

# SAN FRANCISCO PORT COMMISSION

**Kimberly Brandon, President**  
**Willie Adams, Vice President**  
**John Burton, Commissioner**  
**Gail Gilman, Commissioner**  
**Doreen Woo Ho, Commissioner**

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## **AGENDA** **PORT COMMISSION MEETING**

**TUESDAY, MAY 25, 2021**  
**2:15 P.M. CLOSED SESSION**  
**3:15 P.M. OPEN SESSION**

**Port of San Francisco**  
**Pier 1**  
**San Francisco CA 94111**

Due to the COVID-19 health emergency and to protect our Port Commissioners, Port Staff, and members of the public, the Port Commission Meeting Room at the Ferry Building is closed. This meeting is being held by teleconference pursuant to the Governor's Executive Order N-29-20 and the Fifth Supplement to Mayoral Proclamation Declaring the Existence of a Local Emergency.

Individuals are encouraged to participate in the meetings remotely by calling during the public comment section of the meeting. Visit the SFGovTV website (<https://sfgovtv.org/sfgovtv-live-events>) to stream the live meetings or watch them on demand at [http://sanfrancisco.granicus.com/ViewPublisher.php?view\\_id=92](http://sanfrancisco.granicus.com/ViewPublisher.php?view_id=92)

<p><b>TO STREAM THE LIVE MEETING:</b></p> <p><a href="https://sfgovtv.org/sfgovtv-live-events">https://sfgovtv.org/sfgovtv-live-events</a></p> <p><b>TO MAKE PUBLIC COMMENT:</b></p> <p>Dial 415-655-0001 Participant Code: 187-918-0726#</p> <p>When prompted, press *3 to be added to the public comment queue.</p>	<p>If you are in the public comment queue, an audio prompt will indicate when it is your turn to speak.</p> <p>Public comment is limited to 3:00 minutes and must be in respect to the current agenda item. When making public comment, please:</p> <ul style="list-style-type: none"><li>• Ensure you are in a quiet location</li><li>• Turn off any TV's or radios around you</li><li>• Speak Clearly</li></ul>
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*The Port Commission Agenda as well as Staff Reports/Explanatory Documents available to the public and provided to the Port Commission are posted on the Port's Website at <https://sfport.com/meetings/15>*

1. **CALL TO ORDER / ROLL CALL**
2. **APPROVAL OF MINUTES – April 27, 2021**
3. **PUBLIC COMMENT ON EXECUTIVE SESSION**
4. **EXECUTIVE SESSION**

(1) CONFERENCE WITH LEGAL COUNSEL REGARDING ANTICIPATED LITIGATION MATTER AND SETTLEMENT AGREEMENT (DISCUSSION AND ACTION)

Discussion of anticipated litigation matter pursuant to California Government Code Section 54956.9(d)(2) and (d)(4) and San Francisco Administrative Code Section 67.10(d)(2) regarding disputed title to a portion of Custer Avenue in the vicinity of 1650 - 1680 Davidson Avenue. Anticipated litigation:  As defendant  As plaintiff

Proposed Action: Approve the negotiated Settlement Agreement with the 2006 Murray G. And Doris M. Cole Revocable Trust (“Cole Trust”) under which, without any admission of liability for any purpose, (i) the Port and the Cole Trust would agree not to file a lawsuit against the other for a period of 18 months while the parties work together in good faith to resolve the title dispute over the Custer Avenue paper street within the Cole Trust property at 1650 and 1680 Davidson Avenue through a sale, trust swap or other mutual resolution subject to approval by the required policy bodies including the State Lands Commission and the Port Commission; (ii) the Cole Trust could continue to use the paper street in exchange for a non-refundable annual payment of \$77,049.00 for a term of 5 years (subject to extension) or less if title is resolved under (i) above or upon a final court decision resolving title; (iii) the Cole Trust will indemnify, release and hold the Port harmless in connection with its use of the Custer Avenue paper street; and (iv) the Settlement Agreement will benefit and bind tenants and subsequent owners of 1650 and 1680 Davidson Avenue. The Settlement Agreement includes other appropriate terms and conditions.

(2) CONFERENCE WITH LEGAL COUNSEL REGARDING ANTICIPATED LITIGATION MATTERS

Discussion of anticipated litigation matter pursuant to California Government Code Section 54956.9(d)(2) and (d)(4) and San Francisco Administrative Code Section 67.10(d)(2) regarding a release of fuel at Hyde Street Harbor by Port tenant Pilot Thomas Logistics LLC.

Anticipated litigation:  As defendant  As plaintiff

## **5. RECONVENE IN OPEN SESSION**

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

## **6. PLEDGE OF ALLEGIANCE**

## **7. ANNOUNCEMENTS**

- A. Announcement of 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. Please note that during the public comment period, the moderator will instruct dial-in participants to use a touch-tone phone to register their desire for public comment. Audio prompts will signal to dial-in participants when their Audio Input has been enabled for commenting. Please dial in when the item you wish to comment on is announced.

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

## **9. EXECUTIVE**

- A. Executive Director's Report
  - Economic Recovery
  - Equity
  - Key Project Updates
    - American Rescue Plan Funding
    - Pop-Up RFQ
    - F-Line Service Resumption

## **10. FINANCE & ADMINISTRATION**

- A. Request authorization to award contracts to (1) Bonner Communications and (2) Davis & Associates Communications, Inc for As-Needed Media Relations, Communications, Public Relations and Advertising, each contract in an amount not to exceed \$225,000. (Resolution 21-24)

## **11. PLANNING & ENVIRONMENT**

- A. Informational presentation on the San Francisco Municipal Transportation Agency's Embarcadero Enhancement Program and upcoming request to

implement 'Quick-Build' traffic and curb management changes in the Central Embarcadero segment between Mission Street and Broadway, in support of the City's Vision Zero traffic safety goals.

**12. REAL ESTATE & DEVELOPMENT**

- A. Informational presentation on Memorandum of Understanding (MOU) M-16808 between the Port of San Francisco and the San Francisco Municipal Transportation Agency (SFMTA) for use of a portion of Seawall Lot 354 (also known as 1399 Marin Street) for general office, general warehouse, storage, related parking of SFMTA staff vehicles, maintenance and repair of SFMTA buses including fueling and washing of same, and for incidental, directly-related uses and for no other purpose for a term of seven years and a waiver of the security deposit.

**13. WATERFRONT RESILIENCE PROGRAM**

- A. Informational presentation regarding Waterfront Resilience Program (WRP) Local Business Enterprise (LBE) Subcontracting and WRP Equity Actions.
- B. Informational presentation regarding the Islais Creek Southeast Mobility Adaptation Strategy.

**14. NEW BUSINESS**

**15. ADJOURNMENT**

*In Memory of Ken Tashian and Al Baccari*

**PROPOSED AGENDA**  
**SUBJECT TO CHANGE**

**JUNE 8, 2021**

1	Seawall Lot 354	Action	Request approval of a Memorandum of Understanding (MOU) M-16808 between the Port of San Francisco and the San Francisco Municipal Transportation Agency (SFMTA) for use of a portion of Seawall Lot 354 (also known as 1399 Marin Street) for general office, general warehouse, storage, related parking of SFMTA staff vehicles, maintenance and repair of SFMTA buses including fueling and washing of same, and for incidental, directly-related uses and for no other purpose for a term of seven years and a waiver of the security deposit
2	Central Embarcadero	Action	San Francisco Municipal Transportation Agency's Embarcadero Enhancement Program (EEP), proposed resolution to approve the Phase 1 Central Embarcadero Safety Project, Broadway to Bryant Streets, and update on future actions of the EEP in support of the City's Vision Zero traffic safety goals
3	Portwide	Action	Request authorization to Advertise for Competitive Bids for Five Year Maintenance Dredging Construction Contract
4	Portwide	Informational	Presentation on a proposed licensed vending pilot program
5	Waterfront Resilience Program	Informational	Overview of project definition and delivery process
6	Portwide	Informational	Maritime portfolio update
7	Mission Rock/SWL 337	Informational	Project update regarding anticipated cost increases for the Phase 1 horizontal budget

**JULY 13, 2021**

1	Piers 38-40	Informational	Project status update for the Piers 38 & 40 development project located along the Embarcadero between Townsend and Delancey Streets including progress on the project's Diversity, Equity, and Inclusion plan
2	Portwide	Informational	Presentation on proposed Guidelines for Recognition or Commemoration at the Port of San Francisco

**DATE TO BE DETERMINED**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Piers 30-32 & SWL 330	Informational	Informational presentation on the project status with Strada Trammel Crow Companies Partnership LLC for the Piers 30-32 & SWL 330 the generally located along the Embarcadero between Bryant and Beale Streets
2	Kneass Building and Building 49	Informational	Present results of Request for Proposals (RFP) process for Kneass Building and Building 49 including summary of minimally qualified responses and RFP panel's scores and overall ranking of the responses
3	Portwide	Informational	Present status of San Francisco County Transportation Authority's Downtown Congestion Pricing Study
4	Pier 80	Informational	Update on PASHA Operations and Local Hire Performance at Pier 80
5	Pier 70 Historic Core	Informational	Presentation on formation of a Community Facilities District (CFD) over the Pier 70 Historic Core area (including Buildings 14, 101, 102, 104, and 113-116 located at Pier 70)
6	Pier 70, Parcel K North Plaza	Informational	Presentation of the Schematic Design of the Parcel K North plaza located at the southeast corner of 20th and Illinois Streets
7	Pier 70	Action	Approval of resolution directing staff to seek issuance of the first Pier 70 Lease Properties Community Facilities District bond from the Board of Supervisors
8	Portwide	Action	Approval of amendments to Port of San Francisco Tariff No. 5 (Rules, Regulations, Rates, and Charges)
9	Piers 19-23 and Piers 29-31	Action	Authorization to issue a Request for Proposals for the rehabilitation and development of Piers 19-23 and Piers 29-31, located near The Embarcadero at Lombard Street
10	Mission Bay Ferry Landing	Informational	Presentation on proposed lease with Water Emergency Transportation Authority Transportation to lease and operate the Mission Bay Ferry Landing for ferry service
11	Mission Bay Ferry Landing	Action	Authorization to accept and expend \$25 million from WETA and from private contributions for the Mission Bay Ferry Landing, subject to the Board of Supervisors' approval, and authorization to enter into a Memorandum of Understanding with WETA governing expenditure of the \$25 million

**JUNE & JULY 2021  
CALENDAR OF UPCOMING PORT MEETINGS – OPEN TO THE PUBLIC**

<b>DATE</b>	<b>TIME</b>	<b>GROUP</b>	<b>LOCATION</b>
JUNE 8	2:00 PM Closed Session 3:15 PM Open Session	Port Commission	VIRTUAL MEETING
JULY 13	2:00 PM Closed Session 3:15 PM Open Session	Port Commission	TBD

**NOTES:**

The San Francisco Port Commission meets regularly on the second and fourth Tuesday of the month at 3:15 p.m., unless otherwise noticed. The Commission Agenda and staff reports are posted on the Port’s Website @ <https://sfport.com/meetings/15>. Contact Carl Nicita at 415-274-0406 or [carl.nicita@sfport.com](mailto:carl.nicita@sfport.com).

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

Due to the COVID-19 pandemic, the Fisherman’s Wharf Waterfront Advisory Group (FWWAG) meetings are on hold. Contact Demetri Amaro @ 415-274-0260 or [demetri.amaro@sfport.com](mailto:demetri.amaro@sfport.com).

During the COVID-19 pandemic, the Maritime Commerce Advisory Committee (MCAC) meets virtually every other month, on the third Thursday of the month, from 11:30 a.m. to 1:00 p.m. Contact Dominic Moreno @ 415-850-6819 or [dominic.moreno@sfport.com](mailto:dominic.moreno@sfport.com).

During the COVID-19 pandemic, the Northern Advisory Committee meets virtually at 5:30 p.m. on the third Wednesday of odd-numbered months. Contact Patrick Foster at [patrick.foster@sfport.com](mailto:patrick.foster@sfport.com) or check our website at <https://sfport.com/community> for more information.

During the COVID-19 pandemic, the Southern Advisory Committee meets virtually at 5:30 p.m. on the third Wednesday of even-numbered months. Contact Mark Paez at [mark.paez@sfport.com](mailto:mark.paez@sfport.com) or check our website at <https://sfport.com/community> for more information.

During the COVID-19 pandemic, the Waterfront Design Advisory Committee (WDAC) meets virtually, as needed, jointly with the Design Review Board of the Bay Conservation and Development Commission on the first Monday of the month. The Committee meets virtually as needed on the fourth Monday of the month at 6:30 p.m. Contact Dan Hodapp @ 415-274-0625 or [dan.hodapp@sfport.com](mailto:dan.hodapp@sfport.com)

During the COVID-19 pandemic, the Mission Bay Citizens Advisory Committee meets virtually on the second Thursday of the month at 5:00 p.m. Contact Marc Slutzkin @ 415-749-2516 or [marc.slutzkin@sfgov.org](mailto:marc.slutzkin@sfgov.org).

## **ACCESSIBLE MEETING INFORMATION POLICY**

### **ACCESSIBLE MEETING INFORMATION:**

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

### **DISABILITY ACCOMMODATIONS:**

To request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please contact Wendy Proctor, Port's ADA Coordinator at (415) 274-0592 or via email at [wendy.proctor@sfport.com](mailto:wendy.proctor@sfport.com) or Leah LaCroix at (415) 274-0632 or via email at [leah.lacroix@sfport.com](mailto:leah.lacroix@sfport.com) at least 72 hours in advance of the hearing. The Port's TTY number is (415) 274-0587.

### **LANGUAGE ASSISTANCE**

#### **311 Free language assistance / 免費語言協助**

/ Ayuda gratuita con el idioma / Бесплатная помощь переводчиков / Trợ giúp Thông dịch Miễn phí / Assistance linguistique gratuit / 無料の言語支援 / 무료 언어 지원 / “ว” “ง” “ข” “ค” / Libreng tulong para sa wikang Tagalog

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

#### **SPANISH:**

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

#### **CHINESE:**

規劃委員會議程。聽證會上如需要語言協助或要求輔助設備，請致電Jenica Liu 415-274-0471。

請在聽證會舉行之前的至少48個小時提出要求。

#### **TAGALOG:**

Adyenda ng Komisyon ng Pagpapalano. Para sa tulong sa lengguwahe o para humiling ng Pantulong na Kagamitan para sa Pagdinig (headset), mangyari lamang na tumawag kay Jenica

Liu sa 415-274-0471. Mangyaring tumawag nang maaga (kung maaari ay 48 oras) bago sa araw ng Pagdinig.

**RUSSIAN:**

Повестка дня Комиссии по планированию. За помощью переводчика или за вспомогательным слуховым устройством на время слушаний обращайтесь по номеру Jenica Liu 415-274-0471. Запросы должны делаться минимум за 48 часов до начала слушания.

**NOTICES**

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

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

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

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

**Lobbyist Registration and Reporting Requirements:**

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

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

If the Commission approves an action identified by an exemption or negative declaration as the Approval Action (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA decision prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. Typically, an appeal must be filed within 30 calendar days of the Approval Action. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Department's Environmental Review Officer

has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at <http://sf-planning.org/index.aspx?page=3447>. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

**Prohibited Contributions by Persons with Pending Land Use Matters.** Pursuant to Section 1.127 of the Campaign and Governmental Conduct Code, no person, or the person's Affiliated Entities, with a Financial Interest in a Land Use Matter pending before the Port Commission shall make any Prohibited Contribution at any time from the date of commencement of a Land Use Matter until 12 months have elapsed from the date that the Port Commission renders a final decision or ruling or any appeals to another city agency from that decision or ruling have been finally resolved. All capitalized terms in this provision are as defined in Section 1.127 of the Campaign and Governmental Conduct Code.