

RESOLUTION NO. 6-2008

Adopted February 19, 2008

AUTHORIZING THE THIRD YEAR BUDGET FOR THE AGENCY'S THREE-YEAR CONTRACT WITH ARC ECOLOGY, A CALIFORNIA NONPROFIT CORPORATION, TO PROVIDE ENVIRONMENTAL OUTREACH AND INFORMATION SERVICES TO THE BAYVIEW HUNTERS POINT COMMUNITY IN AN AMOUNT NOT TO EXCEED \$400,000 FOR A TOTAL AGGREGATE AMOUNT OF \$967,000; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. The Hunters Point Naval Shipyard ("Shipyard") was closed by the federal government in 1974. In 1989, due to environmental contamination on the base, the U.S. Environmental Protection Agency ("EPA") placed the Shipyard on the National Priorities List of "Superfund" cleanup sites.
2. In 1991, the U.S. Department of the Navy ("Navy"), the EPA and the State of California entered into a Federal Facilities Agreement requiring the Navy to investigate and remediate hazardous substances on the Shipyard in accordance with applicable federal law and a specified process and schedule. In that same year, Congress designated the Shipyard for formal closure and authorized the Navy to transfer the Shipyard to the City and County of San Francisco ("City") or the Redevelopment Agency of the City and County of San Francisco ("Agency") at no cost.
3. In response to the Shipyard's closure, a Hunters Point Shipyard Citizens Advisory Committee ("CAC") was appointed to develop a blueprint for the conversion of the Shipyard to civilian use. After years of substantial public outreach and community input into the planning process, the Agency Commission and the City's Board of Supervisors, with the endorsement of the CAC, adopted the Hunters Point Shipyard Redevelopment Plan in July 1997.
4. For more than a decade, the City and the Navy, with input from the CAC and the broader Bayview Hunters Point ("BVHP") community, negotiated a Conveyance Agreement ("Conveyance Agreement"), which establishes the regulatory and contractual framework for the Navy's phased clean up and conveyance of the Shipyard to the Agency, with provisions specific to each of Parcels A through F. The Conveyance Agreement also requires both the EPA and California Environmental Protection Agency ("Cal/EPA") to confirm that each parcel is remediated to a level that is safe for its intended reuse prior to transfer. Following a four-month public review process, the CAC unanimously endorsed the Conveyance Agreement, which the Navy signed on March 31, 2004.

5. Pursuant to the terms of the Conveyance Agreement, the federal government, the City and the Agency agreed to work together to expedite the characterization, remediation and conveyance of the Shipyard in a "Collaborative Partnership."
6. There are many agencies currently tasked with the review and analysis of data regarding the clean up and redevelopment of the Shipyard. These agencies include: the City's Department of Public Health; the Navy's Restoration Advisory Board; the environmental subcommittee of the CAC; and the following regulatory agencies: EPA, the Department of Toxic Substances Control and the Regional Water Quality Control Board.
7. On October 10, 2005, in accordance with Agency policy, staff issued a Request for Proposals seeking proposals from qualified consultants to provide environmental outreach services to the BVHP community and to provide clear and responsive information about the environmental impacts of development at the Shipyard.
8. On March 21, 2006, by Resolution No. 46-2006, the Agency Commission authorized a one-year personal services contract ("Contract") with Arc Ecology, a California nonprofit corporation ("Arc"), with a first year budget not to exceed \$283,500. The Agency Commission also granted the Agency's Executive Director the authority to exercise the two, 1-year extension options contemplated under the Contract; however, staff would have to seek Agency Commission authorization of an annual budget for each extension year.
9. On April 3, 2007, by Resolution No. 29-2007, the Agency Commission authorized a second year budget for the Contract in the amount of \$283,500 for a total aggregate Contract amount of \$567,000.
10. Staff seeks authorization of the third year of funding for the Agency's Contract with Arc to provide environmental outreach services for the Shipyard, in an amount not to exceed \$400,000 for the year. The Contract will be funded as a project cost under the Disposition and Development Agreement for Phase 1 - Hunters Point Shipyard with Lennar/BVHP, LLC.
11. Authorization of the third year budget for the Contract is not a project as defined by the California Environmental Quality Act Guidelines Sections 15378(b)(4) and 15378(b)(5). Administrative activities of the Agency related to the provision of environmental outreach and information services to the BVHP community and the funding of such services will not independently result in a physical change in the environment.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to allocate funding in an amount not to exceed \$400,000 for the third year of the Agency's Contract with Arc

Ecology, a California nonprofit corporation, to provide environmental outreach and information services to the Bayview Hunters Point community, subject to the terms and conditions of the Contract authorized by Resolution No. 46-2006.

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "James B. Morales", written over a horizontal line.

James B. Morales
Agency General Counsel