

# SAN FRANCISCO PORT COMMISSION

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## AGENDA TUESDAY, MAY 9, 2017 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 Affairs Manager's Office located at Pier 1 during normal office hours.*

1. **CALL TO ORDER / ROLL CALL**
2. **APPROVAL OF MINUTES** – April 11, 2017
3. **PUBLIC COMMENT ON EXECUTIVE SESSION**
4. **EXECUTIVE SESSION**
  - A. Vote on whether to hold a closed session and invoke the attorney-client privilege.
    - (1) Discussion and vote in open session whether to meet in closed session regarding the following matter pursuant to California Government Code §54957(b) and San Francisco Administrative Code §67.10(d) (Discussion and possible action).

PUBLIC EMPLOYEE APPOINTMENT/HIRING

Title/Description of position to be filled: Chief Harbor Engineer

(2) 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 Item)

- a. 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, Senior Deputy Director, Chief Operating Officer  
\*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 Manager of Port Commission Affairs. If you have any question regarding the agenda, please contact the Manager of Port Commission Affairs 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
- Update on the San Francisco Chamber City Trip to Washington, D.C. – April 26-28, 2017
  - Downtown San Francisco Ferry Terminal Expansion Project Groundbreaking Ceremony – May 11, 2017 at 10 a.m. at Gate E located on the Southeast of the Ferry Building
- B. Port Commissioners' Report: Without discussion, at this time Commissioners may make announcements regarding various matters of interest to the Commissioner(s).

## **10. CONSENT**

- A. Request an exemption from the Port's Retail Leasing Policy and approval of two five-year leases with two existing Pier 40 retail tenants: the Bike Hut Foundation, a California 501(c) (3) Non-Profit Organization (Lease Number L-16019) (Resolution 17-20); and Ted Choi, a Sole Proprietorship Doing Business as City Kayak (Lease Number L- 16028). (Resolution No. 17-21)
- B. Request approval of a First Amendment to Lease No. L-15908 for premises located at Pier 33½ in the Northern Waterfront between the Port of San Francisco and Queen's Louisiana Po'-Boy Café, LLC ("Queen's") to retroactively

extend the rent-free construction period and extend the Term of the Lease.  
(Resolution No. 17-22)

## **11. FINANCE & ADMINISTRATION**

- A. Informational presentation on the Seawall Finance Working Group.

## **12. REAL ESTATE**

- A. Request approval of an Eight (8) Year Lease (No. L-16159) between the Port of San Francisco and IDEO, LP for approximately 26,901 square feet of office space located at the Pier 26 Annex Building, subject to Board of Supervisors' approval. (Resolution No. 17-18)

## **13. PLANNING & DEVELOPMENT**

- A. Informational presentation regarding the Pier 70 Special Use District Transaction Structure between: (1) the Port and Forest City Development California, Inc. for the 28-Acre Site, located between 20th, Michigan, and 22nd Streets and San Francisco Bay (Assessor's Block 4052/Lot 001 and Lot 002 and Block 4111/Lot 003 and Lot 004); (2) the Port and Third Parties for the "20th/Illinois Parcel" along Illinois Street at 20th Street (Assessor's Block 4110/Lot 001); and (3) the City and a Third Party for Pacific Gas and Electric Company-owned parcel subject to a City option to purchase called the "Hoedown Yard," at Illinois and 22nd Streets (Assessor's Block 4120/Lot 002 and Block 4110/Lot 008A).
- B. Informational presentation providing quarterly update on the Port's FY 2016-17 Federal and State Legislation Program.

## **14. NEW BUSINESS**

## **15. ADJOURNMENT**

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

**MAY 23, 2017**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Portwide	Informational	Presentation of the Fiscal Year 2017-18 Monthly Rental Rate Schedule, Monthly Parking Stall Rates, and Special Event and Filming Rates
2	Pier 70	Informational	Presentation regarding Pier 70 Infrastructure Plan, Transportation Plan and Sustainability Plan
3	Pier 40	Informational	Presentation Regarding a Request for Proposals for a Retail Space located at Pier 40 on the Embarcadero
4	India Basin	Informational	Presentation by the San Francisco Recreation and Parks Department, Office of Economic Workforce and Development (OEWD), and BUILD on the India Basin Project, and interagency coordination with the Port
5	Portwide	Action	Approval to award the Public Relations, Communications, Media Services and Related Professional Services for the Seawall Resiliency Project
6	Pier 33	Action	Authorization to issue Request for Proposals (RFP) for a Restaurant Opportunity at Pier 33 North, located on the Embarcadero at Bay Street

**JUNE 13, 2017**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Pier 70	Informational	Presentation regarding Pier 70 Financing Plan & Public Finance Strategy
2	Pier 27	Informational	Presentation on a proposed 2-year temporary art installation at the Pier 27 Cruise Terminal Plaza, sponsored by the Arts Commission as part of the Haifa/SF Sister City Program
3	Portwide	Action	Approval of the Fiscal Year 2017-18 Monthly Rental Rate Schedule, Monthly Parking Stall Rates, and Special Event and Filming Rates
4	Portwide	Action	Authorization to award up to three contracts for as-needed environmental and professional related services
5	Portwide	Action	Approval to award the As-Needed Public Relations, Communications, Media Services and Related Professional Services
6	SWL 301	Action	Approval of Amendment to Lease No. L-13550 between the Port and Boudin Properties, Inc. for Premises located at Seawall Lot 301
7	Pier 96	Action	Approval of Exclusive Negotiating Agreement with Recology and endorsement of term sheet at Pier 96

8	Portwide	Action	Approval of incorporating the 2016 California Green and Energy Codes and the San Francisco Environment Code Chapter 7 into the 2016 Port Building Code
9	Portwide	Action	Approval of nomination of five members of the Port Building Code Review Board for three year terms
10	Piers 94-96	Action	Authorization to award Construction Contract No. 2766R, Piers 94-96 Storm Drain and Outfalls Repairs Project

**JULY 11, 2017**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Pier 22½	Informational	Periodic Update on the Pier 22½ Fireboat Station 35
2	Seawall Lots 322-1, 323, 324 and 321	Informational	Presentation on recent study of parking trend around Seawall Lots 322-1, 323, 324 and 321 and parking and transportation options after their surface parking stalls are removed to develop the lots to meet the goals/objectives of the Waterfront Land Use Plan

**DATE TO BE DETERMINED**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Pier 70	Informational	Presentation regarding Forest City Development's Pier 70 Phase 1 Project
2	Portwide	Informational	Presentation regarding the proposed updates to the Port of San Francisco's Retail Leasing Policy
3	Portwide	Informational	Presentation regarding the Policy for the Extension of Long Term Leases
4	Portwide	Informational	Update on the San Francisco Sea Level Rise Action Plan and Port Sea Level Rise Projects
5	Piers 80-96	Informational	Presentation on the implementation of the Piers 80-96 Maritime Eco-Industrial Center Strategy
6	Portwide	Informational	Annual Update by the Mayor's Office of Housing and Community Development
7	Portwide	Informational	Presentation from the San Francisco Municipal Transportation Agency regarding transportation issues on the waterfront and Embarcadero
8	Portwide	Informational	Annual Update on the Port Strategic Plan
9	South Beach Harbor	Informational	Presentation of Financial and Operational Performance of South Beach Harbor
10	Portwide	Informational	Update on the City's Resiliency Plan
11	Portwide	Informational	Update on the Port Seawall Resiliency Project
12	Pier 29 Annex	Informational	Presentation regarding a Request for Proposals for a retail space located at Pier 29 Annex (Beltline Building) on the Embarcadero
13	Portwide	Informational	Presentation regarding a potential transaction between the City, the Port, and Pacific, Gas and

			Electric Co. (PG&E)
14	Ferry Terminal	Informational	Progress Report on the Downtown San Francisco Ferry Terminal Expansion Project
15	Pier 84	Action	Authorization to advertise for competitive bids for Construction, Copra Crane Refurbishment
16	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
17	Portwide	Action	Authorization to award Construction Contract No. 2771, Port Modular Restrooms Project
18	Pier 43½	Action	Presentation regarding the proposed term sheet with Golden Gate Scenic Steamship Corporation, located at Piers 43½ in Fisherman's Wharf
19	Portwide	Action	Approval to award the Program Management / Engineering Consultant Services to Support the Seawall Resiliency Project
20	Pier 40	Action	Authorization to Issue a Request for Proposals for a Retail Lease located at Pier 40 on the Embarcadero
21	Pier 31½	Action	Authorization to advertise Construction Contract No. 2790, Pier 31½ Substructure Repair Project
22	China Basin	Action	Authorization to advertise China Basin Floats Project
23	Pier 31	Action	Authorization to award Construction Contract No. 2783, Pier 31 Utility & Restroom Project
24	Pier 29 Annex/ Beltline Building	Action	Authorization to advertise for competitive bids for Construction Contract No. 2794, Beltline Building Core & Shell Improvements Project

**MAY / JUNE / JULY 2017**  
**CALENDAR OF UPCOMING PORT MEETINGS – OPEN TO THE PUBLIC**

DATE	TIME	GROUP	LOCATION
MAY 23	2:00 PM Closed Session 3:15 PM Open Session	Port Commission	Port Commission Hearing Room at the Ferry Building
JUNE 13	2:00 PM Closed Session 3:15 PM Open Session	Port Commission	Port Commission Hearing Room at the Ferry Building
JULY 11	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, as needed, 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, Port Commission Affairs Manager, 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” ’ ្ក / 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.