

# SAN FRANCISCO PORT COMMISSION

Willie Adams, President  
Kimberly Brandon, Vice President  
Leslie Katz, Commissioner  
Eleni Kounalakis, Commissioner  
Doreen Woo Ho, Commissioner

Elaine Forbes, Interim Executive Director      Amy Quesada, Commission Secretary  
Phone: 415-274-0400; Fax 415-274-0412      Phone: 415-274-0406; Fax 415-274-0412

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**AGENDA**  
**TUESDAY, JULY 12, 2016**  
**2:00 P.M. CLOSED SESSION**  
**3:15 P.M. OPEN SESSION**

**PLEASE NOTE CHANGE OF MEETING LOCATION**

**JAMES R. HERMAN CRUISE TERMINAL**  
**PIER 27, THE EMBARCADERO**  
**SECOND FLOOR**  
**SAN FRANCISCO CA 94111**

*The Port Commission Agenda as well as Staff Reports/Explanatory Documents available to the public and provided to the Port Commission are posted on the Port's Website at [www.sfport.com](http://www.sfport.com). The agenda packet is also available at the Pier 1 Reception Desk. If any materials related to an item on this agenda have been distributed to the Port Commission after distribution of the agenda packet, those materials are available for public inspection at the Port Commission Secretary's Office located at Pier 1 during normal office hours.*

- 1. CALL TO ORDER / ROLL CALL**
- 2. APPROVAL OF MINUTES – June 14, 2016**
- 3. PUBLIC COMMENT ON EXECUTIVE SESSION**
- 4. EXECUTIVE SESSION**
  - A. Vote on whether to hold closed session.
    - (1) CONFERENCE WITH LEGAL COUNSEL AND REAL PROPERTY NEGOTIATOR – This is specifically authorized under California Government Code Section 54956.8. \*This session is closed to any non-City/Port representative: (Discussion Items)

- a. Property: AB 4110, lot 1; AB 4052; 4111, lots 3 and 4; also known as the Pier 70 Waterfront Site, a 28 acre site generally bounded by Illinois Street to the west, 20th Street to the north, the Bay to the east and private property to the south (AB 4175), located near the intersection of 22nd Street and Illinois. Also including a City option to purchase privately-owned property comprised of AB 4110, lot 8A and AB 4120, lot 2, an approximately 3 acre parcel bounded by Illinois Street to the west, 22nd Street to the south, and Port property to the north (AB 4110, lot 1) and east (AB 4052).

Person Negotiating: Port: Byron Rhett, Deputy Director, Planning and Development

\*Negotiating Parties: Forest City Development California: Kevin Ratner

Under Negotiations: \_\_\_\_ Price \_\_\_\_ Terms of Payment  X  Both Pursuant to Resolution No. 11-49, the Port Commission awarded to the non-Port party an exclusive negotiation agreement with the Port for the lease and development of the property. In this executive session, the Port's negotiator seeks direction from the Port Commission on base rent structure, financing mechanisms, and other factors affecting the form, manner, and timing of the developer's payment in negotiations with the non-Port party for the lease and development of the property. The executive session will enable the Port Commission to develop a negotiating strategy tailored to maximize the City's return based on these factors. In particular, the executive session discussions will enhance the capacity of the Port Commission during its public deliberations and actions to set the price and payment terms that are most likely to maximize the benefits to the Port, the City and the People of the State of California and to more effectively negotiate with the non-Port party on price and payment terms.

- b. Property: AB 8719, Lot 002, also known as Seawall Lot 337, AB 9900, Lot 62, also known as China Basin Park, and AB 9900, Lot 048 and AB 9900, Lot 048H, also known as Pier 48 (all bounded generally by China Basin, the San Francisco Bay, Mission Rock Street, and Third Street)

Person Negotiating: Port: Byron Rhett, Deputy Director, Planning & Development

\*Negotiating Parties: SWL 337 Associates, LLC: Jack Bair

Under Negotiations: \_\_\_\_ Price \_\_\_\_ Terms of Payment  X  Both Pursuant to Resolution No. 10-32, the Port Commission awarded to the non-Port party an exclusive negotiation agreement with the Port for the lease and development of the property. In this executive session, the Port's negotiator seeks direction from the Port Commission on base rent structure, financing mechanisms and other factors affecting the form, manner and timing of payment of the

consideration in negotiations with the non-Port party for the lease and development of the property. The executive session will enable the Port Commission to develop a negotiating strategy tailored to maximize the City's return based on these factors. In particular, the executive session discussions will enhance the capacity of the Port Commission during its public deliberations and actions to set the price and payment terms that are most likely to maximize the benefits to the Port, the City and the People of the State of California and more effectively negotiate with the non-Port party on price and payment terms.

**5. RECONVENE IN OPEN SESSION**

- A. Possible report on actions taken in closed session pursuant to Government Code Section 54957.1 and San Francisco Administrative Code Section 67.12.
- B. Vote in open session on whether to disclose any or all executive session discussions pursuant to Government Code Section 54957.1 and San Francisco Administrative Code Section 67.12.

**6. PLEDGE OF ALLEGIANCE**

**7. ANNOUNCEMENTS**

- A. Announcement of Prohibition of Sound Producing Electronic Devices during the Meeting: Please be advised that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing of or use of a cell phone, pager, or other similar sound-producing electronic device.
- B. Announcement of Time Allotment for Public Comments: Please be advised that a member of the public has up to three minutes to make pertinent public comments on each agenda item unless the Port Commission adopts a shorter period on any item.

**8. PUBLIC COMMENT ON ITEMS NOT LISTED ON THE AGENDA**

Public comment is permitted on any matter within Port jurisdiction and is not limited to agenda items. Public comment on non-agenda items may be raised during Public Comment Period. A member of the public has up to three minutes to make pertinent public comments. Please fill out a speaker card and hand it to the Commission Secretary. If you have any question regarding the agenda, please contact the Commission Secretary at 415-274-0406. No Commission action can be taken on any matter raised during the public comment period for items not listed on the agenda other than to schedule the matter for a future agenda, refer the matter to staff for investigation or respond briefly to statements made or questions posed by members of the public. (Government Code Section 54954.2(a))

## **9. EXECUTIVE**

- A. Executive Director's Report
  - San Francisco Symphony Free Concert – July 24, 2016 from 12 noon to 2 p.m. at the James R. Herman Cruise Terminal Plaza at Pier 27
- B. Port Commissioners' Report: Without discussion, at this time Commissioners may make announcements regarding various matters of interest to the Commissioner(s).
  - Posting of Port Executive Director Job Announcement (<http://sfport.com/job-opportunities>)

## **10. CONSENT**

- A. Request approval of the Fiscal Year 2016-17 Monthly Rental Rate Schedule, Monthly Parking Stall Rates, Special Events, and Filming Rates. (Resolution No. 16-17)

## **11. MARITIME**

- A. Request approval of an Operations Agreement with Chevron U.S.A. Inc. ("Chevron") allowing continued operation of its Richmond, California refinery as a Foreign Trade Zone No. 3 subzone site for a term of five years, with three options for five years each. (Resolution No. 16-18)

## **12. ENGINEERING**

- A. Request approval to issue a Request for Proposals Soliciting Architectural and Engineering Consulting Services for the Mission Bay Ferry Landing Project. (Resolution No. 16-19)

## **13. REAL ESTATE**

- A. Request endorsement of Term Sheet between Port and the National Park Service (NPS), for a 50-year Memorandum of Understanding outlining the business terms of: (1) a lease for ferry service to Alcatraz Island with a future concessioner selected by NPS, and (2) a lease with the Golden Gate National Park Conservancy, located at Piers 31-33 on The Embarcadero at Bay Street. (Resolution No. 16-20)

## **14. PLANNING**

- A. Informational presentation regarding a proposed Navigation Center on Port property on 25th Street between Michigan Street and the former Louisiana Street.

- B. Request approval to: (1) enter into a Memorandum of Understanding M-16143 (“MOU”) with the San Francisco Municipal Transportation Agency (“MTA”), and (2) enter into a 9-year 6-month License Agreement to use property (“License”) with Bay Area Motivate LLC (“Motivate”), the regional bike share program operator (“Licensee”) for Port waterfront locations for the purpose of operating a Bike Share program, with a 19-month rent waiver. (Resolution No. 16-21)
- C. Informational presentation on the San Francisco Fire Department Earthquake Safety and Emergency Response Bond Improvement Project at Pier 22½; Fire Boat Berthing at Pier 26; and Supporting Port Agreements.

**15. NEW BUSINESS**

**16. ADJOURNMENT**

**FORWARD CALENDAR  
(TARGETED COMMISSION MEETING, SUBJECT TO CHANGE)**

**AUGUST 9, 2016**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Portwide	Informational	Status report on Advancement of the 2016-2021 Strategic Plan
2	Portwide	Informational	Update on Board of Supervisors' adoption of Port's FY 2016-17 and 2017-18 operating and capital budget
3	Portwide	Informational	Presentation on the Waterfront Plan Update project and proposal for Part 2 of the public planning process to develop Waterfront Plan Working Group recommendations on Portwide policy question issues
4	Seawall Lot 322-1 at Broadway and Front Streets	Informational	Presentation on the development proposal and team selected by the San Francisco Mayor's Office of Housing and Community Development after a competitive request-for-proposals process for the development of affordable housing on Seawall Lot 322-1, located at Broadway and Front Streets
5	Crane Cove Park	Action	Authorization to award Construction Contract No. 2740, Crane Cove Park Surcharge and Site Preparation Project
6	Quint Street	Action	Authorization to award Construction Contract No. 2764, Quint Street Lead Reconstruction Project
7	Portwide	Action	Approval of Memorandum of Understanding with the San Francisco Human Services Agency for the Navigation Center on Port property located at 25 <sup>th</sup> Street
8	Piers 22½ and 26	Action	Approval of the Memorandum of Understanding between the Port of San Francisco and San Francisco Fire Department for the use of Port property located at Piers 26
9	Portwide	Action	Authorization to award Construction Contract No. 2771, Port Modular Restrooms Project
10	Pier 70	Action	Authorization to modify contract with AECOM for additional services to complete Detail Design and Construction support for Crane Cove Park and Illinois and 19th Street parking lot located within the Pier 70 area

**SEPTEMBER 13, 2016**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Portwide	Informational	Update on the City's Resiliency Plan by Patrick Otellini, the City's Chief Resilience Officer and Director of Earthquake Safety

2	Portwide	Informational	Update on the Northern Waterfront Seawall Resiliency Program
3	South Beach Harbor	Informational	Presentation of Financial and Operational Performance of South Beach Harbor
4	Downtown Ferry Terminal	Informational	Presentation on the Downtown Ferry Terminal Expansion Project
5	Portwide	Informational	Presentation regarding the Port's Proposed State and Federal Legislative Agenda
6	Mission Bay Ferry Landing	Action	Authorization for the Port's Executive Director to enter into a Memorandum of Understanding with the Water Emergency Transit Authority (WETA) for the planning and project delivery of the Mission Bay Ferry Landing
7	Illinois Street between 18 <sup>th</sup> and 19 <sup>th</sup> Streets	Action	Approval of Memorandum of Understanding 16137 (MOU) among the Port of San Francisco (Port), the San Francisco Municipal Transportation Agency (SFMTA), and the San Francisco Public Utilities Commission (SFPUC) for the construction and maintenance of the SFMTA Mission Bay Loop project in the one-block portion of Illinois Street between 18th and 19th Streets, and for delegation of the approval process for the Mission Bay Loop project to San Francisco Public Works (SFPW)

**SEPTEMBER 27, 2016**

	FACILITY/POLICY	ITEM	TITLE
1	Portwide	Informational	Presentation by the San Francisco Planning Department on the Central Waterfront - Dogpatch Public Realm Plan (including Port properties such as Warm Water Cove Park, 24th and Illinois Streets)
2	Portwide	Informational	Presentation on the Municipal Debt Policy for the Port of San Francisco
3	Portwide	Informational	Presentation on Real Estate Portfolio
4	Portwide	Informational	Presentation on Port strategy regarding homeless encampments on Port property
5	Downtown Ferry Terminal	Action	Authorization to Execute a Development Disposition Agreement (DDA) and Long-Term Lease with the Water Emergency Transportation Authority

**DATE TO BE DETERMINED**

	FACILITY/POLICY	ITEM	TITLE
1	Portwide	Informational	Presentation regarding the proposed updates to the Port of San Francisco's Retail Leasing Policy
2	Portwide	Informational	Presentation regarding the Port of San Francisco's proposed policy for the extension of Long Term Leases

3	Portwide	Informational	Update on the ARC™3EV Charging Stations and their success
4	Portwide	Informational	Update on the San Francisco Sea Level Rise Action Plan and Port Sea Level Rise Projects
5	India Basin	Informational	Annual presentation by the San Francisco Recreation and Parks Department on India Basin Open Space Planning
6	Southern Bayfront	Informational	Presentation by the City of San Francisco's Office of Economic and Workforce Development (OEWD) on the Southern Bayfront (Mission Bay, Central Waterfront, Bayview Hunters Point, Candlestick areas) interagency coordination to guide community and citywide investment
7	Pier 94 and 96	Action	Authorization to advertise for competitive bids for Construction, Pier 94-96 Storm Drain and Outfall repairs
8	Loading Dock near Tulare Street	Action	Authorization to advertise for competitive bids for Construction, Copra Crane Refurbishment
9	Pier 35	Action	Authorization to advertise for competitive bids for Construction, Pier 35 Substructure Repairs
10	Portwide	Action	Approval of San Francisco Public Works vendors proposals for Public Toilets and advertising Kiosks, support for selection of vendor, affecting several locations on Port property
11	Portwide	Action	Authorization to issue a Request for Qualifications (RFQ) soliciting contracts for As-Needed Environmental and Related Professional Services



**AUGUST / SEPTEMBER 2016**  
**CALENDAR OF UPCOMING PORT MEETINGS – OPEN TO THE PUBLIC**

<b>DATE</b>	<b>TIME</b>	<b>GROUP</b>	<b>LOCATION</b>
August 9	2:00 PM Closed Session 3:15 PM Open Session	Port Commission	Port Commission Hearing Room at the Ferry Building
Sept. 13	2:00 PM Closed Session 3:15 PM Open Session	Port Commission	Port Commission Hearing Room at the Ferry Building
Sept. 27	2:00 PM Closed Session 3:15 PM Open Session	Port Commission	Port Commission Hearing Room at the Ferry Building

**NOTES:**

The San Francisco Port Commission meets regularly on the second and fourth Tuesday of the month at 3:15 p.m., unless otherwise noticed. The Commission Agenda and staff reports are posted on the Port's Website @ [www.sfport.com](http://www.sfport.com). Contact Amy Quesada at 415-274-0406 or [amy.quesada@sfport.com](mailto:amy.quesada@sfport.com)

Full Commission meetings are replayed on San Francisco cable via SFGovTV2 and streamed on the Internet. Broadband service is recommended for access. The Port Commission is generally broadcast on SFGovTV2, cable channel 78 on the 2nd & 4th Thursday of the month at 9 p.m. SFGovTV archives include a recording of each meeting, an agenda with links to the specific portion of the meeting, a file containing all closed captions for the deaf from the meeting and an MP3 recording of the meeting. The Port Commission meetings can be viewed online at [http://sanfrancisco.granicus.com/ViewPublisher.php?view\\_id=92](http://sanfrancisco.granicus.com/ViewPublisher.php?view_id=92)

The Fisherman's Wharf Waterfront Advisory Group (FWWAG) meets regularly on a bi-monthly basis, on the third Tuesday of the month. The regular meeting time and place is 9:00 a.m. at Scoma's Restaurant, Pier 47 at Fisherman's Wharf. Contact Rip Malloy @ 415-274-0267 or [rip.malloy@sfport.com](mailto:rip.malloy@sfport.com)

The Maritime Commerce Advisory Committee (MCAC) meets every other month, on the third Thursday of the month, from 11:30 a.m. to 1:00 p.m. @ Pier 1. Contact Michael Nerney @ 415-274-0416 or [michael.nerney@sfport.com](mailto:michael.nerney@sfport.com)

The Mission Bay Citizens Advisory Committee meets on the second Thursday of the month at 5:00 p.m. in the Creek Room at Mission Creek Senior Building located at 225 Berry Street in San Francisco (along the Promenade just beyond the library.) Contact Hilde Myall @ 415-749-2468 or [hilde.myall@sfgov.org](mailto:hilde.myall@sfgov.org). For matters related to the proposed Golden State Warriors Event Center, the main contact is Adam Van de Water at MOED [Adam.VandeWater@sfgov.org](mailto:Adam.VandeWater@sfgov.org)

The Northeast Waterfront Advisory Group (NEWAG) meets regularly on a bi-monthly basis on the first Wednesday of the month from 5:00 p.m. to 7:00 p.m. in the Bayside Conference Room @ Pier 1. Contact Diane Oshima @ 415-274-0545 or [diane.oshima@sfport.com](mailto:diane.oshima@sfport.com)

The Central Waterfront Advisory Group (CWAG) meets monthly on an as-needed basis, generally on the third Wednesday of the month from 5 to 7 p.m. in the Bayside Conference Room at Pier 1. Contact Mark Paez @ 415-705-8674 or [mark.paez@sfport.com](mailto:mark.paez@sfport.com)

The Southern Waterfront Advisory Committee (SWAC) meets at the last Wednesday of the month as needed from 6:00 to 8:00 p.m. Location to be determined. Contact Kanya Dorland @ 415-274-0264 or [kanya.dorland@sfport.com](mailto:kanya.dorland@sfport.com) and/or David Beaupre @ 415-274-0539 or [david.beaupre@sfport.com](mailto:david.beaupre@sfport.com)

The Waterfront Design Advisory Committee (WDAC) meets jointly with the Design Review Board of the Bay Conservation and Development Commission on the first Monday of the month at BCDC, 50 California Street, Rm. 2600, at 6:30 p.m. The Committee meets as needed on the fourth Monday of the month at 6:30 p.m. in the Bayside Conf. Rm. @ Pier 1. Contact Dan Hodapp @ 415-274-0625 or [dan.hodapp@sfport.com](mailto:dan.hodapp@sfport.com)

## **ACCESSIBLE MEETING INFORMATION POLICY**

### **JAMES R. HERMAN CRUISE TERMINAL AT PIER 27, San Francisco CA 94111:**

The meeting will be held on the second floor of the James R Herman Cruise Ship Terminal at Pier 27. The main entrance is through the glass lobby doors. Proceed upstairs via elevator, escalator or stairs. Restrooms are located in the lobby or on level 2 near the meeting space.

The James R. Herman Cruise Terminal at Pier 27 is easily accessible via public and private transportation, as well as biking and walking.

The following public transit options will take you within walking distance of Pier 27. For further trip planning, visit [www.511.org](http://www.511.org)

#### **MUNI (Streetcar):**

The F Line Streetcar, operated by the San Francisco Municipal Railway (MUNI), stops in front of Pier 27.

1. If coming from the North, get off at The Embarcadero & Sansome St
2. If coming from the South, get off at The Embarcadero & Greenwich St
3. The Pier 27 entrance is marked by a LED marquee column

#### **BART (Subway) and Walk:**

1. Take BART to The Embarcadero Station
2. Exit BART station and walk East toward the Embarcadero
3. Turn left onto The Embarcadero
4. Walk north for .9 mile (15 - 20 minutes)
5. Pier 27 is on the right

#### **BART and MUNI:**

1. Take BART to The Embarcadero Station
2. Walk to Market St & Main St
3. Take the F Line Streetcar towards Fisherman's Wharf via Downtown (6 stops)
4. Get off at The Embarcadero & Greenwich St
5. Walk north for approximately 300 feet
6. Pier 27 is on the right

Hourly parking is available in the Pier 27 parking lot. \$12 for the first 2-hours with a maximum of \$20/day (Monday – Friday). Pier 27 is accessible from the F-Line on The Embarcadero, exit at Pier 23 and proceed to walk north to Pier 27.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

#### **Disability Accommodations:**

To request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please contact Wendy Proctor, Port's ADA Coordinator at (415) 274-0592 or via email at [wendy.proctor@sfport.com](mailto:wendy.proctor@sfport.com) or Amy Quesada, Commission Secretary, at (415) 274-0405 or via email at [amy.quesada@sfport.com](mailto:amy.quesada@sfport.com) at least 72 hours in advance of the hearing. The Port's TTY number is (415) 274-0587.

#### **Language Assistance**

**311 Free language assistance** / 免費語言協助 / Ayuda gratuita con el idioma / Бесплатная помощь переводчиков / Trợ giúp Thông dịch Miễn phí / Assistance linguistique gratuity / 無料の言語支援 / 무료 언어 지원 / ភ្នំ ៗ “ង” “ង” ‘ ្រ / Librang tulong para sa wikang Tagalog

## **NOTICES**

### **Know Your Rights Under the Sunshine Ordinance:**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Sections 67.1 et seq. of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Chris Rustom by mail: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at (415) 554-7724; by fax at (415) 554-7854 or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org). Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from Mr. Rustom or by printing Sections 67.1 et seq. of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>.

### **Prohibition of Ringing of Sound Producing Devices:**

The ringing of and use of cell phones, pagers, and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic device.

### **Lobbyist Registration and Reporting Requirements:**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Campaign & Government Conduct Code Sections §2.100 – 2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness, Suite 3900, San Francisco, CA 94102, phone (415) 581-2300 or fax (415) 581-2317; web site: [www.sfgov.org/ethics](http://www.sfgov.org/ethics).

### **CEQA Appeal Rights under Chapter 31 of the San Francisco Administrative Code:**

If the Commission approves an action identified by an exemption or negative declaration as the Approval Action (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA decision prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. Typically, an appeal must be filed within 30 calendar days of the Approval Action. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Department's Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at <http://sf-planning.org/index.aspx?page=3447>. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.