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

Feasibility

Resolution approving a Fiscal-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.

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

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

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

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

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

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

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

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WHEREAS, In response, the Department of Public Works, Recreation and Park Department, and the Department on the Environment solicited services from the ACOE to help in studying and developing solutions to address beach and bluff erosion issues; and
WHEREAS, To assist the ACOE in its efforts, Congresswoman Nancy Pelosi was successful in securing a $100,000 earmark for this project; and
WHEREAS, There are five phases of a federal project to develop a long-term plan: reconnaissance, feasibility, design, construction, and operations maintenance; and
WHEREAS, With this $100,000 in federal funding, the ACOE completed the reconnaissance phase on September 30, 2002 and declared a federal interest in proceeding with the feasibility phase of the project; and
WHEREAS, The ACOE completed the reconnaissance phase and the project is now in its feasibility phase. The feasibility phase consists of scoping the project objectives, developing and reviewing alternatives, preparing environmental documents, and selecting a preferred alternative. The feasibility phase has an active community involvement component and will bring together the project's stakeholders. An Executive Committee comprised of representatives from the City, the GGNRA, the State Department of Boating and Waterways, and the ACOE, will guide various aspects of this phase of the project; and
WHEREAS, The Ocean Beach Task Force also has developed a list of alternatives that will be evaluated as part of the feasibility phase of a federal project to develop long-term solutions to erosion problems at Ocean Beach; and
WHEREAS, The federal budget has provided annual appropriations to the ACOE to perform studies that are in the federal interest, and, in order to allocate and expend such federal funds under the ACOE's formal project implementation process for a civil works Feasibility project, the ACOE must enter into a Fiscal Cost Sharing Agreement ("Agreement") with the local participating government; and
WHEREAS, The ACOE determined that resolution of erosion issues at Ocean Beach is in the federal interest and, as a consequence, the ACOE has agreed to participate in studying the causes and impacts of erosion and development of alternative solutions to minimize the impacts of erosion on public facilities; and

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

WHEREAS, The feasibility studies that will analyze alternatives on beach and bluff erosion issues under the Agreement and PMP are anticipated to cost approximately $2,782,000 and $2,806,006; and

WHEREAS, Under the Agreement, the $2,806,006 cost will be divided between ACOE, which will provide 50 percent of the funding, and the City, which will provide the remaining 50 percent; and

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

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

WHEREAS, DPW will need to obtain an additional $227,900 to meet the City's financial obligation under the Agreement. Potential sources for the additional revenues include future grant funds, the General Fund, and the reauthorized local sales tax; and
WHEREAS, The Agreement with the ACOE to address the Ocean Beach erosion issues is attached hereto and incorporated herein by reference as though fully set forth. This Agreement is part of the PMP, which is attached hereto and incorporated herein by reference as though fully set forth. A copy of said Agreement and PMP are on file with the Clerk of the Board of Supervisors in File No. 040056; now, therefore be it

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

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

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

FURTHER RESOLVED, That the Board of Supervisors urges the Directors to actively seek input and support from the Recreation and Park Department, Department of Parking and
Traffic, and the Public Utilities Commission on the feasibility phase of the ACOE process; and, be it

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:

Recommended:

[Signature]

Department Head

Approved:

[Signature]  
Mayor

Approved:

[Signature]  
Controller

Departments of Public Works and the Environment
BOARD OF SUPERVISORS

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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
File No. 040056

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.

Date Approved

GLORIA L. YOUNG
Clerk of the Board

MAY 4, 2004

MAYOR GAVIN NEWSOM