately \$77,000 of this grant on staff review and
18 preparation of the Agreement and PMP. The unexpended grant funds (\$1,023,000) are
19 available for the City's share of the Agreement; and

20 WHEREAS, DPW also has secured an additional \$150,000 in City Capital
21 Improvement Program funds for the City's share of the Feasibility Fiscal Cost Sharing Agreement; and
22 \$218,000

23 WHEREAS, DPW will need to obtain an additional ~~\$227,000~~ \$227,000 to meet the City's financial
24 obligation under the Agreement. Potential sources for the additional revenues include future
25 grant funds, the General Fund, and the reauthorized local sales tax; and

1 WHEREAS, The Agreement with the ACOE to address the Ocean Beach erosion
2 issues is attached hereto and incorporated herein by reference as though fully set forth. This
3 Agreement is part of the PMP, which is attached hereto and incorporated herein by reference
4 as though fully set forth. A copy of said Agreement and PMP are on file with the Clerk of the
5 Board of Supervisors in File No. 040056; now, therefore be it

6 RESOLVED, That the Board hereby approves the Agreement with the ACOE
7 concerning Ocean Beach erosion, including its exhibits and attachments, and authorizes the
8 Director of the Department of Public Works and the Director of the Department of the
9 Environment, ("Directors") to execute and deliver the Agreement on the Board's behalf, in
10 substantially the form hereby approved, with such changes as may be made pursuant to the
11 terms of this Resolution; and, be it

12 FURTHER RESOLVED, That the Directors, upon consultation with the City Attorney,
13 are hereby authorized on behalf of the Board to make such modifications to the Agreement
14 that hereafter become necessary or desirable in the interests of the Board, which
15 modifications do not materially affect the substance of the Agreement or materially increase
16 the obligations of the Board. Approval of any such modifications shall be conclusively
17 evidenced by the execution of such Agreement or amendments thereto by the parties to the
18 Agreement; and, be it

19 FURTHER RESOLVED, That the Directors are hereby authorized and directed on
20 behalf of the Board to take any and all steps and to issue and deliver any and all certificates,
21 agreements, notices, consents, memorandum, opinions and other documents which they
22 might deem necessary or appropriate in order to consummate the execution and delivery of
23 the Agreement and the transaction contemplated thereby; and, be it

24 FURTHER RESOVLED, That the Board of Supervisors urges the Directors to actively
25 seek input and support from the Recreation and Park Department, Department of Parking and

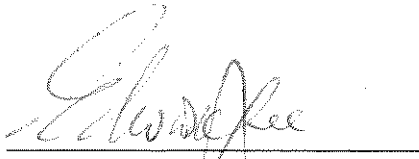
1 Traffic, and the Public Utilities Commission on the feasibility phase of the ACOE process; and,
2 be it

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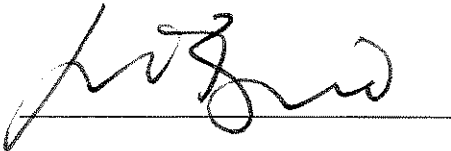
~~FURTHER RESOLVED, That any action taken by any City employee or official with
respect to this Agreement and the actions contemplated herein are hereby ratified and
affirmed.~~

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Recommended:

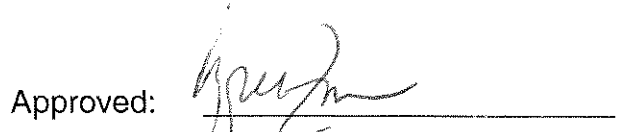


Department Head



Department Head

Approved: 
Mayor

Approved: 
Controller



City and County of San Francisco

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

Tails

Resolution

File Number: 040056

Date Passed:

Resolution approving a Feasibility Cost Sharing Agreement with the U.S. Army Corps of Engineers concerning the study and development of alternatives to protect the Great Highway and Ocean Beach from beach and bluff erosion and authorizing other official acts in connection with this Agreement.

February 24, 2004 Board of Supervisors — ADOPTED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin,
Sandoval

Absent: 1 - Maxwell


Excused: 1 - McGoldrick

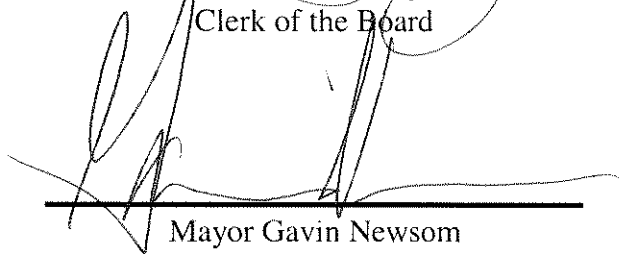
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I hereby certify that the foregoing Resolution was ADOPTED on February 24, 2004 by the Board of Supervisors of the City and County of San Francisco.

MAR 04 2004

Date Approved


Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom