

SAN FRANCISCO PORT COMMISSION

Willie Adams, President
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Leslie Katz, Commissioner
Doreen Woo Ho, Commissioner

Elaine Forbes, Executive Director
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Office: 415-274-0406

AGENDA TUESDAY, MAY 23, 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. 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** – May 9, 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) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION MATTER (DISCUSSION):
 - a. Discuss existing litigation matter pursuant to Section 54956.9(d)(1) of the California Government Code and Section 67.10(d)(1) of the City and County of San Francisco Administrative Code.

Puglia Engineering, Inc. v. BAE Systems Ship Repair Inc., BAE Systems San Francisco Ship Repair Inc., BAE Systems, Inc., City and

County of San Francisco, and Does 1-20; San Francisco Superior Court
(Case No. CGC-17-557087 filed February 15, 2017)

- (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: SWL 344 (the “Backlands”) (located at Amador Street and Cargo Way) and/or Pier 96
Person Negotiating: Port: Peter Dailey, Deputy Director, Maritime
*Negotiating Parties: BMW: Tony H. Kepano, Vice Chairman, CBRE/Advisory and Transaction Services for BMW

Under Negotiations: ____ Price ____ Terms of Payment Both

An executive session has been calendared to give direction to staff regarding real estate negotiations for the proposed lease of Port property located at SWL 344 (the “Backlands”) (at Amador Street and Cargo Way) and/or Pier 96. In this executive session, the Port's negotiators will seek direction from the Port Commission regarding price and terms of payment, including term, rent structure, improvements, rent credits and other factors affecting the form, manner and timing of payment of the consideration for the lease in order to 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 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 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

- Commendation for Commander David Lazar
 - Congratulations to Class of 2017 San Francisco Business Times Most Influential Women – Port Commissioner Leslie Katz
 - Mission Creek Sea Level Rise Adaptation Study selected for an Award of Excellence by the American Planning Association of Northern California – Gala event on June 2, 2017 from 6:30 PM to 9:30 PM at Oakland Preservation Park
- 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 approval for a member of the San Francisco Port Commission to travel to Osaka, Japan on July 12-16, 2017 to attend the Port of Osaka’s 150th Anniversary and to commemorate our 50th Anniversary sister port relationship. (Resolution No. 17-23)

11. FINANCE & ADMINISTRATION

- A. Request for authorization to award a contract to Civic Edge Consulting, LLC (formerly, Barbary Coast Consulting), for public relations, communications, media services, and related professional services for the Seawall Resiliency Project in an amount not to exceed \$1,695,205 with a term of four years and the Port’s option to extend the term for one additional year. (Resolution No. 17-24)

12. REAL ESTATE & DEVELOPMENT

- A. Informational presentation of the Fiscal Year 2017-18 Monthly Rental Rate Schedule, Monthly Parking Stall Rates, and Special Event and Filming Rates.
- B. Informational presentation regarding the Request for Proposals (RFP) for a Restaurant Opportunity at Pier 40, located near South Beach Harbor on The Embarcadero.
- C. Request authorization to issue Request for Proposals (RFP) for a restaurant Opportunity at Pier 33 North, located at Bay Street and the Embarcadero. (Resolution No. 17-25)
- D. Informational presentation regarding the Pier 70 Special Use District Transportation Plan, Streetscape Master Plan, Infrastructure Plan and Sustainability Plan 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) and the “20th/Illinois Parcel” along Illinois Street at 20th Street (Assessor’s Block 4110/Lot 001) and 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).

13. PLANNING

- A. Informational presentation on the San Francisco Recreation and Parks Department India Basin open space planning; the proposed BUILD mixed-use development project at 700 Innes Avenue; and interagency coordination with the Port.

14. NEW BUSINESS

15. ADJOURNMENT

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

JUNE 13, 2017

	FACILITY/POLICY	ITEM	TITLE
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	Seawall Lot 337 and Pier 48	Informational	Presentation on the Design Controls and Special Use District for the Mission Rock project at SWL 337 and Pier 48
4	Portwide	Action	Approval of the Fiscal Year 2017-18 Monthly Rental Rate Schedule, Monthly Parking Stall Rates, and Special Event and Filming Rates
5	Portwide	Action	Authorization to award up to three contracts for as-needed environmental and professional related services
6	Portwide	Action	Approval to award the As-Needed Public Relations, Communications, Media Services and Related Professional Services
7	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
8	Pier 96	Action	Approval of Exclusive Negotiating Agreement with Recology and endorsement of term sheet at Pier 96
9	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
10	Portwide	Action	Approval of nomination of five members of the Port Building Code Review Board for three year terms
11	Piers 94-96	Action	Authorization to award Construction Contract No. 2766R, Piers 94-96 Storm Drain and Outfalls Repairs Project

JULY 11, 2017

	FACILITY/POLICY	ITEM	TITLE
1	Pier 70	Informational	Presentation regarding Forest City Development's Pier 70 Phase 1 Project
2	Pier 22½	Informational	Periodic Update on the Pier 22½ Fireboat Station 35
3	Seawall Lots 322-1, 323, 324 and	Informational	Presentation on recent study of parking trend around Seawall Lots 322-1, 323, 324 and 321 and

	321		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
4	Seawall Lot 337 and Pier 48	Informational	Presentation on the public finance framework for the Mission Rock project at SWL 337 and Pier 48
5	China Basin	Action	Authorization to advertise for bids for the China Basin Drydock, East Float and West Float (Contract No. 2793)
6	Fisherman's Wharf	Action	Authorization to allow retail fish sales from boats at Fisherman's Wharf

AUGUST 8, 2017

	FACILITY/POLICY	ITEM	TITLE
1	Pier 70	Action	Approval of Forest City Development's Pier 70 transaction documents and entitlements

SEPTEMBER 12, 2017

	FACILITY/POLICY	ITEM	TITLE
1	Seawall Lot 337 and Pier 84	Informational	Presentation on the transaction documents for the Mission Rock project at SWL 337 and Pier 48.

SEPTEMBER 26, 2017

	FACILITY/POLICY	ITEM	TITLE
1	Seawall Lot 337 and Pier 48		Approval of CEQA findings and transaction documents for the Mission Rock project at SWL 337 and Pier 48

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 Policy for the Extension of Long Term Leases
3	Portwide	Informational	Update on the San Francisco Sea Level Rise Action Plan and Port Sea Level Rise Projects
4	Piers 80-96	Informational	Presentation on the implementation of the Piers 80-96 Maritime Eco-Industrial Center Strategy
5	Portwide	Informational	Annual Update by the Mayor's Office of Housing and Community Development
6	Portwide	Informational	Presentation from the San Francisco Municipal Transportation Agency regarding transportation issues on the waterfront and Embarcadero

7	Portwide	Informational	Annual Update on the Port Strategic Plan
8	South Beach Harbor	Informational	Presentation of Financial and Operational Performance of South Beach Harbor
9	Portwide	Informational	Update on the City's Resiliency Plan
10	Portwide	Informational	Update on the Port Seawall Resiliency Project
11	Pier 29 Annex	Informational	Presentation regarding a Request for Proposals for a retail space located at Pier 29 Annex (Beltline Building) on the Embarcadero
12	Portwide	Informational	Presentation regarding a potential transaction between the City, the Port, and Pacific, Gas and Electric Co. (PG&E)
13	Ferry Terminal	Informational	Progress Report on the Downtown San Francisco Ferry Terminal Expansion Project
14	Pier 84	Action	Authorization to advertise for competitive bids for Construction, Copra Crane Refurbishment
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	Pier 43½	Action	Presentation regarding the proposed term sheet with Golden Gate Scenic Steamship Corporation, located at Piers 43½ in Fisherman's Wharf
18	Portwide	Action	Approval to award the Program Management / Engineering Consultant Services to Support the Seawall Resiliency Project
19	Pier 40	Action	Authorization to Issue a Request for Proposals for a Retail Lease located at Pier 40 on the Embarcadero
20	Pier 31½	Action	Authorization to advertise Construction Contract No. 2790, Pier 31½ Substructure Repair Project
21	China Basin	Action	Authorization to advertise China Basin Floats Project
22	Pier 31	Action	Authorization to award Construction Contract No. 2783, Pier 31 Utility & Restroom Project
23	Pier 29 Annex/ Beltline Building	Action	Authorization to advertise for competitive bids for Construction Contract No. 2794, Beltline Building Core & Shell Improvements Project
24	Portwide	Action	Authorization to accept and expend, subject to Board of Supervisors' approval, the 2016 Infrastructure Protection Program Port Security Grant Program funds from the U.S. Department of Homeland Security for security improvements at the Port of San Francisco

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

DATE	TIME	GROUP	LOCATION
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
AUGUST 8	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. Contact Amy Quesada at 415-274-0406 or 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

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

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

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. 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

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

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

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

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

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 or Amy Quesada, Port Commission Affairs Manager, at (415) 274-0405 or via email at 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” ’ គ / 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 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. 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.

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.