

# CITY & COUNTY OF SAN FRANCISCO PORT COMMISSION

## MINUTES OF THE MEETING JANUARY 14, 2020

### 1. CALL TO ORDER / ROLL CALL

Port Commission President Kimberly Brandon called the meeting to order at 2:00 p.m. The following commissioners were present: Kimberly Brandon, Willie Adams, Gail Gilman and Doreen Woo Ho. Commissioner Makras was on vacation.

### 2. APPROVAL OF MINUTES – December 10, 2019

ACTION: Commissioner Adams moved approval; Commissioner Gilman seconded the motion. All of the Commissioners were in favor. The minutes of the December 10, 2019 meeting were adopted.

### 3. PUBLIC COMMENT ON EXECUTIVE SESSION

### 4. EXECUTIVE SESSION

- A. Vote on whether to hold a closed session and invoke the attorney-client privilege.

ACTION: Commissioner Adams moved approval; Commissioner Gilman seconded the motion. All of the Commissioners were in favor.

At 2:03 p.m. the Commission withdrew to closed session to discuss the following:

(1) CONFERENCE WITH LEGAL COUNSEL REGARDING ANTICIPATED LITIGATION MATTERS. (Discussion and Possible Action).

- (a) Discussion and possible action on anticipated litigation matter pursuant to California Government Code Section 54956.9(d)(4) and San Francisco Administrative Code Section 67.10(d)(2) with the City as plaintiff regarding the Pier 24 Annex and Pilara Family Foundation. (Discussion and Possible Action)

Anticipated litigation: \_\_\_ As defendant X As plaintiff

- (b) Discussion and possible action on anticipated litigation matter pursuant to California Government Code Section 54956.9 and San Francisco Administrative Code Section 67.10(d)(2). (Discussion and Possible Action)

Anticipated litigation: \_\_\_ As defendant X As plaintiff

Proposed settlement of potential litigation between the Port and the Westar Marine Services for property damage to the Port's pile driver and the Pier 92 apron on April 6, 2018, due to an allision involving a tugboat owned by Westar. Westar has offered to pay the Port the sum of \$105,453 (the "Settlement Amount") for the damage. The material terms of the proposed settlement include Westar's payment of the Settlement Amount to the Port in exchange for the Port's release of all claims against Westar, its insurer and affiliated entities for the property damage. A copy of the proposed settlement agreement is on file with the Commission Secretary, pursuant to San Francisco Administrative Code Section 67.12(b)(3)

- (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/non-Port representative: (Discussion Item)

- (a) Property: Chowder Hut, located at Seawall Lot 301  
Person Negotiating: Port: Michael Martin, Deputy Director, Real Estate and Development; Mark Lozovoy, Assistant Deputy Director  
\*Negotiating Parties: Mark Briggs, representing Andre-Boudin Bakeries, Inc.  
Under Negotiations: \_\_\_ Price \_\_\_ Terms of Payment X Both

## 5. RECONVENE IN OPEN SESSION

At 3:15 p.m. the Commission withdrew from closed session and reconvened in open session.

ACTION: Commissioner Adams moved approval to adjourn closed session and reconvene in open session; Commissioner Gilman seconded the motion. All of the Commissioners were in favor.

ACTION: Commissioner Adams announced that with respect to Item 4(A)(1)(b), the Commission approved the proposed settlement with Westar Marine Services in the amount of \$105,453 in connection with the Port's property damage claim in the form of a Settlement Agreement with terms approved by the City Attorney. With respect to the other executive session discussions, Commissioner Adams moved approval to not disclose any information discussed in closed session; Commissioner Gilman seconded the motion. All of the Commissioners were in favor.

## 6. PLEDGE OF ALLEGIANCE

7. ANNOUNCEMENTS – The Commission Affairs Manager announced the following:

- 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

Diane Walton, Dolphin Club President - The Dolphin Club is a swimming and boating club that some of you may be aware of. We've been around for a very long time doing the same thing all the time, swimming and rowing. We're on leased property. We have a lease with the city. The lease was signed in the 1970s, expires in 2028. It's a really small problem for you guys but we find ourselves in this funny catch-22 where all we need to do is repair our dock. Our dock is in Aquatic Park. We had sign off from the myriad sources who sign off on things, BCDC and DBI and the city. Then, it got to the Port. The Port asked for evidence that the apron had been approved in the 1960s. But at that point, it wasn't under jurisdiction. We've been at this since September. I come to you in hopes that there's a way to break the logjam and know how we can get our dock repaired because that's how we put our boats in the water to protect our swimmers in the water. We had hoped to do it last fall during a time when we don't have very many swims. The swim season is coming up. We get more and more anxious about it. I come to you in hopes that there's a way to figure out what to do to make it happen.

Commissioner Brandon - Thank you very much. I'm sure someone from our staff will reach out to you or connect.

Elaine Forbes - We will continue to be in contact with you.

## 9. EXECUTIVE

### A. Election of Port Commission Officers

Commissioner Brandon - I would like to open the floor for nominations for the Port Commission president.

Commissioner Adams - I would like to nominate Commissioner Brandon for commission president.

Commissioner Brandon - Are there any other nominations? Are there any other nominations? Are there any other nominations? Seeing none, I close the nominations and call for the vote. All in favor?

All the Commissioners were in favor.

Commissioner Brandon - I'm excited. I really appreciate the support of my colleagues. We have accomplished a lot in the last couple of years and we have so much still to do. I really appreciate the fact that you would like me to continue in this role. I thank everyone for their support. We have one of the best staff here in the city and county of San Francisco. It makes the job so much easier. Thank you, everyone. I look forward to continuing to work with everyone.

Now, I would like to open the floor for nominations for the vice president of the commission.

Commissioner Woo Ho - I would like to nominate Commissioner Adams as vice president for the commission.

Commissioner Brandon - Are there any other nominations? Are there any other nominations? Are there any other nominations? Seeing none. I close the nominations, and we will vote. All in favor?

All the Commissioner were in favor.

Commissioner Brandon - Congratulations, Vice President Adams.

Commissioner Adams - First of all, I'd like to mirror President Brandon's comments about the staff here. The staff is world class, very fine. They work very hard, very great work ethic and just due diligence. I'd like to thank this commission. I've often said in my seven years on this commission that this is the best commission in the city pound for pound. Everybody has their own different opinions, different personalities but we seem to find a consensus to move forward. Brother Victor Makras is not here. He's in Dubai. Victor comes with how he sees things of the world. It's good, makes people think. I call Commissioner Brandon the nuts and bolts of this commission. Commissioner Woo Ho tears it up. She really gets down into the layers to see how things work. Commissioner Gilman came on. She bites into things, very knowledgeable, says her opinions. I believe she really cares about the community and people. And then, of course, the queen of the commission is President Brandon, who has been on this commission for 22 years. She's like the consensus of our commission. She tries to make things work and understands the true purpose of the mechanism of a commission that we're servants of the community. We serve the community even though we're appointed by the mayor.

We work for this community. We want the best for the city and the county of San Francisco. We want people to know in this city no matter whether they have no money or a lot of money or even if they're homeless, this Port belongs to them. We have a fiduciary responsibility. I look forward to working with my commissioners. I can say that normally I seem all stressed and worked up but I spent two weeks in Bali. I got some help. I went to a meditation and yoga resort.

I'm relaxed now and moving forward. My blood pressure is 120 over 80. I'm looking forward to working.

B. Executive Director's Report

• Commendation for David Rauenbuehler, Port Plumbing Supervisor, on his retirement

Elaine Forbes, the Port's executive director - First, I would like to congratulate you, President Brandon and Vice President Adams. I know the public gets to see a lot of the good work you do for the Port and making sure that the Port is a Port for everyone and we're doing everything just right. Thank you for all of the guidance, mentorship and direction you've given me. I'm so excited to continue to work for you both and for the whole commission. I cannot speak enough about the work that the commission puts in, the work travelling, the work getting back to people, the work just making sure that the Port really puts its best foot forward. We have commissioners that are really dedicated to this work. I thank you so much for that and for all the good guidance and direction you give me and the team. We are truly better for all of the effort you put in. Thank you. I can't wait for the next iteration of this partnership and just a real honor to work for the commission.

Elaine Forbes - I have kind of the bad job and the good job of giving a commendation to Mr. Dave Rauenbuehler on the occasion of his retirement. Dave Rauenbuehler has been with us for 30 years, a little bit more maybe. He joined in March 1992 as the supervisor of the maintenance division plumbing shop. He came to us as a journeyman plumber and immediately became a very well-respected supervisor.

He's really revered by staff and tenants alike because he's a problem solver. He is always providing input to engineering design for our own repairs and for tenant repairs. He initiated the deduct water meters to capture tenant water use for billing.

He developed improved backflow maintenance, repair and replacement programs. He was the lead person on the design and installation of the automated sewer pump controls and supervisor control and data acquisition systems.

More recently in his career, he's been very renowned for his photography. He has been asked by Renee and now Randy many times to take the perfect shot for our Port information. He has taken many beautiful photographs at Port events.

I understand he has over 80,000 photographs on his website. He's quite an enthusiast and a very good photographer. What really stood out for me about Dave is it's clear he is good at his job and he enjoys doing it. He is a people person for sure. He takes time to speak with people and assist them and even

can tell a quick joke to give a laugh during the day. He's just a joy to be around. His shoes will be very hard to fill. He'll be missed by all.

I'd like to thank you on behalf of the whole staff for your dedication to the Port and for your excellent service. We wish you the very most enjoyable retirement. Congratulations to you.

Tom Carter, director of maintenance - All those things, absolutely, that's Dave. Over the time that I've been here for 15 years, the tenants that contact me and speak of Dave when they have an issue, "I want to talk to Dave. Can you send Dave over? Dave's done it before. I know that he knows what he's doing." It was very comforting to know that. But he's just gotten to know a lot of people. A lot of people know him. They see him as the go-to person for all of the tenants and the folks out in the community.

Because I get a lot of these phone calls in the middle of the night when there's a problem, we get two kinds of emergencies: electrical and plumbing. No matter what time of the night it was, Dave always picked up the phone, and often came in on his own so that he didn't have to disturb one of his employees while they're on their time off. I know that your staff had to appreciate it. I appreciate that because then I knew I didn't have to worry about it. I knew it was going to be taken care of. For me, that was just a comfort and I would imagine for everybody else down at Port maintenance.

The thing that I've noticed over the last two years and it's funny because you can get a sense that somebody is getting ready to retire is the way that he mentored his staff. I was watching it. The way that he would communicate to me and I could see him communicating with staff and transferring knowledge because, when somebody leaves and they've been here this long, the knowledge that goes out the door with them is always a concern for us. How are we going to capture that? How are we going to continue that operation and that knowledge going forward? Dave embraced that. He just took people under his wings and just taught them what he knew.

I know this is something that they didn't get. I met with him last week. He said, "Tom, if anything comes up, you know how to get a hold of me even in retirement. Call me up, and I will help you with whatever that problem is."

David, we're going to miss you. I'm going to miss you. All of the staff will miss you. I know the tenants are going to miss you but I also know that you'll be around and hanging out. He volunteers down at the Jeremiah O'Brien. He'll be down at Fisherman's Wharf. Folks will see him around and have an opportunity to stay in touch with him. David, thank you for all of your service. It's been a joy working with you.

Oscar Wallace – Dave, I just want to thank you. I've been with the Port a short time. I'm Dave's supervisor. I'm the maintenance office superintendent. Dave and I work together. It's been a pleasure. That's all I can say. Everything Tom

says is very accurate. What I really appreciate the most about you, Dave, is that you supported me. You dressed me down when I needed it, sort of reeled me back and really welcomed me into the place. I really don't see you leaving. I just see you migrating out, but you'll be around like the birds of Capistrano. You'll be back. All right. Thanks again. Congratulations on your new life. I wish you all the best.

Dave Rauenbuehler – Thank you.

Diane Oshima - Dave, I may be the only Pier One staff person here but I think it's really important for you to know that you leave a legacy with all the photography that you've done and the connections that you've created between the Pier One and the Pier 50 staff that sets a model for how we want to be strengthening those collaborations over time and for the general public as well. Your medium of photography is the great joiner. I'm very grateful for that. I'm looking forward to the projects that we can do together to perpetuate it and highlight all the changes that have happened along the waterfront and what's in store for us. Thank you.

Rich Berman, planning and environment team - Dave has had my back at every step of the way when we've been dealing with regulatory issues. Much of what Dave and his team take care of is infrastructure that is highly regulated. A lot of it is wastewater infrastructure. Things go into the bay. We get notices of violations, or someone calls and has complaints. Dave, from the beginning, has had an astute awareness of the importance of that. More than that, when I took over my role regulating these activities, I don't think I knew what a force main was from a storm drain. Dave pulled me aside and, with great patience, explained these things to me and helped me craft what I needed to do to keep us in compliance. He was the first one to call me if there was something he thought was going to get us in trouble. Together, we built a pretty darn good program that has kept us out of trouble for quite a while. As Tom said, he's transmitted all of that information to his staff. I know that, going forward, we're going to be in really good hands. I just want to say thank you and what an honor it's been.

Commissioner Brandon - I want to thank you for your service to the Port for so many years. Your shoes are definitely going to be hard to fill. We are going to miss you so much at every Port event with your camera. I agree with Diane that, with 80,000 pictures, we have to be able to do something to recognize all of those pictures and all that you've seen over the years. Thank you so much for everything.

Commissioner Adams - Dave, I had to say something. Today was the first time we've met. But just listening, you and I have a kinship in the fact that it's an honor to be a worker. That's what you are and that's what I am and to know you. I can just tell your humility as we're sitting here and then hearing about your photography. You're a true renaissance man and the essence of a working-class hero and I appreciate that. A person doesn't have to have a suit

on in our society to be looked up on. You're a person. Even your supervisor got up and said you even dressed him down when you had to. I think the greatest thing that we can do is to tell people what we think of them when they're alive, not a memorial service. They can't hear it. You're gone. But to hear these words from your coworkers and people like that, the respect and the admiration because a lot of times people don't talk. I want to say thank you as a commissioner for all that you've done and the lives that you've touched at the Port. I can ask you that you will continue to keep that candle going and continue to inspire people all over the world. I appreciate you being a very humble man. To me, from I see, you're truly a class act. Thank you very much.

Commissioner Brandon - We have a small token in appreciation for over 30 years of dedicated service in the maintenance division plumbing shop of the Port of San Francisco, 27 of those years as supervisor, also for the many years of historical photography and contributions to the annual calendar. Best wishes for much happiness and good health in your retirement. June 1989 to January 2020.

Dave Rauenbuehler - Thank you very much. I just want to thank everyone that helped me do my job. I got the best crew. It's the best place. Thank you for letting me take my camera. Thank you very much.

- Release of Pier 38-40 RFP

Elaine Forbes - The final item I have is a happy announcement that we have released the request for proposals on Pier 38 and 40 as of Friday, January 10th. As the commission well knows, the development opportunity at Piers 38 and 40 presents a unique opportunity to bring back to life one-of-a-kind historic piers in an extraordinary location. The Port's goal is to provide the South Beach community and visitors access to these historic piers, greater access and connection to the bay and vibrant and diverse experiences on Port facilities.

Due to our responsibility to safeguard the Embarcadero National Historic District, we see this as the perfect time for investment in these facilities both to ensure these public amenities and to ensure seismic and sea-level-rise resilience that can be enjoyed for generations to come.

This RFP is an outcome of the draft waterfront plan update process. A successful respondent and project will improve the piers, as I just mentioned. The RFP is available at the Port's website, [SFPort.com/SouthBeachPiers](http://SFPort.com/SouthBeachPiers). There is a pre-bid meeting and a site tour scheduled at the South Beach Harbor Community Meeting at 1:00 on January 24th. Responses to the RFP are due March 4, 2020 at 4:00 p.m. We look forward to working with potential respondents, the community stakeholders and advancing this important project with our commission.



## 10. REAL ESTATE & DEVELOPMENT

- A. Request approval of a Trust Exchange Agreement with the California State Lands Commission that would remove the public trust from certain Transbay Streets and impress the public trust on certain Fisherman's Wharf Streets; adopting environmental findings and findings of consistency with the General Plan and the eight Priority Policies of City Planning Code Section 101.1; and authorizing the Port's Executive Director to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Resolution No. 20-01)

Byron Rhett, chief operating officer for the Port - Staff is recommending approval of a trust exchange between the Port and the city and State Lands regarding Transbay and Fisherman's Wharf streets. In particular, if approved, the trust exchange would facilitate the consolidation of the Transbay transit site and implementation of a plan to strengthen the substructure for the Millennium Towers project at 301 Mission Street.

In 2001, the Transbay Joint Powers Authority was created for the purpose of constructing the Transbay Center. The Transbay Center encroaches on the air space of two streets, Fremont and Beale Street in the Transbay area. The city, because of that, is seeking to acquire the air and subsurface rights for those streets as it relates to the Transbay structure and the train box so that the city can create a single legal parcel for the Transbay Center site.

In addition, the city is asking to acquire portions of Mission and Beale Street to facilitate the construction of a retrofit for the Millennium Tower residential project at 301 Mission Street. These streets of Mission, Fremont and Beale are former state tideland submerged lands granted to the city through the Burton Act in 1968. The Burton Act prohibits the city from conveying permanent interest in these granted lands. But the Burton Act restrictions can be lifted with the authorization of the State Lands Commission, which relates to the exchange we are discussing.

In 2010, Caltrans conveyed the terminal site to the Transbay Joint Powers Authority (TJPA) to construct the terminal. But when the property was transferred to the TJPA, it didn't include the air rights for these streets. The transit center was completed in 2018. With the completion of the transit center, the city is now interested in conveying the air rights and the subsurface rights of the streets to the city to complete the site but also to allow for the retrofit of the Millennium Towers project.

Under state law, the city has the authorization to convey city property that has the trust imposed on it to transfer that property out of the trust if it transfers in other city properties that does not have the trust imposed on it. To be able to do that, the city must make findings related to that transfer. In particular, it must determine that the property is no longer needed for the trust, that it had been filled at one point and that the property is cut off from the waterfront.

We believe that those requirements are satisfied related to this property. The other and very important aspect of the authorization to make that transfer of the Transbay streets out of the trust is that the property being transferred into the trust has a value that's equal to or greater than the property that's being transferred out. The property that's proposed to be transferred into the trust is portions of streets at Hyde, Bay and Beach. I want to show you a map of the properties to be transferred out of the trust in the Transbay area and the properties to be transferred into the trust in the Fisherman's Wharf area.

These are the proposed transfer streets to be transferred out of the trust. That is portions of Beale, Fremont and Mission Streets that have the trust imposed on them. You can see the outline of where the Transbay Center is constructed. The streets in green are the streets to be transferred into the trust. These are adjacent to the Fisherman's Wharf area and provide the public access to the bay.

Related to the value of these streets, there has been a preliminary appraisal completed that supports that the value of the properties going into the trust of 153,000 square feet is greater than the value of the property that's coming out of the trust at 143,000 square feet. But the staff recommendation for this exchange is based on the fact that the square footage of the property going into the trust is greater than the square footage coming out. The preliminary appraisal will be completed before the trust exchange is considered by the Board of Supervisors and the State Lands Commission.

Related to environmental review, on December 27, 2019, the planning commission published the final mitigated negative declaration for the Millennium Tower perimeter pile upgrade project including the proposed permanent easement. The planning department, following the publishing of the mitigated negative declaration, adopted CEQA findings and approved the proposed mitigation monitoring program. Following the planning commission's actions, the Board of Supervisors followed suit and also adopted the CEQA findings and approved and endorsed the mitigation monitoring program for the Millennium Tower improvements.

Finally, the city is requesting that the Port Commission approve the trust exchange. The staff supports their request and the approval of the trust exchange. If you were to approve the exchange, the Board of Supervisor land use committee is scheduled to consider the trust exchange at its January 27th meeting.

The full board would consider the exchange at its February 4th meeting followed by the State Lands Commission considering the exchange as well in February, though that date has not been set for that State Lands Commission hearing.

I'm joined my John Malamut from the city attorney's office as well as the Port's city attorney, Michelle Sexton. We're available to answer any questions you might have.

Commissioner Gilman - Byron, nothing has changed since the informational that we had a month or two ago?

Byron Rhett - No. This is the same.

Commissioner Gilman - I have no questions. I'm supportive of the item.

Commissioner Woo Ho - I have no questions, support the item.

Commissioner Adams - I'm supportive. Byron, good to see you up there on the mic again.

Commissioner Brandon - I think it's great that we can do whatever we can to support the retrofit of the Millennium Tower. [This is a great effort. I just have one question regarding the maps. How come we own the streets but not the land that the streets are surrounding?

John Malamut from the city attorney's office - I'm going to give this a try. I'm not the trust specialist. My understanding is that a lot of this area that was involved in the Burton Act, the actual lots between the streets had already been developed on and removed from the trust over time since the early filling of the bay. When you look at the map, residual street areas that follow the original shoreline remain in the trust.

ACTION: Commissioner Adams moved approval; Commissioner Gilman seconded the motion. All of the Commissioners were in favor. Resolution No. 20-01 was adopted.

- B. Request approval of Mission Rock proposed new street names: "Spur Street" and "Plank Road" and extension of street grid, at Mission Rock located at Seawall Lot 337, bound by China Basin Channel, Third Street, Mission Rock Street, and San Francisco Bay. (Resolution No. 20-02)

Rebecca Benassini, manager of Port development projects - President Brandon and Vice President Adams, congratulations. I'm pleased to be before you today on behalf of the Mission Rock team.

The next item is about Mission Rock as well. I'm sure they'll introduce their whole team then as they have a longer presentation. For now, I'll introduce myself and note that the resolution before you today is regarding street names at Mission Rock. John Malamut is our street-name reference person after we speak with our general counsel. You all have quite a lot of experience with Mission Rock. We've been working on this project since 2008. The latest action the Port Commission took was in September 2019 when the Port Commission approved the phase one budget. The phase one is shown here. It consists of four buildings, two commercial, two office, ground-floor retail, 5.2 acres of park, project infrastructure that encompasses about five-and-a-half city blocks going

down to the water to Pier 48 and then the two streets that will come up to the open space area.

We are, right now, doing testing on the site. The lightweight cellular concrete pilot testing is taking place on Lot A next to where Cirque du Soleil was. It's about a 25-foot space. That construction test is being completed this week.

We're gearing up in terms of testing and preparing for phase one. I wanted to also provide an update on where we are in terms of local business enterprise contracting. We last reported on these numbers in November dating back to July 1st.

To date, the team has completed about a 15 percent LBE participation. Your printed document in front of you had 19 percent. That was my typo. The number fluctuates between 14 and 19 percent depending on how change orders are coming in.

The current number is 15 percent as of the date of this staff report. This represents about 5 percent of the total project cost as we're going through horizontal construction. We're working diligently to get Mission Rock to their committed 20 percent goal for the construction phase of the project.

These improvements, we anticipate, will begin towards the end of January and those will be site-preparatory-types of work. By February/March, they'll be in full-scale construction.

Yesterday, we had a meeting with Commissioner Brandon and Commissioner Adams and the Mission Rock team, which was a very helpful meeting. We have a much better understanding of the work that Mission Rock is doing to reach out to local business enterprises, the staff they've brought on.

Since that meeting, I've met with my supervisor, Mike Martin, about how we can commensurately kind of match their staffing. We've identified one of my staff members who can start attending their general contractor meeting on a monthly basis. I'll be attending on a quarterly basis depending on mine and Phil's schedule. This is a really good check-in time. We'll be ramping up in a very committed way to track all this in a more consistent way.

There are six streets in Mission Rock. When we go forward for the map of the project, we will name all of these streets. The map hasn't been introduced. It'll be introduced to the board after you all take an action relative to the names. Most of the names are extensions of the existing street grid. Terry Francois, Long Bridge Street, Bridgeview Way and Channel Street are all extensions. There are two new street names proposed for the site. Those two new names are Plank Road, which is this blue road right here, and then Spur Street, which is the road that goes out to Pier 48.

Spur Street is fully constructed in phase one. Plank Road will be partially constructed. The new street names were proposed by the project proponent. One of them, in particular, Spur Street, has been mentioned at public meetings where the Port and Mission Rock have spoken to community members. It's been mentioned as a potential name, of course, to reference the site's history as a railyard, which occurred dating back to the late 1800s through the mid-1900s. This is a shot of the site from the 1960s.

Plank Road is a historical reference that goes back even farther. It references the previously constructed Mission Plank Road, which is a toll road that went across Yerba Buena Cove and connected Mission Dolores across Mission Bay, which was subsequently filled in.

We don't name very many new streets here. I put this together with our chief harbor engineer in terms of what the process would be. Unlike renaming a street, which has a different process because you need to notify people who are going to be affected by the new street name, the only person to notify is the Port.

In proposing the street names, we first go to Public Works. Their Bureau of Street-Use and Mapping ensure that these names are going to be unique identifiers for emergency response and mailing purposes. They have been found to be compliant. We presented these names as part of a project update to CWAG and SWAC on December 5th and didn't receive any negative responses on the concepts. We are now at the Port Commission.

If you all are supportive of the names, then we would bring this to the board with a final map. The final map is anticipated to be before the board the first or second week of February depending on how everything goes. The final map is a really important milestone. It allows us to go forward with the CFD formation, the community facilities district financing district. Formation is waiting for the final map to define the parcels where we can then start taxing those parcels.

The final map is also a predecessor to the street improvement permit, which is the major permit Public Works will issue that will allow the phase one infrastructure to be constructed. It also predates the four phase-one parcel leases. The final map is a very important milestone for the project.

Bruce Agid - I provided public comment several times over the past few years. I'm here again today to support the items associated with the Mission Rock development. I'm a native San Franciscan, a 10-year resident of Mission Bay and on the board and transportation rep of the South Beach/Rincon/Mission Bay Neighborhood Association. Over the past eight years, I've had the opportunity along with my neighbors, local businesses and community leaders, some of them for up to a dozen years, to be involved in the planning process for the Mission Rock development. This included providing feedback on a variety of public documents and had numerous community outreach meetings and workshops. Together, we shared our insights and provided input on this project,

which will help transform this part of the eastern waterfront into a vibrant and complete community, good for us as neighbors, community and our city. By plan, we have and will have many wonderful parks in Mission Bay. The waterfront park as part of Mission Rock will be a real jewel. The Mission Rock team did a great job incorporating our community values and ideas connecting a number of unique spaces engaging and interacting with the water. The level of community involvement continued as we were again invited back to the ballpark in October to give our feedback on the park and programming. Today, seeing the construction fences up in parking lot A and knowing prep work is in progress is such a welcome sight. Please approve the elements outlined in this item allowing the Mission Rock development to move forward.

Commissioner Woo Ho - Thank you for the report and all the research. I really don't have any questions. It makes sense that the only question I had, which you've answered, which is how the names were chosen. Since there's historic linkage and legacy that we're linking them to, that makes sense. I look forward to continuing for the development of Mission Rock.

Commissioner Gilman - Same here, excited to see it move forward. I'm supportive of the item.

Commissioner Adams - Well, my only issue is, there's five names missing from these streets: Brandon, Adams, Woo Ho, Gilman and Makras Avenue. With that being said, I support it.

Commissioner Brandon - Maybe a building. Rebecca, thank you so much for this presentation. Thank you for all the work that went into it. Thank you, again, for mentioning the conversation that we had yesterday and how we have all come together to make sure that this project is successful and that we keep the community involved with every aspect of the buildout. This could be a pilot for other projects that we have because it's a really great team structure to be a very successful project. Thank you.

ACTION: Commissioner Adams moved approval; Commissioner Gilman seconded the motion. All of the Commissioners were in favor. Resolution No. 20-02 was adopted.

## 11. PLANNING & ENVIRONMENT

- A. Request approval of the Schematic Design for China Basin Park and Paseos in Phase 1 of the Mission Rock Mixed-Use project at Seawall Lot 337, bounded by China Basin Channel, Third Street, Mission Rock Street and San Francisco Bay; as consistent with the requirements of the Disposition and Development Agreement with Seawall Lot 337 Associates, LLC, and the Mission Rock SUD Design Controls. (Resolution No. 20-03)

Dan Hodapp with the Port's planning and environment division - It's my pleasure today to present the schematic design of China Basin Park. That's what it's currently known as. Who knows in the future for the commission's consideration and, more importantly, provide the commission the opportunity to view the proposal.

This presentation relies somewhat on the background information of the previous item. I won't go through and repeat the approvals that have taken place and the actions but they're very related. If you have questions about that, there's many of us here. Those from the development team that are here from the Mission Rock development team are Fran Weld, who will be doing the bulk of this presentation, Heather Tazalla, who has been coordinating a number of items, Andrew Krause, Roscoe Mapps, Chris Paik and Port staff Ryan Wassum.

The China Basin Park open space is the largest of the open spaces for Mission Rock. With the street extension, it's about five acres. Other open spaces in the area are Mission Rock Square, which is that dark green space right in the middle. There's the channel open spaces, Channel Street, Channel Lane and Channel Wharf and the Pier 48 apron. Those public spaces will be part of further phases as we go forward. They will come back to you at that point in time.

Public review has been a major part of the development of these stretching back years into the concept design for it and the approvals for the project and then much more intensely during the past several months. On October 1st, the Mission Rock team opened an open house with approximately 150 attendees at the ballpark, very well attended. Then, it was presented to the Central Waterfront Advisory Committee on October 16th.

There was a design review session on November 18th. Per the disposition development agreement set up in the project, the Port's executive director appointed a design review committee to review Pier 70 and the Mission Rock project. They reviewed it on November 18th. The purpose of that review was to determine consistency with the design controls set up for the project. This was done jointly with BCDC's design review board. The comments were positive and supportive from both groups.

They requested further info on several areas, notably the play area, which you'll see more of, the tidal planting and beach water access area, the café building and details of the site's circulation of how it accommodates all the users that use our public spaces today. The development team has agreed, when the design progresses into this more detailed level, to present this info at a future design advisory committee meeting for review and input. If there any significant changes, it would come back to the commission.

That's not what we anticipate seeing. It's more refinements of attaining quality and maintainability within the site. They've expressed their intention to continue to work with staff and the community to create the best possible public space.

Staff and the design advisory committee believe this proposal is consistent with the development controls, which is reflected in the resolution for your consideration. Next steps for the project in addition to the future design advisory committee review include the commission's consideration of a parks and open space operation, management and concession agreement, which will come before you in the coming months.

Fran Weld - I'm senior vice president of the San Francisco Giants. I'm very happy to be here today to talk to you about the schematic design for China Basin Park and the paseos that lead you there. I'm joined today by my team and partners. As you know, projects of this scale require many people. I wanted to acknowledge my partners who are here with me today: Julian Pancoast, Roscoe Mapps, Heather Tazalla, Andre Krause, Chris Paik, E.B. Min, Cesar Lopez, Jeffrey Miller, Dwayne Jones.

Many of you know Jack Bair, who is unable to be with us today but he sends his best regards. We send him a speedy recovery because I know he's ready to get to work on this aspect of this project.

We view China Basin Park, as many of you do, as the crown jewel of this part of the waterfront. It's a linking feature between the northern Embarcadero, the central waterfront and the southern waterfront that is evolving as speak. It is the focal point of Mission Rock and particularly of the phase one of development. This rendering that you've seen many times focuses on this incredible five-acre park, which is right in front of phase one and the four buildings that we're building. The site is directly across China Basin from Oracle Park, from the ballpark and really is the entrance point to Mission Rock from downtown San Francisco.

It's part of an increasing amount of public space that's been built in this neighborhood over the last decade. Bruce mentioned this in his kind remarks. Mission Bay has delivered more public space per capita than the rest of the city in order to overcome an industrial legacy of this part of town being relatively low in terms of green-space acreage per capita. Mission Rock continues that trend and legacy. China Basin Park is a big part of making sure that our neighbors and our community have natural resources and access to the environment and the outdoors.

Today, there is a small linear park along the water's edge. The site is dominated by the sense of expansion and the views that you get when you're standing on the site and the connection to the water to the bay, which is so relevant to many of the projects that you all do.

China Basin Park has many masters. We've looked at this as an intersection and a coming together of multiple different goals for the public use. First and foremost, increasing access to the waterfront for the public is the primary goal



and doing that with environmentally sensitive and responsible design always at a forefront.

Those are our two biggest goals. We have an outward and a social space. We also have community needs. We want to be looking at recreation and also an acknowledgment that the site is used by, frankly, millions of people per year in terms of infrastructure and transition along the Bay Trail and to and from the central and south waterfront so a lot of different priorities for the space.

This image will look familiar to you. The commission approved this in our entitlement program several years ago. What will be here looking at today should seem familiar. It's an evolution of the concepts that we have talked about and looked at in the past. Approximately 4.4 acres for China Basin Park, when you add in the paseos, we're looking at five acres of new open space. The design has been geared towards creating a diversity of different experiences from unique tidal shelves, which you see on the northern part of this site, to a lawn and a promenade along the building front.

We've gotten into detail of how does a person use the site. How does a person experience China Basin Park when they're here on a day-to-day basis? The programs that we have put into place looking at, in particular, the adjacencies of the different parts of the site.

We've gone through a day in the life of somebody who is using China Basin Park and thought about what would they need so looking at if we have a family play area, the restroom should be close by to that. If we have a kayak launch where folks are getting access to the water, we'll put the picnic area near that because you can imagine someone coming down and spending a day on the water and having those two experiences.

The evolution of the site that was more programmatic at the entitlement stage today, when we get to schematic design, it's about putting those different programs together, making sure the adjacencies work and that all of the little pieces of infrastructure that each of these uses require is accounted for in our design and in our budgets.

China Basin Park also plays a very important role for the entirety of Mission Rock in terms of our sea-level-rise and resiliency strategy. We have three primary bands of elevation here going from the 98-foot elevation all the way up to 104. 104, as you probably recall, is the elevation that the interior of Mission Rock will be located at.

China Basin Park is a transition zone for us. The uses and the plantings have been designed in order to achieve this important sea-level-rise resiliency. I can't present this slide without mentioning Corinne Woods. This is the Corinne Woods memorial slide. It is our park phasing plan. You'll see that we are delivering everything that's shown in pink in terms of China Basin Park in the

first phase. We're holding off on the water access to a future phase because that's tied in to some of the Pier 48 apron work and that design is yet to come. Everything you see here, this grand gesture, the welcoming, the waterfront access being part of the project team's commitment to the first phase we're really very excited about.

Again, this is at the schematic design. We don't have exact materials or exact tree species selected but we have much more concrete direction than we have before. The site has two main plaza areas. This is the center plaza.

We have also what we call a handshake plaza. These are spots where we need to be able to accommodate a large number of people as they're moving through the site and getting up onto Lefty O'Doul Bridge.

But then, we're also looking at, how do we make this experience unique? So we have introduced a lifted grove into the center of the site. This will provide an area of respite in the middle of this busy corner of the park. You can get up into this lifted grove. You'll see the trees that we're thinking about there are beautiful, almost sculptural trees where their branching and their bark has almost a sense of art to it.

That space will be very intimate and calm and beautiful and raised a little bit above the plaza below. We also have, as many of you know, a little bit of a wind issue on this corner of the site. The prevailing winds in the summertime come from the west and they come down the creek. So we have a few strategically located groves of trees there to act as wind breaks for the whole rest of China Basin Park.

We're stepping up the elevation from China Basin to the building's edge. In doing so, there are several opportunities for unique seating and areas to pause and dealing with that stepping in a way that we actually turn a sea-level-rise challenge into a public opportunity.

What you're looking at is on the north side of Building G. This is in the middle of the site. This is a central plaza that almost is a living room of China Basin Park. It's where the Bay Trail comes in and meets the food and beverage building. It's where the lifted grove comes back down into the elevation of the park. It's where the coastal gardens and access to the waterfront is pulled further south. We see this as being a really central gathering area.

We're looking at different paving opportunities and options along the ground plane of this plaza to indicate that it's a special, unique space. We're also looking at different areas. This is just a placeholder for that food-and-beverage pavilion. But there's some very fun ideas that we're exploring around tucking that food-and-beverage pavilion under some of the raise in our lawn, and being able to create an incredible experience where the infrastructure and the natural environment are integrated together into one.

The paseos are areas that are pedestrian only in between the building. So in between the residential and the office buildings, we have two paseos. They're largely infrastructure. It's almost like an extension of the street.

We want the park to feel like it's coming down into this. So we're knitting together the feeling of a street with the park. Again, they're pedestrian only. They're protected areas. They do serve as important emergency vehicle access for the park but they are designed to feel welcoming and almost an extension of the park. You see here an image, which is looking right into one of the residential buildings and how we have the public area and the staircases and access to the lobbies and to the public parts of the building, very integrated with the design of the park.

These things are working together. In fact, our design teams meet often together and make sure that we don't have any issues in terms of coordinating those. This is a bird's-eye view of the shared public way, which is now officially called Plank Road -- on the left Plank Road and on the right Bridge View Way.

You see how we have important infrastructure elements but we're integrating with park design. The promenade of the buildings is another important piece of this again for infrastructure. Some of our utilities are under that promenade but we want to make sure that it's integrated into the design of the park itself.

The first cross section in front of Building A, you get a sense of that lifted grove coming back and then lifting up into the promenade and in front of Building G into our grand lawn. The promenades will also be lined with retail. We may have some café tables and chairs that are there outside. The great lawn has been a key feature of this site that has remained very much at the forefront of the design in terms of providing a recreation opportunity that's currently missing in this part of the waterfront and celebrating the incredible views of the bay.

We've designed it to be a little bit more multi-use focused. The grading allows for flexible recreation and public programming and events. You can imagine a pick-up soccer game during the middle of the day. Then, when night falls, you can put up a screen and have a movie night for the community. The left hand or the western part of this lawn is also what I was mentioning we're looking at. That will be pulled up a little bit. We can tuck that food and beverage pavilion underneath that so it's an incredible layering of view corridors that come from the different elevations within the park as you see by this section.

Our stormwater gardens have been consolidated and brought together into the eastern part of the site. This is an incredible resource environmentally. All of the stormwater runoff from the public areas will be actually treated here. These are performing infrastructure. We have designed to allow for these boardwalks that kind of perch over the stormwater gardens. It's important that there's not public access inside them because they are performing important work but that we get a sense of connection to them, and we can use this as an educational opportunity for telling a story around environmentally sustainable design as well.

There is a dog run also here for many fun afternoons. The knuckle wharf and the pier water access as well that comes off of Pier 48 has been integrated here. This also is the start of where the Bay Trail comes from the Terry Francois condition into China Basin Park. Ensuring that we have enough right of way so that we can have multiple different types of users along that Bay Trail and ensuring that it's well signed is a big goal of this particular corner and intersection and entrance to the park.

Finally, the coastal gardens are my favorite feature of China Basin Park. They're new from when we may have last reviewed the park ideas around design together. This is along China Basin. It's the northern part of the site across from the ballpark. We see this idea that San Francisco is a city on the bay. But there's only a couple of places where you can actually access the bay as a person. A lot of the parts of the waterfront, you're raised up on the seawall, on the soon-to-be newly done seawall. You feel a little bit disconnected from the water itself. We asked ourselves, can we provide an area at China Basin Park where you can actually get down and experience that water, experience what it means to be a bay city?

This is a picture of a lot of the water activities that do go on inside China Basin today. We do have boats. We do have kayaks but they have to be pre-planned. You can't just stumble on an experience on the waterfront. You have to know that you're going down and make the plan to take the boat and get out there. The idea was creating a family-friendly and easy-to-access part of the waterfront here. We want it on the northern site because we're sloping down to the water. It's also well protected from wave action. This is a nice entry point for the water. We have tidal shelves which go down. They're at different elevation.

They experience almost like tidal pools. They'll experience different amounts of water at different times of the day. They enter in to a coastal garden and a beach area. We're still working out exactly the details around that material to make sure that it's safe and accessible. But the general idea is that we're sloping back down into the water here. The plantings there will be focused around saline-tolerant plantings. The incredible thing is that we've seen through these types of projects a reintroduction of native species because we're creating, again, the type of habitat that they rely on.

Even within such a small couple of feet of different elevations of the tidal shelves, you'll see vastly different types of species populating those areas so pretty incredible ecological work here and, we think, an opportunity for education and for telling the story of the waterfront. This is a view of those tidal shelves from the Bay Trail.

Shelly Carol - I have lived in South Beach for 20 years. I've been going to meetings for this forever. I remember Yes on D with Roscoe. I've been to many meetings. I want to compliment the Port and the Giants for giving us the opportunity to be part of this forever. I enthusiastically support the project and hope for your vote for that and remember Corinne.

Bruce Agid - You can tell I'm very much in support of this item so much so that I've provided my public comment early on item 10 instead of item 11A. With that said, with all due respect to Port staff, the commission, to members of the public here, I'll just pass on my comments and not go through them again. I am definitely in support of this item to move the Mission Rock development forward.

Commissioner Gilman - Thank you, Fran, the Mission Rock team and staff. This was a very thorough presentation. I'm very excited about it. I have one macro question about the stormwater garden and knuckle wharf. The grading we're seeing on here, will people be walking on that? When you look at the slide, all the shading that's gray I'm assuming is this grading we're seeing in the circle.

Fran Weld - Yes. The concept is kind of a boardwalk that's perched above that will be accessible by the public.

Commissioner Gilman - Maybe I'm the only person who does this and who is showing up even at your games in high heels is I've gone flying when my heel has been caught in gradings all over the Financial District. There is grading you can put in that won't do that. It was just more of a comment so that it's safe for everyone to walk on.

Fran Weld - Well noted. I'm wearing my only pair of heels today. But I think that's important.

Commissioner Gilman - I get caught on the little bridge all the time.

Fran Weld - The bridge, yes, it catches you.

Commissioner Gilman - I am so enthusiastic for this project to move forward and so excited for the activation, the open space particularly. This is great for the existing community. This will be wonderful for the office workers and the new residents that are moving in. Thank you again for having the housing in phase one. I just can't keep thanking you for that. It's a benefit for all of San Francisco. I'm supportive of the item.

Commissioner Woo Ho - This has been a very exciting and very comprehensive presentation. We want to thank the Giants for putting this public benefit forward. It's going to make the whole development so exciting to have this park. Listening to your presentation and seeing the absolute amount of detail that's gone through in terms of thinking about it, the vision of the park, the various constituents, and during the time of the day that it will change in terms of who will be there, it obviously will change.

I was thinking about the morning joggers who want to come through the Bay Trail and they'll be a different crowd. They'll use the park in a certain way. You're going to have dog walkers. I wasn't sure about whether it was going to be pet friendly until I saw the dog run. I remember Commissioner Leslie Katz.

She was a big fan of that. Are you going to have little dog watering holes at level so dogs can drink water at their level? You're going to have your dog walkers. You're going to have the families come out at certain times. You're going to have the office workers. I have to commend you for thinking through all the different demand levels and the different times of the day.

It's not a flat park. I like the fact that it does have its different levels. It'll be interesting. It's going to be one of the most exciting parks that we've seen not just for this city. This is an award-winning park once you execute it. I am very excited to see how much work has gone into it particularly since this is a public benefit. We know it's very important. The idea that we can have a lot of activation, which we talked about early on in terms of not just developing a green lawn and just leaving it and just saying there it is but that there will be continued activation.

Particularly what you did with your pop-up and how you also introduced that concept to the neighborhood I think has been well utilized. I think everybody is very excited, very looking forward. I think you're going to attract a lot of tourists as well because it won't just be for the local neighborhood because this will be one of the most innovative parks that we've seen in the city for a long time. So congratulations. I really am very excited and look forward to seeing this being executed.

Commissioner Adams - My commissioners have said what I feel. Great work. This is really due diligence. This is very visionary. This is cutting edge. What we're seeing happen in front of us is a new San Francisco. You're shaping the future and taking us to a new place that we've never been to.

I am so glad that you mentioned Corinne because she was the conscience of this commission because she was always here but also to the late Mayor Lee and how he thought and how he felt about this and to see this thing come to fruition. The due diligence that the team has done, the nuts and bolts, this will change the culture of San Francisco. As I've said before, if anybody wants to do business in San Francisco, they need to look at the Giants model of inclusion.

Commissioner Brandon - Fran and Dan, thank you very much for this report. This is wonderful, very detailed, very exciting. With China Basin Park and Crane Cove Park coming online, they are both going to be such great additions to the southern waterfront and have our mission at heart of bringing people to the waterfront. Thank you so much for this.

When you did the public review and you had the community open house and the CWAG presentation, what were the comments? Were they all favorable? Or were there any concerns?

Roscoe Mapps, Mission Rock Partners - At the open house, we had invited the public to comment on some design. We had them comment on the programming they'd like to see in the different areas. We set up the open house

so that the general area had different stations that reflected the unique areas that Fran had anticipated. With each area, the general public got an opportunity to comment on specifics. Some of the things that we had heard were excitement about yoga classes and being able to touch the water. There was some questions about how we're going to manage the park, a little bit about security. There were a couple of questions and comments about tents and encampments I think that we're experiencing citywide and how we were going to handle those. The comments were all helpful as we continued to think through this park.

Commissioner Brandon - Is there any intention to do a presentation before the SWAC?

Roscoe Mapps - We would be happy to.

Commissioner Brandon - I'm just wondering why we haven't. It would be great to include everyone along the southern waterfront who will be able to enjoy this wonderful park.

Roscoe Mapps - I agree with you.

Commissioner Brandon - Also, I wanted to know who is on our design advisory committee?

Elaine Forbes - I believe we did go to the SWAC. We have been to the SWAC on this.

Roscoe Mapps - We went to the SWAC to provide an overall in-depth view of the entire project but not the park specifically, not at this level of detail.

Dan Hodapp - As pointed out when the open house was up, all the advisory groups were invited to that. It was an inclusive meeting where everybody gets to hear and see what everybody is saying. I commend the Giants on that approach. There was some very good outreach done on that. The design advisory committee pulls from the waterfront design advisory committee, which is set up but it doesn't cover this area. It stays north of China Basin the way it's laid out in the city planning code.

The members on the design advisory committee are Marsha Maytum, Kathrin Moore, Laura Crescimano, Chris Wasney and Jimmy Chan. I believe we had three of those five available at this one. We hope to have all five when we look at the further design details of it, which are just a natural progression of going through a design process.

Commissioner Brandon - They were pulled from where?

Dan Hodapp - Two of them come from the waterfront design advisory committee - Marsha Maytum and Kathrin Moore. Jimmy Chan, Chris Wasney, and Laura Crescimano are new. Two of the five come from the waterfront

design advisory committee. The committee was appointed by our executive director.

Commissioner Brandon - The other two came from?

Dan Hodapp - Known people in the community who have participated. Chris Wasney was with the Central Waterfront Advisory Group. Jimmy Chan is a local landscape architect. Laura Crescimano did the urban design, D for D, design for development, for Pier 70 and is a well-known voice and also participates in some other contracts with Port.

Commissioner Woo Ho - I want to highlight one thing that I want to comment on. I want to commend you for the biodiversity effort that you've put into. It's near the tidal stream areas. We're all very sensitive now in terms of understanding our environment and the fact that you are picking on the biodiversity of plants that thrive in San Francisco is great. It is an educational opportunity, as you mentioned.

I hope that gets mentioned, so people can come to the park to understand that and that you'll have some explanation there for people to see the biodiversity because that's becoming a more popular thing to be focused on.

Fran Weld - Thank you. Yes and Jeffrey Miller, who is here from our associate landscape architect has spent a lot of time on this even down to the different kinds of organisms that thrive in the bay mud. You can go as deep as you want to go with biodiversity and our team certainly has.

Commissioner Adams - Fran, either you or Roscoe can answer this. Did anyone from the community ever say anything about congestion and how we deal with congestion? Were there any concerns raised about that? Because that is a problem in our city, congestion, and traffic flow. Did anyone say anything about that? I'm sure you work with the different agencies and stuff like that but how is it going to flow?

Fran Weld - In the recent outreach that's been focused on the schematic design for China Basin Park, I don't think that's come up specifically. But certainly, over the years, as we've talked about developing here and developing in this part of town, accessibility and circulation has been a topic of conversation. In recent years with the Third Street bridge under construction and closed for substantial parts of many weeks, it gets even heightened. It's definitely something that the neighborhood is aware of. I think that the focus on pedestrian/bicycle circulation and focusing on different modes of transportation that can help alleviate some of the congestion that's on the streets is helpful in terms of Mission Rock.

Also when we look at congestion, it means a whole number of things. It's an umbrella for ease of access and getting around. The way we've designed our streets, which have generous drop-off and loading areas, so if there is a car, a ride share that you're in, it can pull off out of traffic. It can get on to the side of



the street for a safe access point. All these little details of the design add up to helping alleviate congestion so cars aren't double parked on Third Street for example. It is definitely a concern over the years that we've talked through and that our design tries to respond to. In recent months, we've had less conversation around that.

Roscoe Mapps - When we were at SWAC, the question of traffic and congestion came up as a concern for the community. We walked them through our entire program and mitigation measures and things we're looking to do. One of the things we've done early is hire a transportation director to start looking at these things in depth. Over time, we will continue to implement a lot of these mitigations that we've talked about in our documents.

Commissioner Woo Ho - I'd like to follow up because you're talking about street congestion and what to do about that with bicycles and pedestrians. Within Mission Rock, perhaps you can refresh our memory of what you will have with regards to water landings and maybe not at the scale of a ferry because we've got some other things going on but in terms of for smaller-craft water landings or taxi landings and the plan for that because that can help even in the immediate vicinity particularly if people coming from the Ferry Building are going to be working in Mission Rock. Maybe they could find another way to get there instead of having to do surface transportation. What are the plans in that regard?

Fran Weld - I definitely agree that water access is an untapped resource right now with respect to circulation. The public dock will come off of the knuckle wharf and Pier 48. That will be a lower-level dock more for a water taxi vessel. Pier 48 and the apron rehabilitation at Pier 48 will service for larger vessels like ferries. In fact, the temporary ferry facility at Pier 48½ has been a step in that direction. But then, we're adding on a new level of dock here, which we haven't had in this area, which is lower. It can be used for things like a water taxi service or personal small craft.

ACTION: Commissioner Adams moved approval; Commissioner Gilman seconded the motion. All of the Commissioners were in favor. Resolution No. 20-03 was adopted.

## 12. ENGINEERING

- A. Request authorization to advertise for competitive bids for Construction Contract No. 2813, 19th Street Extension and Georgia Street. (Resolution No. 20-04)

Erica Petersen, Port's project manager for the Crane Cove Park project – We're here to request authorization to advertise construction contract 2813, which is 19th Street extension and Georgia Street construction, which is part of the overall Crane Cove Park project. In this presentation, I will talk about how this contract meets the Port's strategic objectives, climate change, a bit about the background, discuss the scope, budget and funding, local business enterprise

goals versus the disadvantaged business enterprise (DBE) goals and the proposed schedule.

This contract supports the goals of the Port's strategic plan as follows. The project will extend the Blue Greenway by constructing a sidewalk and bike path connecting 20th Street to Crane Cove Park. It will improve Port open spaces by providing access to the main entry plaza of Crane Cove Park, the 19th Street parking lot and the Pier 70 shipyard.

The federal funding for this contract does not allow for local business enterprise requirements. However, the project promotes living-wage jobs by requiring the contractor to participate with disadvantaged business enterprises. The overall Crane Cove Park design including this roadway and construction include best management practices for stormwater management and energy-efficient lighting.

The project will provide new and improved access to the Pier 70 shipyard along with providing more access to the new Pier 70 development area. A portion of the funding for this project comes from an external source, a federal grant.

The Crane Cove Park project in general including the roadway is designed to remain functional for up to 28 inches of sea-level rise. This contract is part of the larger Crane Cove Park project that you are all very well aware of. It's been split up into five construction contracts. The end product will be the park, which includes Building 49, a parking lot and then this road. Contract one and four in the table on the slide have been completed.

The bid package is currently under construction and anticipated to be complete this spring. Contract was bid in May 2019, and the bids were rejected. The strategy for Building 49 has been to value engineer and reduce the scope in order to lower the costs.

The scope of work for this 19th Street extension and Georgia Street contract includes construction of approximately 950 feet of new roadway and sidewalk along with street lights, fire hydrants and a combined sewer. The road will be divided into two segments. The first one is a 700-foot extension of 19th Street eastward from Illinois Street after which the road makes a 90-degree turn. then a 250-foot-long segment of Georgia Street will be constructed.

This roadway will provide access to the Pier 70 shipyard, the greater Pier 70 development area and serve as primary access to the new 19th Street parking lot that's currently under construction. The engineers' construction cost estimate including a 10 percent contingency for this project is \$4.3 million. This is based on Port staff evaluating a 90 percent and 100 percent design construction cost estimates from two different estimators. Because the estimates came in higher than previously budgeted, we have been evaluating the remaining budget for the project and developed a strategy to fund the remaining contracts for Crane Cove Park, which are this contract, the roadway and Building 49.

This plan will maintain the current roadway scope and schedule but delay the redesign of Building 49 repairs and upgrades until the completion of the park improvements contract and the bidding of this contract. At that time, we'll have more information about what the remaining budget will be for Building 49. The costs and funding are shown in this table. The projected cost for the roadway is \$4.3 million. The cost for Building 49 is between \$2.7 and \$3.8 million depending on what the scope is.

The funding sources are the \$1 million grant through Caltrans, a federal grant, Port capital and then potentially the Port contingency project fund if required. The potential additional funding sources are also shown on this slide and that could add up to \$950,000.

With this strategy in place, the 19th Street and Georgia Street contract is fully funded through the federal grant and Port capital. As briefly mentioned before, Caltrans does not allow for contracts to have local business enterprise requirements, nor does it allow for local hiring requirements. This contract is subject to Caltrans' approval of the DBE percentage. Your staff report says 28 percent. I just received an email yesterday where they confirmed that they have revised it to 18 percent.

Despite the requirement for only DBE firms, we will perform outreach to LBE contractors and invite them to the pre-bid meeting. We've also looked at what DBE firms are in San Francisco that have relevant trades for this work.

There are 17 that I've found. 14 out of those 17 are in Dogpatch and Bayview neighborhoods. I believe they're all LBEs. We'll make sure to do outreach to them and make sure they're at the pre-bid meeting. All necessary approvals and permits for this contract will be secured prior to start of construction. If you approve this authorization to advertise today, we plan to advertise in March. We'll be on track to have substantial completion by April 2021.

In conclusion, we respectfully request that you authorize construction contract 2813, 19th Street extension and Georgia Street to advertise for competitive bids. We're here to answer any questions you may have.

Commissioner Woo Ho - I'm just trying to make sure I understand the scope of the contract. It's really just roadway. But then, there's this building. I'm not sure I understand the building versus the roadway.

Erica Petersen - This contract is just for the roadway. We just wanted to give you information on the overall Crane Cove Park project and how we will be funding the remaining contracts.

Commissioner Woo Ho - Currently, what's there in the space that is contemplated as the new roadway?

Erica Petersen – Currently, it's a dirt lot. It goes through part of Crane Cove Park and then continues through what used to be the old shipyard and is currently storage for a bunch of contractors' equipment. Georgia Street itself is a functioning road that you can drive on. It provides access to the shipyard and some of Orton Development buildings, some offices.

Commissioner Woo Ho - My only reaction is I just had a road repaved in my house in Napa and it was about half a mile. We're talking about something not too dissimilar in terms of length. I didn't pay \$5 million. But of course, my need in terms of the amount of base and everything else because obviously a private road is very different than a public road. But I find the contrast in terms of cost quite enormous. Whatever you all estimated in the beginning was probably more accurate. I'm just hoping that this cost is justified because for a roadway, this is a lot of money.

Commissioner Gilman - Thank you. I'm excited to see it move forward. I'm supportive. I have no questions. Thanks for your presentation.

Commissioner Adams - I agree with Commissioner Woo Ho. It does cost a lot of money. I will support it. I wish I'd have known a little bit more about it. But I will support it.

Commissioner Brandon - I do have to say this is very confusing. If it's part of the overall project, it would be great for us to see the numbers of the overall project because where I'm really confused is we have a \$36 million park. Is this \$4.3 million out of that \$36 million? Or is this \$7.1 million out of that \$36 million? Or is this in addition to?

Elaine Forbes - It's not in addition to the overall budget. What's happening here is the original cost estimate was much lower on the roadway. As Commissioner Woo Ho has said, it seems like a better number. But staff has done a lot of work with cost estimating and has concluded that it was too low. It will cost more to construct this road. Of course, bids may come in lower and that will be a very happy fact for Building 49. We haven't added budget to the overall park whatsoever. But what we've done here is acknowledge that the roadway will likely cost this amount and that the part of the park that will need to be rethought and come in for less is Building 49.

We're still waiting. Once this bid goes out and we know the actual figure, then staff can work on the real plan for Building 49. But we are planning to scope down the improvements to 49 because the road is looking to be more expensive.

Commissioner Brandon - So originally, we had \$1.2 million for the street. How much did we have for Building 49?

Erica Petersen - Around \$3.5 million.

Commissioner Brandon - So the additional three to four million?

Erica Petersen - The bids for Building 49 came in. The average of them was \$6 million.

Commissioner Brandon - What I'm trying to figure out is last time we saw the total budget, we had the numbers for the street and for the building, which were all included in those numbers. Now, we have totally different numbers.

How does that affect the overall budget? If we approve going out for this, what does that really mean because the \$4.3 million is more than what we budgeted for the street and the building.

Elaine Forbes - The bottom-line number hasn't moved. When we came to you for all of Crane Cove Park, the bottom-line figure is the same. But we don't quite yet know how to accomplish Building 49 within our budget because the road is looking to be much more expensive. What would be best for us to do is a side-by-side walkthrough from the last time it was before commission and where we are today, so you understand that we are solving for a shortfall in the Crane Cove Park project.

We are making a policy decision to figure out what to do about that shortfall on Building 49 and the improvements to Building 49 because we believe the roadway is essential to the park. The plan for Building 49 we feel we have more room to value engineer and make decisions that won't affect the operation of the park.

Commissioner Woo Ho - I'm going to mention my limited knowledge of roads. I understand, in California, we mostly do asphalt. The state of Texas, they do concrete, which is a lot more expensive. Are we doing asphalt or concrete here? What kind of road are we putting in?

Erica Petersen - We're doing asphalt.

Commissioner Woo Ho - I still find that this number is very expensive.

Elaine Forbes - Rod Iwashita, our chief harbor engineer, and Erica have been looking very closely at the engineers' estimates and the analysis. Rod, can you explain why this is such an expensive road?

Commissioner Woo Ho - This is a short distance.

Rod Iwashita, chief harbor engineer - The expense is trying to figure out how the contractors have priced this. There are buried utilities. It's been a shipyard for over 100 years. There are unmarked utilities along this stretch that we believe the contractors will include in their price to develop the road. They're going to say, "We don't know what's underneath here. We need to protect

ourselves and our bid. This is what we think the price is to actually do the roadway."

Commissioner Woo Ho - Because they're going to have to dig up the road, they're going to find some things, utility lines or whatever. They feel they have to cover themselves. But if in the event that they don't run into the complications or complexities in digging up to prepare for the road, how are we not going to be paying for something that we didn't really have to pay for? How do we protect ourselves?

Rod Iwashita - We have done some potholing to find utilities and the location but you can only do so much of that. That information will be available in the bid documents. I'm not exactly sure how we can ask contractors to not bid the risk of this.

Commissioner Gilman - Are we also including in this roadwork similar to other projects in the city? The city has that three-shovel rule that, when you open up a street or if you're paving a new street, besides doing roadwork, you're also looking at PUC utilities? Is any of that included in this bid?

Erica Petersen - Not really because this street has been a Port street. There aren't any PUC utilities under that street.

Commissioner Gilman - I thought we just said, when we open up the street, because the maps are old, we might discover things that the contractor needs to remove.

Erica Petersen - That would be Port utilities from the shipyard.

Commissioner Gilman - So it's Port utilities.

Erica Petersen - Another item that is probably adding some cost to the street and making it more complicated is that we are requiring the contractor to allow for shipyard access throughout the duration of the project and access for the tenants in those buildings along 20th Street. This is what we recommended. It's going to be up to the contractor to decide. They're going to have to potentially only do the 19th Street segment and then separately do Georgia Street segment, which makes it more expensive for them to separate those out.

Commissioner Gilman - The only reason I was asking was because I was at an event last night for the Van Ness corridor and MTA was saying how the cost for that has skyrocketed due to the fact maps were old. When they opened the street, they found all sorts of debris and things they had to deal with. I was just trying to extrapolate if we're in a similar scenario here because this was a shipyard. Maps are inaccurate. We don't know what's underneath the street. Is that part of your rationale for why you're pricing the bid the way you are?

Erica Petersen – Yes, and to add to that, that also brings up another thing. We know that some of the soil at Crane Cove Park is contaminated and has to be disposed of in a certain way that's more expensive. They had done studies in the past that gave us an idea of how much contamination there was. But of course, you're never going to know until you start digging. For this contract, we've added in some allowances to pay for potentially hazardous or RCRA is the term of that soil. There is a potential that they might not encounter that. ten, we don't have to pay for that.

Commissioner Woo Ho - what is roughly the cost per square foot for the road, taking the hazardous material removal as a separate item which I hope you asked them to bid that separately because, if it's not there, it's not there. what is the price per square and are we also comparing with what DPW would know about roads? Because they know a lot about roads comparing what they typically see in pricing.

Erica Petersen - I have looked at some information I have received from Public Works. I could not tell you off the top of my head the square-foot cost. I could get back to you on that because I'm afraid my mental math right now will be way off.

Commissioner Woo Ho - Sure. I'd be curious to know what that is.

Elaine Forbes - I have to make a correction to something I said. When President Brandon asked about the total budget, staff has added \$1.6 million as a potential new source here as a contingency. Katie Petrucione, the Port CFO, just pointed this out to me. It is something that's been budgeted and appropriated by the commission for projects when they go over. it's a potential funding source. So I misspoke when I said the budget has not moved at all. You were correct, President Brandon, that the roadway is more than the budget for the two, building and roadway, as previously discussed. I did want to clarify and correct that.

Commissioner Brandon - We need to have an update on what's going on at Crane Cove Park because I think we were very specific about that budget and about bringing it in in that budget.

Elaine Forbes - Agreed.

Commissioner Brandon - Now, we're significantly over budget because, at this point, we don't know what the bids are going to come in at. We're now taking money from other sources along the waterfront to put into this \$36 million park that's already funded.

Elaine Forbes - There's two choices. We could have an informational on the overall with Crane Cove Park or we could bid this contract and see what it will actually cost and, with that information, figure out what next steps are.

Commissioner Brandon - So this contract is just for 19th and Georgia Street and nothing else?

Elaine Forbes - Yes.

Commissioner Brandon - And its 100 percent over what we thought it would be.

Elaine Forbes - Yes. It's significantly more than we thought it would cost.

Commissioner Gilman - Is the Caltrans grant particularly for that work? So the grant can only be used for this work?

Elaine Forbes – Yes, it is.

Commissioner Gilman - Does the grant expire if we don't take action?

Erica Petersen - Yes.

Commissioner Gilman - When does the grant expire?

Erica Petersen - The grant is through MTC and they have to let us use the money. I need to get Caltrans approval on this project by January 31st in order for them to appropriate the money for this year. Otherwise, we could still get the money. But we'd be in a list of other people who are requesting it.

Commissioner Gilman - Do you need us to take action for you to do that process?

Erica Petersen - We need to approve advertisement. I need to have your approval to even do the contract. Then, I will be getting Caltrans' approval.

Commissioner Brandon - I'm going to finish asking all my questions. Then, I'm going to ask you guys if you have any more questions. So \$1.2 million is the Caltrans grant and \$3.1 million are our funds. But yet, we have to go with the DBE program, not the LBE program.

Erica Petersen - Correct.

Commissioner Brandon - Do we need to separate these? Or explain to me what how the DBE program differs from the LBE program and what our limitations are.

Erica Petersen - What I have been told is anytime federal money is touching your contract, you have to use the federal requirements. So the DBE program is somewhat similar to LBE program. You apply through the state. You are applying as a disadvantaged business. They have all their technical definitions of what a disadvantaged business is but it's usually somebody coming from a socially or economically disadvantaged background. Then, they apply and



become a DBE. When I was looking at the list of the DBEs in the San Francisco area, almost all of them were also LBEs. They probably overlap a lot.

Elaine Forbes - I can explain a little bit more about the program. The LBE program is a program that includes bid discounts or preferences. So competitors who are local small businesses receive bonus points or reductions in price depending if you're talking about a low-bid process or a qualifications process. It encourages local small businesses to come to the table and compete. The DBE program doesn't include that part of the program. It's based on percentages of businesses that are available. You have goals set based on those percentages.

It's a best-faith-effort standard. Our San Francisco program has significantly more teeth to it than the DBE program in terms of compliance. It's required. When you have an 18 percent or a 20 percent requirement, you have to meet that goal to move forward with the contract whereas a DBE program is more of a best-effort standard.

The rule is the federal government and the state, they do not allow local preferences for businesses. They don't want us to put preferences on businesses located in San Francisco versus Oakland versus Alameda versus Contra Costa County. They specifically say you may not use local preferences in selecting firms. Instead, we just want a diversity of firms. That's the big difference between LBE program and DBE program.

Commissioner Brandon - Why was it lowered from 28 to 18?

Erica Petersen - I'm not sure. We calculate 28 percent. We have a calculation based on the availability then, we send it to Caltrans. They have internal staff reviewing it. They have more resources to determine what the actual availability is. They sent us back the 18 percent number.

Commissioner Brandon - I personally would like to continue this but I really need to understand the delay, what that would cause because we don't want to lose the \$1.2 million. I really need to understand what we're doing here at Crane Cove Park because we can't just continue to spend money.

Elaine Forbes - There is one thing that's definitely to your advantage if we sort out that we need to move forward that we will not award this contract until you have the full picture for sure. A couple questions for you in terms of scheduling and getting the roadway improvements in and the grant, we need to know what is your timeline in terms of when we want to break ground and have those roadway improvements in for the park and the developments that are going on at Pier 70? What are the specifics related to the grant dollars and when you need commission action? Those two questions you can answer maybe with Katie's help or Rod's help.

Erica Petersen - My understanding is I need to advertise in March because the deadlines for Caltrans are to get their separate approval, which is separate from

this. Then, we need to break ground or issue the first invoice for the contractor in the summer. That's why bidding it in March is important to have the contractor hired by then.

Commissioner Brandon - What was the January 31st deadline that you gave us?

Erica Petersen - That's for Caltrans to approve our construction document package. They give us authorization to advertise.

Commissioner Gilman - So they need to look at our packet. They need to approve it before we can advertise. They need to look at that packet by January 31st. Do you need our approval to advertise? Do you need our approval to be part of that packet that you submit to them by January 31st?

Erica Petersen - No. I do not.

Commissioner Gilman - So that means we do have the ability if we wanted to postpone this item without jeopardizing the Caltrans grant?

Erica Petersen - Correct.

Commissioner Gilman - We could advertise this as is, receive all the bids and make a decision not to move forward because we don't think it's economically feasible?

Elaine Forbes - Yes.

Erica Petersen - Correct.

Commissioner Gilman - We, in some ways, have two options here as a commission.

Commissioner Woo Ho - I would like to add some proviso to the second one saying, normally, we know we put out and say up to X. I understand from what I heard you've covered the bases in terms of, what if the contractor finds hazardous material? What if the contractor finds utility issues in terms of preparing to pave the road? I'm interested in saying, how can you structure the bid so that, if these issues don't come up to the max as we might anticipate, that we might not spend all that money and that we could be more economical? Then, I want to know the base price for actually paving the road. If we could structure it so that if the contractor doesn't run into it, we don't pay for it or otherwise we're paying for it when we really didn't need to.

Erica Petersen - I do. I believe we've tried to structure the bid items as much like that as possible. The risk with the utilities is hard to piece out as a separate item. Like Rod mentioned, they're probably going to be including that in their bid price anyway.

Commissioner Woo Ho - In their base bid.

Erica Petersen - In their base bid but we have separated out the soil.

Commissioner Woo Ho - We're also doing the finishes on the road because apparently, there's different ways to finish roads. So we're doing everything? There are choices. I've learned now there's choices of what you want to do with a road. So we're doing everything to finish this road because it also depends on what you think the traffic is going to be on the road and how much finish you want to put on it.

Erica Petersen - Right. We are designing it to city standards. Yes, that is definitely included.

Elaine Forbes - And this road will be accepted by DPW when it's complete?

Erica Petersen - That's something we will have to work on.

Commissioner Adams - I want to go back to what President Brandon and all the commissioners said. This whole project has been an Achilles heel for the Port. This Crane Cove Park has just been a disaster. I appreciate what Commissioner Gilman said. We've got two options. Are we better to hold this thing over or to vote it? Because I feel that, in a lot of the questions, there was a lot of hesitation, a lot of uncertainty in the way questions were answered. I'd like to make sure that we're right.

Elaine Forbes - I personally would recommend we move forward with it because we'll know more when we get that bid in terms of what we want to do than not having that information. Putting the bids out there and knowing what the road will really cost and looking at the side by side in terms of where we were with budget and what the key elements are is going to present a better set of facts for us and for you to grapple with in terms of how to close the park. I would suggest we move forward with the bidding, get the number. We would come back anyway to award but at that time, we answer all these key questions and figure out how to come across the finish line on this park.

Commissioner Brandon - But what's really at issue here is the funding and where we're getting these dollars from even if we bid it, understanding where the dollars are coming from and what the total budget is now. At this point, if we bid it out, is it the lowest bid? Is it best value? What is it? What are we looking for? Is it up to a certain amount? How is it being bid?

Erica Petersen - We are bidding it low bid. Then, we get to decide if we have the budget.

Commissioner Brandon - Where did best value come from?

Erica Petersen - We had done best value on the Building 49 bids back in May.

Elaine Forbes - They came in very high. We tried the best-value approach with Building 49, and the bids were very, very high on 49. Here, because it's simple road construction, a low bid is the way to get the best price. This would go out as a not-to-exceed \$4.3 million bid, correct? And the lowest price, is that what you've said here?

Erica Petersen - I don't know how it works with not to exceed. On the bids in the past, we say engineers' estimate. Then, they give us a bid. Sometimes, they come in higher or lower.

Elaine Forbes - That figure would be referenced as the engineers' estimate. Then, we would let the contractors tell us what it costs. The lowest qualified bidder we would recommend for award. What we have right now is the original Crane Cove Park budget except for a potential addition of \$1.6 million, which you have previously appropriated as a project contingency for the Port to use whenever projects go over across the board. I'm not certain how high that contingency is. But the decision here is to potentially use up to \$1.6 million of that contingency for this roadway. It's essentially a budget increase to Crane Cove Park.

Commissioner Brandon - Is that contingency \$2 million, or is it \$10 million?

Katie Petrucione - Using this \$1.6 million will close out the remaining funds in the contingency that we've appropriated through the current fiscal year, through 19/20. Then, the expectation is that, as we come to you with our capital budget for the two-year budget cycle that we're working on right now, we would refund the contingency at a level that we can afford within the capital budget for the next two fiscal years. So using this \$1.6 million will wipe it out.

Commissioner Brandon – It would wipe it out.

Elaine Forbes - So we would have no contingency through June 30, 2020.

Commissioner Gilman - Commissioners, I will say part of me is curious to see, by advertising it, we're not committing to funding it. We have the engineers' best estimate of \$4.3 million. I would be curious to see what we get with the caveat that we might take no action. Unless we think somehow that would hurt our reputation from a contracting perspective, I'm curious to see what we get, so we could have a better context.

Commissioner Brandon - How does it make us look we keep putting these out and they keep coming up over?

Elaine Forbes - We do routinely reject bids because they come in too high. You mentioned how difficult this park has been, Commissioner Adams. The

construction climate is very hard. We often get bids that are all over engineers' estimates, and we have to reject all of them. We reject more bids than you see.

Rod Iwashita - I can just add that we understand that this is a big concern for the Port. We understand it's public money. We have taken extra measures to get different cost estimators and different points of view for these projects and for other projects. We are taking an extra step to get independent cost estimates.

Commissioner Brandon - I'm okay with moving forward. I just want to say, as I've said before, we don't have any more money to spend on this park. We do not have any more money. So even though we're taking this \$1.6 million contingency to put into this park and we still don't have a play structure, we don't have any amenities. We're just building a park. We can't just keep dumping money into Crane Cove Park. We can't. I really need to see the plan for how we're going to bring this park in with the budget that we have. We can advertise all we want but if it's not within our budget, I don't think I can support it.

Commissioner Woo Ho - Do we have any idea how much the Mission Rock Park is going to cost?

Elaine Forbes - Roscoe, do you have a budget for the Mission Rock Park? We will get that to you in writing.

**ACTION:** Commissioner Adams moved approval; Commissioner Gilman seconded the motion. All of the Commissioners were in favor. Resolution No. 20-04 was adopted.

### **13. NEW BUSINESS**

Commissioner Woo Ho - I have an item for new business. First of all, I'd like to congratulate Jim Wunderman for becoming the new chair of WETA. I was very excited to read about his vision and his strategy. I would like to request that we ask him to come to present to the Port Commission when he feels appropriate, when he thinks he's got a little bit of sea legs under him in terms of his plan because he would be a great partner for us to work with given that he is going to push WETA to move faster and more extensively, which is something that we'd be very interested in. It may be time to also hear from our regulatory friends, BCDC about their plans and strategy since we've been moving forward with our waterfront land use plan. It's good to know how all of our partners that we have to work with to execute because we can't do it all by ourselves. We need all these other people to be in agreement with what we want to do. We also hear from them and that they also hear from us. I'd like to suggest that as a future agenda item. They don't have to be at the same meeting.

Commissioner Gilman - I also have a new item. I'd like to, in February, off of public comment, get an update on what's happening with the Dolphin Club. Public

comment indicated they'd been working with us for several months. Their perception is that they're caught up in some bureaucracy. As an entity, as a non-profit organization on our Port, I'd like to get an update in February about where we are with them and their improvements.

Commissioner Adams - I have two items. I know President Brandon and Commissioner Gilman know more but I want an update on the Navigation Center. I'd like to know what's going on with that. I only live a block away from it but I'd like to know what's going on with that. Secondly, what's going on with the shipyard? Where are we going to go from there and, then, an update on ferries and water taxis.

#### **14. ADJOURNMENT**

ACTION: Commissioner Woo Ho moved approval; Commissioner Gilman seconded the motion. All of the Commissioners were in favor.

Port Commission President Commissioner Brandon adjourned the meeting at 5:20 p.m.