

# SAN FRANCISCO PORT COMMISSION

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## AGENDA TUESDAY, DECEMBER 13, 2016 2:00 P.M. CLOSED SESSION 3:15 P.M. OPEN SESSION

### PORT COMMISSION HEARING ROOM, SECOND FLOOR FERRY BUILDING, 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** – The minutes for the November 15, 2016 meeting will be presented at the January 10, 2017 meeting.
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: Pier 38, located at Delancey Street and The Embarcadero  
Person Negotiating: Port: Rebecca Benassini, Assistant Deputy Director, Planning and Development  
\*Negotiating Parties: Pier 38 Partners, LLC: Michael Covarrubias

Under Negotiations: \_\_\_ Price \_\_\_ Terms of Payment X Both  
The Port and TMG Pier 38 Partners, LLC (“TMG”) are negotiating a lease for the Pier 38 Bulkhead and Shed Building Rehabilitation Project. In this executive session, the Port's negotiator seeks direction from the Port Commission on factors affecting the price and terms of payment, including price structure, financing mechanisms and other factors affecting the form, manner and timing of payment of the consideration for the property interests. 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.

- b. 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 CA: 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.

## **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
  - Commissioner Brandon honored at the SF NAACP for the Professional and Business Award on November 19, 2016
  - Monofilament Fishing Line Recycling Stations
  - National Park Service Term Sheet receives Board of Supervisor endorsement November 29, 2016

- BAE Systems San Francisco Ship Repair, Inc. proposed sale of lease to Puglia Marine
  - California Association of Port Authorities 2016 Annual Meeting, November 29, 2106
  - Recognition of the retirement of Carolyn Horgan, CEO of Blue & Gold
  - Schedule of Port Commission Meetings for 2017
- B. Port Commissioners' Report: Without discussion, at this time Commissioners may make announcements regarding various matters of interest to the Commissioner(s).

## **10. CONSENT CALENDAR**

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Port Commission, and may be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or at a future hearing.

- A. Request approval of the Amendments to the 2016 Port Building Code. (Resolution No.16-45)
- B. Request authorization for the Port's Executive Director to enter into a Memorandum of Understanding with the San Francisco Bay Area Water Emergency Transit Authority (WETA) for the planning and project delivery of the Mission Bay Ferry Landing. (Resolution No.16-46)
- C. Request authorization to advertise for competitive bids for Construction Contract No. 2784, Pier 23 Roof Repair Project. (Resolution No.16-47)

## **11. PLANNING & DEVELOPMENT**

- A. Informational presentation on Proposed 2017 State and Federal Legislative Priorities.

## **12. MARITIME**

- A. Request authorizing the Executive Director to enter into a Project Partnership Agreement with the United States Army Corps of Engineers (USACE) for dredging of the Central Basin, providing access to USACE for that purpose, and waiving applicable competitive bidding and contract requirements, subject to approval of the Board of Supervisors. (Resolution No.16-48)

## **13. ENGINEERING**

- A. Informational presentation on Contract 2762R, Roof & Structural Repair Project at Pier 31.

**14. FINANCE**

- A. Informational presentation on the Port's 10-Year Capital Plan for Fiscal Year 2018-2027.
- B. Informational presentation on the Port's Fiscal Year 2018-2022 Five-Year Financial Plan.

**15. NEW BUSINESS**

- 16. ADJOURNMENT in memory of the 36 lives lost in the tragic Oakland fire on December 2, 2016.**

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

**JANUARY 10, 2017**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Portwide	Action	Approval of the Port's 10-Year Capital Plan for Fiscal Year 2018-2027
2	Portwide	Action	Approval of the Port's Fiscal Year 2018-2022 Five-Year Financial Plan
3	Ferry Building	Action	Approval of a long-term lease for the Downtown Ferry Terminal
4	Pier 94 and 96	Action	Authorization to advertise for competitive bids for Construction, Pier 94-96 Storm Drain and Outfall repairs
5	Southern Waterfront	Informational	Informational presentation regarding a potential transaction between the City, the Port, and Pacific, Gas and Electric Co. (PG&E)
6	Portwide	Action	Request Approval of a Third Amendment to Lease No. L-14397 ("Lease") between the Port of San Francisco and San Francisco Bay Railroad, Inc. located at 100 Cargo Way to Provide for a Term Extension of Sixty ("60") Months, a Minimum Annual Guarantee Payment to Port, a Minimum of \$1.3 Million Tenant Investment in Rail Infrastructure Improvements, and a Prorated Rent Credit Schedule.
7	Portwide	Action	Request authorization to issue a Request for Qualifications (RFQ) to solicit professional public relations and communication services for the Seawall Resiliency Project and General Communications

**FEBRUARY 14, 2017**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Southern Waterfront	Action	Request approval to accept and expend a grant to purchase a new low emissions diesel locomotive
2	Southern Waterfront	Informational	Informational presentation on the implementation of the Piers 80-96 Maritime Eco-Industrial Center Strategy

**DATE TO BE DETERMINED**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Portwide	Informational	Presentation regarding the proposed updates to the Port of San Francisco's Retail Leasing Policy
2	Portwide	Informational	Update on the ARC™3EV Charging Stations and their success
3	Portwide	Informational	Update on the San Francisco Sea Level Rise Action Plan and Port Sea Level Rise Projects
4	India Basin	Informational	Annual presentation by the San Francisco Recreation and Parks Department on India Basin Open Space Planning
5	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
6	Portwide	Informational	Annual Update by the Mayor's Office of Housing and Community Development
7	Pier 22½	Informational	Periodic Update on the Pier 22½ Fireboat Station 35
9	Portwide	Informational	Annual Update on the Port Strategic Plan
10	South Beach Harbor	Informational	Presentation of Financial and Operational Performance of South Beach Harbor
11	Portwide	Informational	Update on the City's Resiliency Plan
12	Portwide	Informational	Update on the Seawall Resiliency Project
13	Pier 84	Action	Authorization to advertise for competitive bids for Construction, Copra Crane Refurbishment
14	Pier 35	Action	Authorization to advertise for competitive bids for Construction, Pier 35 Substructure Repairs
15	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
16	Portwide	Action	Authorization to award Construction Contract No. 2771, Port Modular Restrooms Project
17	Portwide	Action	Authorization to issue a Request for Proposals (RFP) to solicit professional contract management services for the Seawall Resiliency Project
18	Southern Waterfront	Action	Request for Approval of Lease Renewal of Lease No. L-16159 with IDEO, LP for Office Space at Pier 26 Annex for a Sixty Month Term and a Sixty Month Term Option

**JANUARY / FEBRUARY 2017  
CALENDAR OF UPCOMING PORT MEETINGS – OPEN TO THE PUBLIC**

<b>DATE</b>	<b>TIME</b>	<b>GROUP</b>	<b>LOCATION</b>
JAN. 10	2:00 PM Closed Session 3:15 PM Open Session	Port Commission	Port Commission Hearing Room at the Ferry Building
FEB. 14	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 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**

### **FERRY BUILDING:**

The Port Commission Hearing Room is located on the second floor of the Ferry Building. The main public entrance is from the west (Embarcadero) side and is served by a bank of elevators adjacent to the historic staircase. Accessible public restrooms are on the first floor at the northeast end of the building as well as on the second floor across the lobby from the Port Commission Hearing Room. The main path of travel to the Port Commission Hearing Room is equipped with remote infrared signage (Talking Signs). The Port Commission Hearing Room is wheelchair accessible. Accessible seating for persons with disabilities (including those using wheelchairs) is available. The closest accessible BART and MUNI Metro station is Embarcadero located at Market & Spear Streets. Accessible MUNI lines serving the Ferry Building area are the F-Line, 9, 31, 32 and 71. For more information about MUNI accessible services, call (415) 923-6142. The nearest accessible parking is provided in the following off-street pay lots: 3 spaces in the surface lot on the west side of the Embarcadero at Washington Street.

Hourly and valet parking is available in the Pier 3 lot. This lot is accessed through the Pier 3 bulkhead building entrance on the east side of the Embarcadero. This lot is located on the pier deck; adjacent to the ferry boat Santa Rosa. Additional covered accessible off-street pay parking is available in the Golden Gateway Garage, which is bounded by Washington, Clay, Drumm and Battery Streets. Entrance is on Clay St. between Battery and Front Streets. There is no high-top van parking. Metered street parking is available on the Embarcadero, Washington, Folsom & Drumm Streets.

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 gratuit / 無料の言語支援 / 무료 언어 지원 / ភ្នំ ៗ “ង” “ម” ‘ ្រ / Librang tulong para sa wikang Tagalog

To request an interpreter for a specific item during the hearing, please contact Port's Language Access Liaison, Matthias Giezendanner at (415) 274-0471 or email him at [matthias.giezendanner@sfport.com](mailto:matthias.giezendanner@sfport.com) at least 48 hours in advance of the hearing.

### **SPANISH:**

Agenda para la Comisión de Planificación. Si desea asistir a la audiencia, y quisiera obtener información en Español o solicitar un aparato para asistencia auditiva, llame Matthias Giezendanner al 415-274-0471. Por favor llame por lo menos 48 horas de anticipación a la audiencia.

### **CHINESE:**

規劃委員會議程。聽證會上如需要語言協助或要求輔助設備，請致電Matthias Giezendanner 415-274-0471。請在聽證會舉行之前的至少48個小時提出要求。

## **TAGALOG:**

Adyenda ng Komisyon ng Pagpapalano. Para sa tulong sa lengguwahe o para humiling ng Pantulong na Kagamitan para sa Pagdinig (headset), mangyari lamang na tumawag kay Matthias Giezendanner sa 415-274-0471. Mangyaring tumawag nang maaga (kung maaari ay 48 oras) bago sa araw ng Pagdinig.

## **RUSSIAN:**

П о в е с т к а д н я Комиссии по планированию. За помощью переводчика или за вспомогательным слуховым устройством на время слушаний обращайтесь по номеру Matthias Giezendanner 415-274-0471. Запросы должны делаться минимум за 48 часов до начала слушания.

## **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 the 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 [soft@sfgov.org](mailto:soft@sfgov.org). Citizens can obtain a free copy of the Sunshine Ordinance 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.