



SAN FRANCISCO PORT COMMISSION

**AUGUST 10, 2021
MINUTES OF THE MEETING**

MEMBERS, PORT COMMISSION

HON. KIMBERLY BRANDON, PRESIDENT

HON. WILLIE ADAMS, VICE PRESIDENT

HON. JOHN BURTON, COMMISSIONER

HON. GAIL GILMAN, COMMISSIONER

HON. DOREEN WOO HO, COMMISSIONER

ELAINE FORBES, EXECUTIVE DIRECTOR

CARL NICITA, COMMISSION AFFAIRS MANAGER

CITY & COUNTY OF SAN FRANCISCO PORT COMMISSION

MINUTES OF THE MEETING August 10, 2021

1. CALL TO ORDER / ROLL CALL

This meeting was 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.

Port Commission President Kimberly Brandon called the meeting to order at 3:15 p.m. The following Commissioners were present: Kimberly Brandon, Willie Adams, John Burton, Gail Gilman and Doreen Woo Ho.

2. APPROVAL OF MINUTES – July 13, 2021

ACTION: Vice President Adams moved approval of the minutes. Commissioner Gilman seconded the motion. In a roll call vote, the minutes were approved unanimously.

3. PLEDGE OF ALLEGIANCE

4. 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.

5. PUBLIC COMMENT ON ITEMS NOT LISTED ON THE AGENDA

No Public Comment.

6. EXECUTIVE

- A. Executive Director's Report
- Economic Recovery

- Equity
- Key Project Updates

Director Forbes: Good afternoon, President Brandon, Vice President Adams, commissioners, Port staff and members of the public. I am Elaine Forbes, executive director of the Port. In my report today, I'll provide an update on economic recovery and give information about a couple key projects.

I will not give the customary equity section of my report because Toni Autry, diversity, equity and opportunities manager, will be updating the commission and public on our equity initiative, specifically the Port's racial equity action plan implementation. Lavena Holmes, Port human resources director, and Tiffany Tatum, the Port's contracting and equity specialist, will be joining Toni.

Last week, the Bay Area health officers issued a new health order requiring everyone, regardless of vaccination status, to wear face coverings in indoor public settings including the workplace. We have implemented this change in all Port indoor workplaces.

And I commend staff for staying safe. And I also commend our return-to-office team for continuing to pivot and work to keep our employees all safe as COVID continues. Health experts continue to stress the importance of vaccinating as the most important and protective way to protect against COVID infections and also reduce your symptoms if you should become infected.

Vaccines are the most powerful tool even against the highly transmissible delta [variant]. A strong course of health officials and all Bay Area health officials are urging unvaccinated residents 12 and older to get vaccinated as soon as physically possible.

The Center of Disease Control and Prevention, the California Department of Public Health, Bay Area county officers including our own Dr. [Philip] and Health Director Grant Colfax agree that fully vaccinated people should wear masks while in indoor public settings to stay safe. Masking indoors will help limit community spread and will ensure we recover from this global health pandemic.

Onto economic recovery -- the Port is in the process of closing its books for fiscal year 2020-2021. And I want to commend Katie Petrucione and Peter for their exceptional work with our accountants.

Preliminary estimates show that the Port generated approximately 700 -- I'm sorry -- \$78 million in operating reserves versus a budget of \$56 million. Port staff took a very conservative approach to budgeting revenue last fiscal year

and is pleased that revenues exceeded budget but remains very unhappy that we earned 30 percent less than the prior year.

Staff expects to complete the audited financial statement for 2021 in October and will share results with the Port Commission. We will stay focused and diligent as we build our long-term economic recovery plan.

Now to a few transit updates -- cable cars. Last week, the cable cars returned to our waterfront. With the return of cable cars, we are welcoming residents and visitors back to our transit waterfront to enjoy wonderful locations like Fisherman's Wharf.

The San Francisco MTA is providing free rides this month in exchange for the public's feedback on their experiences. And yes, masks will be required on board the cable cars.

Ferry -- and now to water transit -- ferry ridership continues to increase. Some lines have increased 20 percent from the COVID low point, which is tied to an increase in visitors. Other lines have seen a 50 percent increase.

Both operators have reduced social distancing requirements and have continued a high level of cleaning and sanitation aboard vessels. We are optimistic and ready to support our ferry operators as ridership returns. A higher vaccinated population will continue to increase public transit ridership, yet another reason to get vaccinated.

On August 5th, WETA, the San Francisco Bay Ferry, ran a very successful initial test landing to Treasure Island to the new Treasure Island ferry terminal from downtown San Francisco. A small ferry operator will provide inaugural service from Treasure Island to the city. And that's expected next year in 2022.

Shifting gears to Mission Rock, the Giants Mission Rock development and waterfront neighborhood under construction just south of Oracle Park received a LEED Gold certification under the U.S. Green Building Council LEED for neighborhood development programs in early July.

This certification really demonstrates Port and Mission Rock partners' commitment to sustainably and -- combatting climate change. Mission Rock's bold approach sets a new high bar for planning and design excellence.

Once completed, the new neighborhoods will feature 40 percent affordable housing, public parks and open space, pedestrian-friendly walkways, restaurants, retail and office and life sciences. Thank you to the Giants for their partnership with the city and the Port.

Lastly, I am proud to report that the Port will be participating in the San Francisco African American Chamber of Commerce's Black Business Month conference from August 24th to 27th. Port staff will be attending the event to attract black businesses to the Port.

At the conference, staff from engineering and contracts will be cohosting a panel with the city's recreation and parks department to discuss how to search for contract opportunities and the best way to engage with the Port.

Maritime staff will host a table at a day-long youth symposium to expose underserved youth to maritime career opportunities. And this concludes my report. Thank you, commissioners.

No Public Comment on the Executive Director's Report.

Commissioners' Discussion on the Executive Director's Report:

Commissioner Woo Ho: Sorry. Hello. Can you hear me? Yes. Okay. Thank you. I want to just make a couple comments on Executive Director Forbes's report. So thank you for the update on the health situation. Obviously, we all have to be very cautionary.

And I would just add my two cents to also hopefully for the public to support increased vaccination is so important to be able to protect others as well as ourselves and particularly children. I just want to comment -- and you briefly mentioned it.

We, commissioners, did receive the financial report for the fiscal year end in a separate document. But you did reference it in your report. So I just wanted to comment and, number one, commend staff that actually we did much better, as you mentioned, than the budget.

We came in about 30 percent higher on the revenue side. So that is a tremendous accomplishment. A lot of it came in, I guess, on the commercial/industrial side. But I did note -- and I also want to -- before I go into that, I also wanted to mention that you really did a great job on the expenses as much as you could.

So that helped us to actually come in a little bit with a very small surplus for the year, which was not something we anticipated. So I want to commend staff for that. One of the notations in that report that I did want to just comment on and just find out about is, in comparison to last year, a lot of our revenue drop was in parking.

And as you know, we are going to be talking about how we're reconfiguring the Embarcadero, and there may be less parking. But I assume that most of

that parking drop in revenue from year over year, which is about \$10 million, is coming from the fact that, obviously, we did not have visitors to the waterfront.

Then, obviously, we had a lot less traffic during the pandemic. And just to be clear in understanding the ongoing impacts of parking, in terms of the reconfiguration of what we're doing on the Embarcadero as well as the activation, which we're going to talk a little bit about later in one of our reports today of how we can continue to activate the waterfront to bring more people.

So I'm hoping the parking revenue will come back. I don't know if you know all the answers right now, Katie. But it would be nice to know because parking -- whether parking can come back stronger and how much of it is going to be structural change in terms of the Embarcadero itself as we change with the quick build and everything else as well as activation of the waterfront and going forward because that would be nice to have that revenue come back to us.

And that's not totally our tenants. It's really just a question of making the waterfront more vibrant. So --

Director Forbes: I see Katie on. And I'll offer some initial feedback to you, Commissioner Woo Ho, if that's okay with you, President Brandon. And we'll have more follow up. But the basic answer is, yes, the parking revenue decline is absolutely directly linked to COVID and a sharp reduction in visitors and in visitor-serving businesses and activities at the waterfront during COVID.

But I will note that we had declines in parking revenue before COVID. So changes in driver behavior to things like ride shares and muni and possibly bike lanes, etcetera, mode shifts were occurring because our parking revenues were down.

But they were down -- and this is where I'll turn to Katie -- they were down in the 5 to 7 percent range. And this very dramatic decline is very much tied to all the b -- so many of our businesses that serve the public being closed during COVID.

Katie Petrucione: Yes. Absolutely. The major drop in parking revenue, as you both, Commissioner Woo Ho and the executive director, have just indicated are related to the reduction in visitor and just vehicle traffic overall to Port property along the Embarcadero.

I actually -- and of course, just a reminder that parking is a combination of revenue from our surface parking lots as well as revenue from our parking

meters. The trends that we've been seeing in our parking meters I think are somewhat hopeful.

I do think that that revenue is going to recover. The revenue we're seeing from our parking lots has been a little softer. But definitely, as we see increased visitorship, we should pick back up. But Elaine is right. We were seeing reductions in parking revenue.

And we attributed that primarily to the fact that there had been such an increase in use of services like Uber and Lyft. So --

Commissioner Woo Ho: Okay. Thank you.

Katie Petrucione: It will come back. But I think it may take a bit.

Commissioner Woo Ho: Okay. Well, I appreciate that. I think that, as we're going to see later in one of the presentations, you know, continue to have activation of the waterfront through these ideas, even the pop-up, which we're going to hear about later, is important to keep bringing people down to the waterfront. So I just would hope that we watch what happens with the parking revenue because that one is something -- you know, it doesn't --

Katie Petrucione: [We rely on].

Commissioner Woo Ho: Yeah. We rely upon it. It's not a tremendous cost to maintain parking. So it's one of those items that we don't want to lose sight of. And that's all I wanted to say. But thank you for giving us a very good financial report. And keep up the good work. Thank you.

Katie Petrucione: Thank you.

President Brandon: Thank you. Commissioner Gilman?

Commissioner Gilman: Thank you, Elaine, for your report. My only comment was I just actually wanted to say how excited I am that WETA is doing test runs to Treasure Island, as someone who used to be responsible for managing over 150 units of housing for formerly homeless families on the island.

This will bring incredible equity to those families, many of them who don't have vehicles and rely on SFMTA and the one bus route to get to and from the island, for all of their needs, for their children's school, for after-school activities, etcetera.

So I just wanted to highlight and lift up how exciting it is to know that, in 2022, we'll actually have more public transport to the island for the thousands of residents that live there. And thank you for your report.

President Brandon: Thank you. Commissioner Burton? Okay. We will move to Vice President Adams.

Vice President Adams: Yes. Thanks, Director Forbes. I appreciate your comments on the trial run to Treasure Island with the ferries. Commissioner Woo Ho, you were right on point with the parking being down. But I want to know what's realistic.

And maybe, Katie or Director Forbes, you can say. I don't know if we're ever going to get back to where we're going to get back to. But I think we're going to get close. And I think Commissioner laid it out -- Commissioner Woo Ho laid it out really well.

But I was just also thinking about that maybe only half of the Ferry Building seems to even be occupied to me and then with no cruise terminals and then the things that's closed. So I mean, maybe you and Katie can say.

Are we looking at -- getting back to where Commissioner Woo Ho was going, are we looking at something maybe three years -- Katie, you and Director Forbes have talked about it as a realistic goal? Because I think Commissioner Woo Ho was right on that.

Director Forbes: I can offer -- and I think that I would like to recommend under new business an item on this because you are asking really the million-dollar or billion-dollar crystal-ball question right now. And we've used the controller's estimates of when travel will come back broken into three types of travel.

But we are also getting real information on the ground from visitors. And we are at a point where we can begin to fine tune our projections and go into much more nuance and detail about how we see parking, how we see restaurants, how we see our commercial, industrial -- our industrial and maritime activities, which have stayed strong through the pandemic except those, of course, customer-serving or people-serving maritime activities.

So I think we should come back with finance projections. It won't be our typical five-year forecast because we have so many staff working on so many things in the finance department. You have no idea.

But we can do some sketching out and have a conversation. So that will be my comment, more to come. It's a great item for new business.

Vice President Adams: Thank you. Appreciate it.

President Brandon: Thank you. Commissioner Burton? Any comments regarding the executive director's report? I think you're on mute, Commissioner Burton?

Commissioner Burton: No.

President Brandon: Thank you. Elaine, thank you so much for your report. Great report. And I'm so happy that we are on a road to recovery. And I want to echo Commissioner Woo Ho in that vaccinations are extremely important to that recovery.

So I too encourage anyone that can do get vaccinated. I also want to commend Katie and the team for managing the budget so well during this time. I mean, to come out with a positive balance no matter how small is just a phenomenal thing during this time.

Hopefully, we can keep it up. And I also want to congratulate the Giants on their LEED certification, which is great for that project. That's outstanding and so happy that the staff is participating in the San Francisco Black Chambers Black Business Week. So thank you so much for your very detailed report. Carl, next item, please.

7. EXTERNAL AFFAIRS

- A. Informational presentation on the Racial Equity Action Plan (REAP) Implementation Progress Report for the period of January 1, 2021 through July 31, 2021; and request approval of the Ramaytush Ohlone Land Acknowledgment, a REAP action item. (Resolution 21-31)

Toni Autry: Thank you, Carl. Good afternoon, President Brandon, Vice President Adams, commissioners, Director Forbes and members of the public. My name is Toni Autry. And I serve as a diversity, equity and opportunity manager.

Today, I am joined by my colleagues, Lavena Holmes, director of human resources, and Tiffany Tatum, contracting and equity specialist, to present to you the Port's first biannual progress report of our racial equity action plan implementation and Ramaytush Ohlone land acknowledgment. Next slide, please.

Our presentation will include an overview of the Port's progress and challenges encountered while implementing our racial equity action plan, also known as the REAP, for a period covering January through July of this year.

Additionally, I will also present an action of the REAP, the Ramaytush Ohlone land acknowledgment for the commission's approval. Next slide, please.

As you know, the Port has had a long-standing commitment to equity and specifically advancing racial equity. Board of Supervisors passed legislation mandating the creation of the Office of Racial Equity, also known as the ORE, to advance racial equity citywide across 54 departments.

The ORE developed a framework requiring each city department prepare and submit a racial equity action plan by December 31st of last year. With the action plan submitted, the Port is responsibility to implement 136 actions across 10 sections of the REAP, which includes both internal and external actions. This year, the goal for Port staff is to implement 30 actions by December 31, 2021. Next slide, please.

As equity champions, the Port Commission has urged Port staff to be tenacious, innovative and proactive to ensure Port opportunities reach black and brown communities and others historically left out and left behind.

Staff have followed the direction of the commission and developed the Port's equity goals shown on this slide to reflect our commitment to racial equity and to serve as guiding principles for our REAP and as a key component of the Port's strategic plan. Next slide, please.

To launch department-wide REAP implementation, we created infrastructure to support capacity -- program capacity, implementation and sustainability, which are all --

Commissioner Woo Ho: Toni, your slides are not moving at all on our screens, just to let you know -- or at least not on my screen.

Toni Autry: Thank you, Commissioner Woo Ho. It appears they are moving on mine.

Director Forbes: Yes. We have them moving on the main area. So can IT help out, please, with Commissioner Woo Ho? Toni, I think you should proceed.

Toni Autry: Okay.

Commissioner Woo Ho: Okay now. It's all right now. Thank you.

Director Forbes: Good. Thank you.

Toni Autry: Thank you. So to launch with department-wide REAP implementation, we created infrastructure to support program capacity, implementation and sustainability, which are all critical to the overall effectiveness of our equity efforts.

We started with the identification of internal stakeholders and formed the racial equity change team, which consists of employees from each division whose role it is to hold their unit accountable for implementing assigned REAP actions and to track their division's progress.

Racial equity change team members are responsible for quarterly reporting, which provides insights into their division's progress. The Port's core team, the racial equity working group who played an integral role in developing the REAP, is now known as the racial equity advisory council.

This group's role has been repurposed to best support the implementation of the REAP. The advisory council is responsible to directly implement REAP actions and will serve as a panel of subject-matter experts where Port staff can bring projects, propose policies and programs in the planning stages to ensure a racial equity lens is applied to increase equitable outcomes.

With the establishment of clear roles and responsibilities under the equity program, the Port is poised to work collaboratively and embrace the challenge of approaching work and equity differently, centering equity at the core of our decision making.

We've been working with our consultant, Rosales Business Partners, to provide racial equity training portwide. Our consultant has been delivering training to senior leadership since December 2020 for four hours long on a monthly basis and will continue through the end of this year.

The training goal for leadership is to develop a shared understanding that, while race is a social construct, it has real outcomes when institutional policies and practices do not facilitate inclusivity and consequently produce systemic inequitable outcomes for people of color.

The sequential nature of the work requires leadership to build capacity before launching staff trainings. Racial equity training is planned to expand to all staff.

Another way that we have prepared for REAP implementation is through the development and use of the REAP implementation tracker to record our collective progress. This tool is designed to provide a dashboard for REAP work across the organization and will be vital to generating future internal and external reports to provide transparency and accountability.

To assure the equity initiative is operating optimally, evaluation is an important and necessary component. Internal stakeholders will participate in a feedback loop at the various stages of REAP implementation, which are operationalize, implement, evaluate and refine.

This process will be iterative to allow for continuous improvement and to incorporate staff feedback, address challenges and strengthen processes to meet objectives and goals. Next slide, please.

A pie chart reflecting the Port's progress from January through July of this year -- to date, of the 30 actions to be completed by the end of the year, Port staff have begun working on all assigned actions. Twenty-seven actions are in progress, and three actions are now complete.

Of the actions in progress, 14 actions have implementation plans which are 50 percent or more completed. While the 30 actions are from various [sections] of the REAP, we are focusing on implementing actions from the organizational culture of inclusion and belonging section.

These actions are innovative and will yield long-lasting positive impacts for the Port by addressing inequities experienced by BIPOC employees. And now, I'd like to introduce director of human resources and racial equity change team member, Lavena Holmes, who will provide some highlights on the Port's progress. Next slide, please.

Lavena Holmes: Thank you, Toni. Good afternoon, President Brandon, Vice President Adams, commissioners and Director Forbes. I am Lavena Holmes, human resources director. And I'm going to share a few highlights [the organizational] -- we have already made by implementing several of the actions contained within the list of our REAP short-term actions.

While there are 10 broad areas covered in our full-scale REAP, the list of short-term actions focuses only on eight of those areas. I'm going to highlight four of them for you today.

In the area of diverse and equitable leadership, the Port has completed the process of identifying and compiling all Port staff ethnicity and gender demographic information. And we have incorporated senior leadership demographics into the department annual report and other public-facing documents.

This has been an extremely worthwhile exercise because having the data readily available has enabled the organization to take a deeper look at the equity impacts of business decisions. And the data-driven revelations have been enlightening.

In the area of mobility and professional development, the Port has incorporated an evaluation area in the annual performance-appraisal process to assess what staff needs to pursue advancement and growth opportunity.

This is a great addition to the performance-appraisal discussion. It provides an opportunity for the employee and their supervisor or manager to dial [out about] qualifications for promotional opportunities and the types of training or education they should pursue to obtain the required experience to be competitive in future civil-service exams.

More than one-third of our short-term actions belong to the area of organizational culture of inclusion and belonging. This area is critically important and requires an all-hands-on-deck approach. To that end, the Port formed the racial equity change team, which includes a diverse, cross-cultural representation of employees from each division who have committed to holding their division accountable for implementing and tracking the progress of their assigned REAP actions.

The change team held its inaugural meeting on May 7th. At that meeting, 10 members learned that they're responsible for the implementation of the Port's racial equity action plan and have pledged their commitment to developing metrics for each action and for completing the REAP implementation tracker bimonthly to make the Port a more equitable workplace.

And finally, in the area of boards and commissions, the Port has incorporated the passage of Prop C 2020 and the charter amendment on commission membership by removing the requirement that people serving on city boards, commissions and advisory bodies be registered voters and U.S. citizens.

However, it continues to require those people to be of legal voting age and a San Francisco resident. The passage of this important proposition allows all residents, regardless of immigration status, to serve on local and state boards and commissions and opens the door to broad representation of communities of interest, neighborhoods and the diversity of the city and county of San Francisco on commissions.

I will hand it over to Tiffany Tatum, senior community development specialist, to cover the next areas. Next slide, please.

Tiffany Tatum: Good afternoon, President Brandon, Vice President Adams, commissioners and Director Forbes. As previously introduced, my name is Tiffany Tatum, contracting and equity specialist. I am here to present the progress of the REAP's external actions.

As a previous member of the economic impact policy team and now a member of the racial equity working group and change team, seeing these efforts materialize is exciting. As you know, the office of racial equity framework for phase one was internally focused.

The Port, however, decided to go beyond the requirements and work on external actions. I believe this places us ahead of other departments, as we are already working on external-focused REAP activities and well positioned to pivot towards the ORE's phase-two framework when they are presented this year or next.

In contracts, we are actively working to increase the ways in which we share Port opportunities with the public while growing the number of racially diverse businesses competing for Port contracts. One way we are doing that is by expanding our reach and actively engaging over 30 ethnic membership organizations that represent the full range of BIPOC communities and are inclusive of all Port business lines.

2020 was a tough year for everyone. And Port leadership understood the importance of supporting the Port's ecosystem of small local business. The micro LBE emergency relief program made available necessary funds to eligible LBEs including contractors, subcontractors and tenants.

There were 20 loans approved. And 10 of those went to black, indigenous and other people of color. Later in the agenda, you will hear from Crezia about the success of the recent pop-up RFQ. The RFQ was issued and resulted in a pretty qualified list of firms.

The extensive outreach efforts produced a diverse range of submissions. And we should all be looking forward to the upcoming activations. Lastly but certainly not least, in our commitment to be an anti-racist organization and to uplift the BIPOC community, we honor the original people of this land, the Ramaytush Ohlone, by recognizing them and their ancestral home land with a draft resolution.

The resolution will be presented shortly to the Port Commission for adoption. I will turn it back over to Toni to finish our presentation. Thank you.

Toni Autry: Thank you, Tiffany. Next slide, please. The Port's REAP is just one strategy to achieve a more equitable organization. We recognize, in order to embed equity portwide, it will take a shift in mindset, strategy and operations.

The REAP has created building blocks that help us to focus on areas where there have been inequities citywide. However, our equity work does not stop with the implementation of REAP actions.

We are constantly looking to leverage our efforts to increase equitable outcomes with opportunities that complement our existing work. Here on this slide, we have listed some highlights of additional work staff has underway to advance equity such as our commitment to diversify both businesses along the waterfront and increase opportunities through workforce development for BIPOC communities. Next slide, please.

This equity work requires a lot of heavy lifting. And REAP implementation not only requires human resources but also financial resources. The Port has expended \$1.1 million into costs associated with implementing REAP actions thus far.

Investments were made in the Port's micro-LBE emergency loan program and for training, conferences and events that promote a wider understanding of racial equity. Next slide, please.

Launch of REAP implementation has come with some challenges. As an organization, we must be nimble and be able to adjust. We have faced challenges such as the pandemic, economic climate and increased staff workloads, which have led us to pivot and be creative to navigate through less-than-ideal circumstances.

Because of this, our efforts to create institutional change may be delayed. The pandemic has slowed down construction of some development programs and new parks and open spaces planned. With the loss of revenue, we lost a budgeted line item for a position dedicated to managing parks and open space.

In the meantime, staff are carrying heavier loads to implement a few actions from the parks and open-space section of the REAP. Next, implementation within the contract section of the REAP revealed our engineering division currently does not have adequate human resources to issue an RFQ to create and manage its own pool of small minority contractors similar to the Department of Public Works job order contracting program, also known as the JOC.

Staff recommend modifying this REAP action to continue using DPW's JOC program and to more actively engage in both the development of the RFQ language and the outreach efforts to ensure we are reaching our targeted population.

And while we are pleased with being able to provide financial support through the micro-LBE emergency loan program, some applicants encounter challenges in meeting the eligibility criteria to qualify for funds.

Given the unusual time of the pandemic and economic downturn, staff granted applicants the gift of time for a more equitable outcome. As a result of those applicants who encountered barriers, two additional black-owned firms submitted required documents to be considered for the loan program. Next slide, please.

The implementation of our REAP we anticipate to make steadfast progress in light of the challenges we have encountered and those we may face in the future. Our next steps for this equity work include completing implementation of our 30 REAP actions by December 31st.

We anticipate receiving an evaluation of our racial equity action plan from the Office of Racial Equity, of which we will review and analyze. And lastly, we will await to receive the phase-two framework from the ORE, which will be externally facing and left for us to incorporate into our existing REAP. Next slide, please.

And now, I'll present to you the action item associated with this presentation, the resolution of the Ramaytush Ohlone land acknowledgment. Next slide, please.

The approval of the Ramaytush Ohlone land acknowledgment is a REAP action in the boards and commissions section and is a first step at acknowledging the Ramaytush Ohlone as the original inhabitants of San Francisco.

The adoption of this resolution will support the Port's goal of becoming a more equitable organization by building a culture of inclusivity and specifically centering our racial-equity work in alignment with the ORE to combat native invisibility. Next slide, please.

The land acknowledgment was authored and approved by members of the Ramaytush Ohlone community and has been adopted by the Board of Supervisors, Human Rights Commission and other city boards and commissions.

To acknowledge the truth of a land's history is a human right and demonstration of honor and respect for the contributions and sacrifices of the ancestors that inhabited and cared for this land before us.

If the resolution is approved, the land acknowledgment will be read at the beginning of each commission meeting following the call to order and roll call and is as follows, the San Francisco Port Commission acknowledges that we are on unceded ancestral homeland of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco peninsula.

As indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost, nor forgotten their responsibilities as caretakers of this place as well as for all peoples who reside in their traditional territory.

As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the ancestors, elders and relatives of the Ramaytush Ohlone community and by affirming their sovereign rights as first peoples. Next slide, please.

This concludes our presentation. And we welcome any questions you may have at this time. Thank you.

ACTION: Vice President Adams moved approval of the resolution. Commissioner Gilman seconded the motion.

No Public Comment on Item 7A.

Commissioners' Discussion of Item 7A:

Commissioner Gilman: So Tiffany and Toni, I want to thank you for this report. As someone who is working in partnership with you on the equity working group, I'm familiar with your report and the action. I wanted to commend and lift up three things, which I think for the public and for our fellow department are critical and important.

You know, once again, I want to thank us f -- and Commissioner Brandon's leadership on the LBE loan fund. We are one of the first departments to issue a fund like that. And my understanding is that others like the airport and other departments have looked at that and also our rent forgiveness programs as to how to sustain their businesses during the pandemic.

So I just wanted to really commend you for that work. Second of all, I want to appreciate the Ramaytush Ohlone and the land we stand on today. It is about time that we, in San Francisco, acknowledge the stewards of this native land like many other places around the world do as routine, Canada and Australia as examples.

So I think it's time in this framework and age of equity and in recognizing systemic racism that we are doing that. So I just wanted to say I'm excited by that.

And then, one thing I am looking forward to hearing more about -- and Tiffany, this is really in your wheelhouse. And I'm super excited that we're moving forward from a contracting perspective to community engagement.

So I'm excited for the p -- I'll hold my comments for the pop-up conversation that we're having later in the agenda with Crezia telling us about that. But to echo what Vice President Adams said during the executive director's report, we do have massive vacancy in our Port portfolio from the Ferry Building to other sites, Ferry Building being the most, I think, striking.

So how we look to enable BIPOC small businesses to either come in on a pop-up basis or on a permanent basis to make them be successful reflects the values in the community of who we are in San Francisco. So I'm looking forward to that conversation. And I thank everyone for your report.

President Brandon: Thank you. Commissioner Woo Ho?

Commissioner Woo Ho: Yeah. Thank you, Toni, Lavena and -- for all of your reports. I think it's great. I think the plan is very, very well thought out and very diligent. I appreciate the progress. So I think I echo Commissioner Gilman's comments.

My only -- I have a small suggestion for all of you particularly on the culture side. You've all taken this extremely serious. And this is a very serious subject. So I wanted to sort of make a suggestion to make it a little bit more fun for the staff, something that I hark back to my days which I did is that I -- I did it for Thanksgiving.

But you don't have to do it for Thanksgiving. You could do it at any time. I used to sponsor a potluck lunch in the office. And everybody came to contribute. And we had very diverse staff. So everybody brought food.

I think food sometimes helps to increase understanding curiosity to understand different cultures. And I found that it was really interesting to find out what different people could provide. So all I'm saying is have some fun about this, not just take it all so seriously. And do it the soft way.

So my suggestion is obviously it's not the most important thing to do. But I'm saying, if you can make it a little bit more fun, maybe sponsor some potlucks or some things where people can get together and use different ways to increase understanding.

So it's not all cerebral. It's not all having to be left brain. It can be a little bit more just fun and emotion. And sometimes, you find that that helps to break down, starts conversations. Sometimes, you talk, and you find out things about people that you don't know.

And many times, you may have misperceptions. And the more you can talk about your families and your backgrounds and your past experiences and

where you came, that's faster than going through some special training that is trying to teach your left brain to think differently.

And that's all my suggestion to you is have a little fun with this. I don't disagree with anything that you're doing. I wouldn't take away from it. It's very thorough. But I'm just saying make it more people oriented and fun. That's my suggestion.

President Brandon: Thank you, Commissioner Woo Ho. That is a great recommendation. It sounds like a lot of fun. Commissioner Burton?

Commissioner Burton: Great report. Thank you very much. I found it informative. Those are my comments. Thank you again.

President Brandon: Thank you. Vice President Adams?

Vice President Adams: Yeah. Tiffany, Toni and Lavena, great report. And I think Commissioner Woo Ho said some good things. Everybody loves to eat. We all like to eat food. And that's something I think that brings everybody together and to talk.

I also think that, in the middle of this COVID, I think we all need something positive to gravitate toward. And I think that will get us to where we need to get to because -- I don't care who we are -- we're all going through this together. And it's all affected each and every one of our lives.

We'll all never be the same. We will have learned from this experience. But it's changed the way how we lived our life, how we see the world. And maybe people will be a little bit kinder and look at a broader picture about what's going on in our society. So you have my support. Thank you.

President Brandon: Thank you, Vice President Adams. Again, Toni, Lavena and Tiffany, that was a great report. Thank you so much. It's amazing how much you guys have accomplished over a short period of time. I think it's just a testament to our executive director and her commitment to racial equity and making the Port a place that everyone wants to come to, everyone wants to work for, everyone just wants to be a part of.

So I really want to thank the entire team for their commitment to this. You know, we are the leader. We are the leader for the city. And we are doing phenomenal things. And you guys just keep coming up with new ideas and new recommendations that everyone else just has to follow.

So thank you so much. It's incredible how much you've done so far. And I'm really excited about the expanded outreach that we're doing for all of our opportunities and the fact that we came up with our loan fund and all the

activities that have happened surrounding racial equity and just making sure that everyone in San Francisco knows the Port is open for business for everyone. So thank you again. Carl, can I please have a roll-call vote?

Roll Call Vote:

President Brandon – Yes
Vice President Adams – Yes
Commissioner Burton – Yes
Commissioner Gilman – Yes
Commissioner Woo Ho – Yes

President Brandon: The motion passes unanimously. Resolution 21-31 is adopted. Carl, next item, please.

8. PLANNING & ENVIRONMENT

- A. San Francisco Municipal Transportation Agency (SFMTA) Director and Port Commissioners discuss long term strategies and collaboration; and request approval of proposed 'Quick-Build' traffic and curb management changes in the Central Embarcadero between Mission Street and Broadway, per the SFMTA's Embarcadero Enhancement Program in support of the City's Vision Zero traffic safety goals. (Resolution 21-32)

Dan Hodapp: Good afternoon, President Brandon, Vice Chair Adams and members of the commission. I'm Dan Hodapp of the planning and environment division. We are back today to discuss the Embarcadero enhancement project, which is the SFMTA Vision Zero transportation and streetscape effort to promote safety, mobility and connectivity for all modes of travel along the Embarcadero.

Through this effort, the Port is collaborating with SFMTA to improve safety. And it is done in light of severe and fatal injuries that have occurred in the past few years. It is also done with full focus on making improvements that aid the Port and city in economic recovery.

Today, we begin with the city's director of transportation, Director Tumlin, and then have SFMTA staff Casey Hildreth and Mark Dreger provide a brief presentation focusing on the points raised at the July 13th commission meeting.

Director Tumlin has served as the director of SFMTA since 2019. He has a distinguished career in transportation planning and sustainable mobility. He is the former director of strategy at Nelson\Nygaard Consulting Associates and served as interim director of the new Oakland Department of Transportation.

He has led numerous award-winning projects and also the author of Sustainable Transportation: Tools for Creating Healthy, Vibrant and Resilient Communities. With that, Director Tumlin?

Jeffrey Tumlin: Thank you, Dan. And thank you, commissioners. We are so honored to be here today in partnership with the Port of San Francisco and particularly to be working together to solve some of the many challenges that the Embarcadero roadway presents.

As I'm sure you all know, the Embarcadero really stands out for its poor safety record. The entirety of the Embarcadero south of the cruise ship terminal is part of the city's Vision Zero network, the 13 percent of city streets that contribute to over three-quarters of the severe injuries and fatalities on our streets.

And we are having particular problems with the intersections of the Embarcadero at Broadway and Washington. The SFMTA, in pursuit of its safety goals, has been programming \$5 million in the central Embarcadero in order to support more robust follow-up changes in order to make the waterfront safer and to make the waterfront experience more welcoming to all users.

The central Embarcadero is also part of a larger transportation framework that includes the ongoing work on the northern Embarcadero and the southern Embarcadero, improvements to F-line service, which you'll start seeing this weekend and later on in the year, and the eventual expansion of the central subway into Fisherman's Wharf along with many, many other improvements.

I want to really assure you that the SFMTA is committed to being a responsive and accountable partner with the Port and all of the waterfront stakeholders. As the staff will summarize in their presentation, we've made numerous adjustments and refinements to the quick-build proposal based upon all of your comments as well as additional work that we've done with waterfront stakeholders.

Our project process is going to be comprehensive. It's going to be data driven and will include numerous points in time where we come back to you and to stakeholders in order to discuss our findings.

We're going to be engaged with Port staff every single step of the way. And everything that we're doing can be undone if, for whatever reason, we decide it's not working or isn't working as well as we had expected.

So our emphasis here, like in all of our projects, is on safety and safety for all users, people who are driving, people who are walking, in wheelchairs, on scooters and skateboards, every single mode of transportation.

And our emphasis is also on economic development. We understand that we need to design and manage the Embarcadero to move more people over time. The city is growing. And the needs of its businesses are growing as well.

We want to make sure that the Embarcadero truly serves everyone. In order to do so, there will, of course, be tradeoffs along the way. And staff will be presenting those along with some potential solutions for making sure that we have a truly balanced approach for the Embarcadero and a balance that we can all agree to before making final decisions about a larger capital project that the quick-build process is intended to inform. And with that, I'd like to introduce Casey Hildreth.

Casey Hildreth: Thank you, Jeff. Thank you, President Brandon, Vice President Adams, esteemed commissioners, Director Forbes. Again, Casey Hildreth, principal planner with the MTA, just hoping to briefly cover the refinements to our proposal based on our numerous discussions over the last few months. Slide, please.

You can go ahead and go one forward as well, please. So we'll cover just a few points starting with the Broadway field test. Slide, please.

So as we discussed previously, you know, at the Broadway intersection, this has been a focus of our discussions and some of the concerns raised. Because we have a pinch point in this area, we're not able to bring the design that's in the bulk of the project corridor at this location.

So we have to make a decision. Last time we spoke, we went through these three configurations in detail with our project engineer Gabe Ho and really sort of honed in on design A and design B as options that we would like to test in the field to gain valuable data on what serves the public the best.

This mainly just deals with toggling between the left turn and northbound through lanes. We also talked about sort of a flexible center lane, design C, which for a number of reasons we don't think is worth testing given its likely impact to congestion. We're happy to talk about those or answer any questions during the Q&A. Slide, please.

So those two configurations we are proposing to test at Broadway with the remainder of the project for a minimum of two months. We want to have some flexibility to make some tweaks in the field and get enough data to support our evaluation.

But we do need to have sort of a minimum amount of time for things to settle down. We'll obviously be looking at a number of criteria around travel and transportation and safety. And as I'll talk about in a moment, we'll definitely have some touchpoints back with the Port Commission as we're reviewing the early data that we receive and as we're preparing to switch over on that Broadway field test.

And that's part of the broader project evaluation which is what we do for all of our quick-build projects that will be -- collect lots of hard data. We'll be looking at some big data potentially with cell phone information and, of course, sort of a constant feedback loop with the community. Slide, please.

So here is just putting a lot of the moving pieces on the same timeline. We do believe that we could be implementing the project and the initial configuration at Broadway later this year into early 2022.

We remain in constant contact with our colleagues at the SFPUC who are -- you know, who've been in the field with a construction project in our project area. We hope that they will be wrapping up. There may be some overlap in early 2022. But we'll be on top of those changes.

And then, you can see in purple, you know, a number of data collection points. That will include us doing a comprehensive data collection effort next month to sort of update our baseline data collection before we implement.

And you'll see a number of touch points with the commission that we're proposing, again, early findings from the initial configuration at Broadway and the project in general and then coming back with the second configuration to discuss, you know, what is the preferred condition during the quick-build phase.

And then also, what is the feedback that we can take into our detailed design for that larger capital project that was mentioned earlier? And that would run through -- likely through the end of 2023 with construction as early as 2024 if things are going well.

So that's just a brief summarization. Hopefully, it's a bit more detail and commitment to come back to you. And I'll turn it over to my colleague, Mark Dreger, to round out our summary.

Mark Dreger: Thanks, Casey. Slide, please. I'll now briefly review the aspects of the project which address safety and support businesses in what is the most activity-rich part of the Embarcadero. So immediately at the Ferry Building, we've been working closely with CUESA this year to make sure that

this new design is supporting the farmer's market, which they operate three days a week.

And I just want to impress a few points here of the design. So first, our proposal maintains 100 percent of the existing loading that they're using today but by adding space at the new ferry plaza here circles in red. And we're very appreciative of the fact that they've been able to work with us and accommodate this change.

Our design also supports the most intense part of the market operations, the early morning and the mid-afternoon market load in and load out. And as implementation proceeds, SFMTA staff will be joined by Bicycle Coalition volunteers to really impress upon folks how to use this new facility and, in particular, the changes that will occur during market hours, which again are the most intense and activity-rich parts of the day when we do have the market here.

A key tent pole of the evaluation will focus on how this loading operation is working here. It's something we're going to keep a key eye to. And it will inform nimble adjustments as needed just to make sure that everything is operating as best as possible. Slide, please.

We're also very appreciative of this commission and the discussions that we've had over the past several months regarding signs on the Embarcadero to impress upon folks, you know, where they should be, where they should travel and safe and considerate behavior so riding slowly, the pedestrian-priority nature of the promenade.

And these signs will also impress existing regulations which a lot of folks are not aware of necessarily, at least a lot of the folks that I've spoken with and, in particular, that electric bikes and electric scooters need to be on the street so, in the existing on-street bikeway or now that we're adding a protected bike lane, that they should not be ridden on the promenade.

And these are using a consistent Bay Trail design framework. So if you're familiar with the Bay Trail that rings the entire San Francisco Bay, you will have seen signs with these designs. So we think it'll fit right in on the Embarcadero.

I'll now turn it over to Dan Hodapp to wrap up the topic of the promenade. But I'll just say that the SFMTA stands ready to support the Port, to enhance safety on the promenade if any additional regulations are developed.

Dan Hodapp: Thank you, Mark. About the Embarcadero promenade, I'm not going to go over this in detail. But as we stated previously, changes to how

the Port regulates the promenade would be a separate process accompanied by its own public-outreach process.

This is due, in part, that it is regulated by other agencies. It is dedicated public access through BCDC. And it's also recognized by ABAG as the San Francisco Bay Trail. And if so directed, we would be happy to pursue [this part of that project].

Director Forbes: Sorry, Dan. Could we advance the slide, please? Thank you.

Dan Hodapp: Okay.

Director Forbes: You're good now.

Dan Hodapp: Sorry. Interrupted my flow, but that's okay. So just in saying, this is not part of what the p -- resolution in front of you today. It's a separate project. We would be happy to take this on, explain it -- investigate it in more detail if so directed by the commission.

And that concludes our presentation at this time. And of course, we are here to hear your concerns and see where we may go. Thank you very much.

President Brandon: Thank you, Director Tumlin, Dan, Mark, Casey. Thank you so much for the presentation. I think, since we have Director Tumlin here, we are going to take advantage of this opportunity and allow the commissioners to get clarification of what exactly we're doing here today before we open it up to public comment. So I'm going to start with Commissioner Burton. Do you have any outstanding questions?

Commissioner Burton: Well, first of all, I want to thank the head of MTA. We had a nice chitchat -- I think it was just -- had to be last week -- expressing some of the concerns. And I think our directors got some -- we sent a notice of certain concerns we have and whether or not they were met or not.

And the first meeting we had was, I guess, two meetings away -- not we but the commission. And we sent MTA back with some directions. And it wasn't clear to me whether they were ever fully answered.

I think that our director maybe made those concerns, you know, clearer. They could be addressed ad seriatim. And I am very pleased that the MTA, when I told them of my experience of walking out of the waterfront restaurant and I almost got run over twice by two separate bicycles going on the promenade -- I think that's a very important issue for us to look at.

And I, for one, would want to make sure that maybe little tricycles with a young tike on it might be allowed on the promenade but not these speed bikes and electric bikes. But I wondered if Director Forbes might have a list of what our concerns were.

And these were not just mine. But other members of the commission had a variety of concerns that I don't think were fully addressed or, if they were addressed, were fully answered. I don't know who from MTA would have the list of the concerns and just go one by one and see if they were addressed or if they weren't addressed because there were reasons, you know, beyond the ability of MTA to address them if that babbling kind of was clear.

President Brandon: Okay. We're going to ask Director Forbes to restate what our questions and concerns were from the past two meetings. And then, she can work with Director Tumlin to make sure that we understand that those were addressed. Thank you.

Director Forbes: All right. Thank you, Senator Burton. I'm going to go through all the questions and what answers were provided. And I'm also, of course, going to yield to Director Tumlin, as he has more feedback and information to provide in case I am not fully responsive.

So one of the first issues that the commission brought up was concern about the Broadway turn. Actually, this was in the last hearing -- concern that we were going to go down to only one northbound traffic lane and two turns at Broadway.

The SFMTA took that very seriously and has designed a field test to check that turn and test in the field the commission's concern around that.

The second item that the commission was very concerned about -- and Senator, you in particular -- was about the signage and making sure that the bikes got into the bike lane. And that was really important to make sure that the bikes got into these very good bike facilities, and we had a safer experience for the pedestrians on the promenade.

That caused the SFMTA to design a very good signage plan which you've seen today and have seen in a prior meeting. Now, the bigger question and one that you've just raised is why are we allowing bikes on the Embarcadero promenade.

And that's a policy question for the commission, for you and the other commissioners to take up. And the SFMTA has promised to partner with us in that policy question. So it is in this commission's power to ban bicycles on the Embarcadero promenade or make some policy option in the middle there. So we'll be working on that.

Another issue that the commission had was the Ferry Building and the loading for the very popular and important farmer's market. And you saw the solutions to that today. And I think those are the main commission questions.

There are other issues that were raised about traffic flow and signal timing that are not answered specifically in these responses. But there is ongoing work that the SFMTA is doing in that regard. And I think that that summarizes the questions and the responses from the SFMTA. Director Tumlin, did I cover it? Is there anything you'd like to add, please?

Director Tumlin: You did. I think the only thing that I might add is something that you and I discussed this morning which is taking a field trip to visit Seattle and particularly Vancouver where there are some very similar conditions along the waterfront -- well, really, in both cities' cases, much more challenging conditions than we face in San Francisco and a lot of lessons learned about how to balance all modes of transportation traveling along the waterfront with waterfront access including for industrial uses, for a massive cruise ship terminal, for major visitor destinations and for small businesses.

And I think, particularly in Vancouver's case, they've learned a lot of hard lessons that we could learn from in turn.

President Brandon: Thank you. Commissioner Burton, do you have any other questions right now?

Commissioner Burton: No more questions right now. Thank you.

President Brandon: Commissioner Woo Ho?

Commissioner Woo Ho: Yeah. Well, I want to thank Director Tumlin and all of his staff for coming back today. You have given us much more feedback related to some of our earlier comments. And I appreciate that particularly on the Broadway and the signage.

And I think that I, for one, had mentioned that we understand how the quick build is an important project and that we all have the same objective to protect and to be safe for all the users of the Embarcadero whether they're pedestrians, bicyclists, motorists, whatever.

And I think we all have the same objective though we wanted to recognize -- and I think Commissioner Brandon and I want to indicate that this quick-build is obviously just a first step. It's not the last step that the MTA needs to do because the Embarcadero doesn't just stop and end in those few blocks.

It obviously goes for a much longer sort of section. And we are obviously entrusted with understanding how the whole flow of traffic for the Embarcadero from beginning to end -- and I'm very happy to hear that you're going to go to Vancouver and try to figure out how it works along the entire waterfront.

The quick-build, to me, is just a first step. And I think what we were looking for -- and I think that I hear a commitment that you're going to continue to study this in a lot more detail and come back with both more interim steps besides the quick-build and a longer-term strategy of how to solve the waterfront for all the stakeholders because that's really the objective.

And that's all been the objective in a lot of the comments that, you know, this is not an end-all, be-all project by itself. I know you think a quick-build, by its name, means it's not the end all and be all.

But we were concerned that, you know, we weren't going to hear back from you for another few years because I will just mention -- you know, we know that the SFMTA -- and I think it's relayed in one of the reports -- has been studying this problem for three or four years.

And we only had now getting to one tactical project, which is good. And we commend you for that. But we hope it doesn't take another three or four years to get to the next step. And that's my comment is please don't take that long because, in the meantime, we're trying to sort of solve for -- and we hope the waterfront is going to come back in full steam.

Don't know exactly what the behavior is going to be after the pandemic. But obviously, we're hoping that there will be a lot more activity. And as you can see as you heard from Executive Director Forbes's report, you know, we're suffering as a result of less activity on the waterfront today as a result of the pandemic, etcetera.

And we need to bring that back. So having all of the Embarcadero sort of be considered a usable, practical, safe mode of transportation and drive way is very important to us. So that's why we've pressed you.

And I know that we've tested your patience a little bit on this particular project. So we appreciate that you have come back and hope your staff is understanding that, you know, we weren't asking these questions just to be difficult.

We were asking these questions because we felt they were important for the long run. And we hope that we're going to hear back from you again, and it won't take another three or four years to hear what the next phase is going to be.

Director Tumlin: And Commissioner, I really want to thank all of you for your due diligence and making sure that you're protecting all of the stakeholders along the waterfront. Your mission is in many ways much broader than ours.

You've also pushed us towards the space where we're now the best in the country. And that is -- I mean, I think you all know about many of the projects that I inherited that spent 10 years or more in design and are taking nearly 10 years in construction.

We don't want to do those projects anymore. We learn so much by using cheap, simple materials and experimenting in the street until we get the design right. And we learn from feedback that we get from the public in that experiment that helps us hone the design.

It's enabled us to go from a typical 10-year construction project to projects that we can go from conception to final completion in as little as nine months.

And that's exactly what we want to do in the Embarcadero particularly given the unique challenges especially at the intersection of the Embarcadero and Broadway where we know very, very fine adjustments will make the difference between us being able to accept this change or us saying no, no. This is not right for San Francisco. We're committed to coming back to you until we do get it right.

Commissioner Woo Ho: Thank you.

President Brandon: Thank you. Commissioner Gilman?

Commissioner Gilman: Again, Dan, MTA staff, thank you again for the multiple times coming back to us. I don't want to rehash what my fellow commissioners have already stated. And I align myself with their comments.

I do want to make sure that we put as a sort of action item to act with urgency our collaboration with the MTA on looking at policy for the promenade. I fully understand that that is our responsibility to work through the multiple state layers to make changes to the usage for the promenade.

But again, I don't want this to slip where we're s -- a year has passed, and we've not revisited this. I think we've learned through the pandemic. And Director Tumlin, I am in agreement with you that we need to experiment.

We need to do things quickly and proactively. So hopefully, this can be something that we can take up this calendar year. So hopefully, we can take action in 2022. I think a lot of the commissioners' concerns outside of traffic

and signaling really came from trying to understand how we can promote our users to be in the street and particularly our tourists who come to visit us who rent scooters and bicycles.

I have every confidence that our San Franciscans who are commuting every day to work or to home using the Embarcadero will be in these bicycle lanes. But I think where we need to really focus our attention is how do we get end users of rental equipment who are unfamiliar with our city and our practices and our protocols to really be in the street using this quick-build.

So I appreciate all of the effort, all of the work and all of the signage. And I look forward to working in collaboration moving forward on the promenade. I just had one question. And I think I might have misheard you, Director Tumlin.

So I just wanted to make -- if I did not, I will be overwhelmingly ecstatic. But did you say too that you would be looking at extending the central subway to Fisherman's Wharf in your comments when you were talking about projects?

Director Tumlin: I did indeed. So I would encourage you -- in fact, potentially, we should do a joint session through our work in ConnectSF. If you go to ConnectSF.org, we are in partnership with the SFCTA in looking at the next round of major transportation investments in San Francisco.

And that includes not only a central subway but also a new Geary subway that would continue down 19th Avenue to Daly City and to be extended across the bay into Oakland. So those are two of the highest scoring next major transit capital investments that we are at the very beginning of the planning stages on.

Commissioner Gilman: Well, I'm excited to hear then. Hopefully, we can get that calendared either this year or next for a joint briefing. And I'll say, as a commissioner who lives on the northeastern side of the waterfront blocked from Pier 39, I am very excited to hear that that's under consideration.

And hopefully, it won't take 10 years of planning and 10 years to build. So I commend that and wanted to just express my excitement and that I'd like to stay involved in knowing what's going on on that project. So thank you so much. That concludes my comments.

President Brandon: Thank you. Vice President Adams?

Vice President Adams: Commissioner Woo Ho had her hand up.

Commissioner Woo Ho: Yeah. Could I just --

Vice President Adams: Go ahead.

Commissioner Woo Ho: -- add one comment before Commissioner Adams starts? I know we're not voting on this item today. But the policy as far as what we decide on how to approach the policy on the Embarcadero, the users.

You listed a few options in your staff report. And I would just say -- I just wanted to say on record that I thought amending the harbor and Port code seemed to me a good option to look at. I just wanted to say that I lend support to that.

I know that you all will come back once you have researched a little bit more. But if you asked me on sort of a quick-reaction basis, that's where I would go. So I just wanted to make that comment. Thank you.

President Brandon: Okay. Well, just for clarification, we are voting on this today. So I want to make sure that we understand exactly what we're voting on today and what they're coming back to us in the future with. But before we get there, Vice President Adams?

Vice President Adams: Okay. I'm glad you raised that, President Brandon. First of all, Director Tumlin, it's good seeing you. I would like for you to come more often. Leaders lead from the front. We need to see you. You've got a good staff. But you need to sh -- you need to be here from the beginning when this all happened. It might have solved a lot of problems.

I know you rely on your staff. But we need to see you. You're the leader of the SFMTA. We need to see you leading from the front. I appreciated you said you're going to go up to Seattle or Vancouver.

I would hope that you would consider taking President Brandon and Commissioner Woo Ho with you as commissioners. I think that that would be good to -- didn't mean to step on you there, Director Forbes.

And I wanted to say I think you broke things down. But Commissioner Woo Ho just said something. And I think President Brandon just said it. For me, I think because -- this thing is like three or four parts. It's like a sandwich. It's got all these things on there.

And I think, from the beginning, if we'd have been a lot clearer what we were going on, we thought that we were just voting on one time. And then, this covered everything. So I think we need to know exactly that.

This is three or four parts. We're voting on this today. You're going to come back on the next part and the next part. I think, if that had have been clearer

to -- at least to me because, to me, three and three is six. Four and four is eight.

I like things very simple. I'm just a layman where I can understand it. I appreciated Director Tumlin you made it clear because, for so long, it seemed like to me this was all about the Bicycle Coalition. And as commissioners, we have to represent everybody's interest here in San Francisco.

And that has to be clear, you know, pedestrians, cars, everybody. Right. So -- and we can't have people getting ran over by bicycles, whatever on the Embarcadero or coming out like Commissioner Burton said he did.

So I'm good with that. But I do want to know. What are we voting on today? So Dan, I don't know -- you can make it crystal clear, so I can understand it. What is the one part we're voting on today? And then, what are you and [Carey] and everybody going to come back with on the next phase and then the next phase? Thank you.

Dan Hodapp: Commissioner, I would be happy to address that. This is phase 1A. There will be a 1A. There will be a 1B. There will be a phase two. 1A extends from Howard Street -- excuse me -- Folsom Street to Broadway.

And a couple of blocks of that from Folsom to Mission are already in place through a previous quick-build. So it focuses largely on the area in the central Embarcadero in front of the Agriculture Building, in front of the Ferry Building and extending up to Broadway Street.

And it's a 1A where it's done with very simple, quick improvements, as Director Tumlin just described. It's what's referred to as a paint-and-post solution where a lot of the striping is redone with paint on the pavement and the soft-hit posts that you see out there.

That allows evaluation and adjustments to fine tune, as also Director Tumlin and Mr. Hildreth and Dreger both described. And when that's done, then 1B can come into place. Then, that brings in some of the curbs, some hard construction.

It costs a little more, could cost somewhere between \$1 million and \$2 million I think is the estimate for that. But that also brings in greater safety improvements because it narrows the crossing distances for pedestrians.

So it's being taken very incrementally. The next phase would be phase two, which takes us from the Folsom and Harrison area down to Townsend Street in the south. And then, the whole project gets bigger. And it gives that safe zone to ride in.

And this project often gets labeled as a bicycle improvement project. But that's not the intent of it. It's to look at all the users. And in order to make the pedestrians, the most vulnerable user, safer, we have to create that safe space for them on the promenade and also improve the intersections.

So to create that safe space, it does create a bicycle facility, this two-way pathway along the street, to give them an option where they'll feel comfortable riding in. And whether that's an electric scooter or any of the other electric vehicles you see out there including electric bicycles or just regular bicycles, it provides that opportunity.

So it gets -- that looks like the biggest piece. But really, it's done for pedestrian safety as well as for all the others. There's also efficiency for vehicles that are part of this where, as the cross distances for pedestrians get shortened, that allows for greater green time for the vehicles.

So that improves the through movement for vehicles. So it's looking at all these modes together. It's not a singular mode at all. And it's done very incrementally and hopefully as quickly as we can.

And really appreciated those comments from Director Tumlin and other commissioners saying, yes, we want to do this as expediently as possible. So the resolution in front of you today -- [crosstalk]

Director Forbes: Thank you for your comments, Dan. Those were really detailed explanations. I just wanted to clarify. So what you're approving today is the central quick-build going to Broadway. There is a future phase that will come -- any future phase on the improvements that Dan described will come to the Port Commission for approval.

The next item that is in our queue is looking at pedestrians on the Embarcadero promenade and what the commission's will is in terms of policy. And we will be charting out a process for having that dialogue.

And Director Tumlin mentioned some other improvements like F-line service improvements and the really amazing news of one day central subway to Fisherman's Wharf. That's not in our jurisdiction. But those are improvements that the MTA is making in real time -- not that subway, but we're ready for that to be in real time -- as a department that benefits the Embarcadero.

So I hope that helps between Dan and I clarify what you're voting on today and what's coming up.

President Brandon: I --

Vice President Adams: Thank you, Director Forbes. Thanks, Dan. Sorry, President Brandon. Go ahead. I'm sorry.

President Brandon: No problem. No problem. So I think that has raised more questions than answers. I'm not sure. So today, we are voting on phase one, which is from Folsom to Broadway. But Folsom to Mission has already been completed.

So today, we're voting on Mission to Broadway and only what is happening within those two blocks. Is that what we're doing here today? Or are we doing Folsom to Broadway retroactively?

Casey Hildreth: If I may -- Casey Hildreth, MTA. So -- yeah. What's in front of you today, the resolution is just to provide clarity that we can move forward with the Mission-to-Broadway segment for the quick-build portion only. Right.

So we're not going to be making dramatic changes to the promenade or tackling the policy question within this resolution. But it establishes those changes that we've been discussing, the field test that then enables the follow-up phases to be further clarified and further explored.

President Brandon: Okay. And then, what happens with the Broadway turn as far as, after you do the traffic study of Broadway, do you then come back to us for approval? Or you just come back to us with your recommendation and keep moving forward?

Casey Hildreth: I would suggest we can do whatever approach you would like. We will certainly not move forward without coming back to you and without having a clear direction from the commission about which configuration works best.

If you wanted to offer a friendly amendment to clarify that, I think that would be fine. I don't know if we spell that out currently in the resolution.

President Brandon: Thank you. Commissioner Gilman?

Commissioner Gilman: So I just want to be clear. So permanent changes to the Broadway turn would require action from this commission and, I'm assuming, also action from the MTA commission? Or does it -- is it vested purely in this commission?

Casey Hildreth: It would be purely under the jurisdiction of your commission.

Commissioner Gilman: Okay. Then, I will make the friendly amendment that -- do you want me to do that now, Commissioner Brandon? No. No. Okay.

President Brandon: I just want to get questions answered right now. Then, we're going to open it up to public comment. And then, we can continue the conversation if we'd like. Commissioner Burton? You're on mute.

Commissioner Burton: Now, what would be the problem with adopting either that amendment as direction or whatever to make sure that it does in fact come back to us if it's a lot -- ends up being interpreted a lot broader or a lot whatever than we intend? That's a question. It's not -- or staff, somebody -- staff? Ed Reiskin? Anybody?

Director Forbes: I can answer that question. I think that the SFMTA is saying and signaling there's no problem in their eyes. They were intending to come back to the commission on the Broadway turn anyway. It's not clear as a bell in our resolution.

We can make it clear as a bell that the SFMTA will come back and update us on their pilot-test findings. And then, we will move an action to make a decision on the Broadway turn. So I think it absolutely can be added.

Director Tumlin: Yes. Thank you, Director Forbes. That is exactly our intent. You have -- [crosstalk]

Commissioner Burton: -- everybody's intent, I would ask that that amendment be included unless there's a problem.

President Brandon: No problem. Thank you. Are there any other questions before we open it up to public comment? Okay. Can I have a motion on this resolution with the amendment?

ACTION: Commissioner Woo Ho moved approval of the resolution.
Commissioner Gilman seconded the motion.

Public Comment on Item 8A:

[Dawn Smith]: Hello. My name is Dawn Smith. I am a merchant at Pier 39. Let me begin by saying I am a big fan of being able to ride a bike through the streets of San Francisco safely. On the other hand, the needs of bikers needs to be balanced by those who need to drive through San Francisco to arrive at home, jobs, favorite restaurants and for waterfront pleasure.

Closing one lane of the Embarcadero at Broadway has the potential of causing enormous traffic jams affecting people from all walks of life, blocking traffic to a vibrant commercial area. Frankly, it defies common sense to me.

If the Port is concerned about the loss of revenue in 2020, just imagine what a blockage will do to your revenue makers, less people driving, less people using parking meters, less people visiting the Port, Pier 39, Fisherman's Wharf, all resulting in loss of revenue for you.

Bike riding is valuable but so is smooth access to Pier 39 and Fisherman's Wharf. Not protecting us from this inevitable harm will have a negative effect on the Port, the jobs in this area and sadly harm to all of the businesses. I know people would like to ride their bikes. I would like to be hiring. Thank you for your time.

Male Voice: Commissioners, my name is [Unintelligible] [Acosta]. And you need to do a better needs assessment. In your deliberation, you have not mentioned the Americans with Disabilities Act. And in mentioning [unintelligible] and some other agencies, we need to remember this is public trust land, 7.5 miles that we are talking about and trying to address partially some of it.

I feel that you cannot [unintelligible] public that you [unintelligible]. You need to get their input. It's [okay for you all] in these virtual meetings to ramble without being very precise. But always remember that the Embarcadero is well known to the public from the days that the freeway was there and then removed.

Some of us advocated for the removal. And I've attended your meetings for a long, long time. And I [unintelligible] from time to time. We have [significant resources] and expertise in San Francisco. We don't have to go somewhere else.

So I'm asking your commissioners again. Please pay attention to the public and the taxpayer, ADA and the seniors. Thank you very much.

Paul Mestal: Okay. My name is Paul Mestal. And I represent one of the merchants on Pier 39. And I'm extremely concerned and I guess really disturbed about any discussion on limiting northbound traffic to one lane -- vehicle traffic.

We must recognize that a one-lane design is going to create gridlock, which adversely affects merchants and visitors especially those along the Embarcadero, which are the Port's tenants. The merchants have already suffered enough [in the process of pandemic].

And this gridlock design -- one-lane design will also have complicating effects reducing -- not only reducing merchant sale but also reducing the city - the revenues for the city of San Francisco.

I believe MTA must develop a plan that maintains at least two lanes for vehicle traffic in both directions north and south because 50 percent of Pier 39's [12 to 15 million] visitors arrive here automobiles. Thank you very much.

Taylor Safford: Good afternoon, Executive Director, President Brandon, Vice President Adams and Port commissioners. This is Taylor Safford, the president and CEO of Pier 39. Thank you for expressing your concerns and asking tough questions about this project.

I'm calling you to ask you to consider not approving the phase one of the Embarcadero enhancement project today as proposed but instead vote to direct MTA to revise the plan to maintain two northbound and southbound lanes of traffic.

I certainly understand and support the need for a protected bikeway along this section of the Embarcadero. But the proposed design creates an obvious chokepoint at Broadway by forcing northbound traffic into a single lane.

We've all experienced the gridlock that happens when multiple traffic lanes are suddenly reduced to a single lane because of construction, double parking or whatever. Traffic invariably slows to a crawl. And frustration goes through the roof.

It happens every time. And it's going to happen at Broadway. I attended the very first open house for this enhancement project back in 2014. And I've kept an eye on it ever since. The only comment I made then -- and it's the same comment I've made to Casey and the MTA teams ever since -- is that the bike-lane project must not reduce the number of traffic lanes in either direction on the Embarcadero.

It's been my only request. And unfortunately, now you're being asked to approve a design that does just that. I worry that the proposed test at Broadway will be created to confirm the current proposed design rather than to find out what's best for all users on the Embarcadero.

The livelihood of the merchants in the northern waterfront depend on the Embarcadero. As you've heard, 50 percent of Pier 39's 12 to 15 million visitors a year arrive by car, taxi or ride share. I'm asking that you prioritize the needs of these visitors and your tenants at Fisherman's Wharf equally with those of bicyclists by instructing the MTA to find a way to maintain two lanes in each direction along the full length of the Embarcadero.

I urge you to reject any plan that sacrifices a lane of traffic and puts visitors at the bottom of the priority ladder and dooms motorists to a future of continual traffic delays on this very critical traffic artery.

If you feel you must go forward at this time with a test period at the Broadway intersection, I encourage you to at least require a traffic control officer to be on site every day to make sure traffic to the northern waterfront runs unimpeded. Thank you.

David Berbey: Thank you, commissioners. My name is David Berbey. I'm with Cioppino's Restaurant on Fisherman's Wharf, also Bay Company on [wharf central], retail store, plus five other retail stores on the wharf.

It's clear that limiting any traffic lanes going to Fisherman's Wharf will impede our business significantly especially in light of what just happened this last 18 months. I, like Mr. Safford, would absolutely -- [be] in no way willing to try or to test or modify any plan that would impede any traffic lanes.

We need two northbound traffic lanes, two southbound traffic lanes to allow for the vehicular traffic, the pedestrian traffic, the bicycle traffic. [There's spaces] there. It's doable. I think the MTA needs to go back and come up with a plan that makes sense and is equitable -- I keep hearing the word equitable today -- for all stakeholders.

I want to commend you on your initial approach to the subject. I can see that you obviously have the stakeholders at heart. You're taking your time, and you're asking tough questions. And it shows that you are taking this very seriously.

So again, I would urge you not to support this plan. Ask the MTA to go back, come up with a plan with a two-lane configuration that makes sense for all stakeholders. Thank you.

Female Voice: Hello, everyone. Thank you for your attention. My name is [unintelligible]. I am a merchant on Pier 39. And we do not approve a new quick-build bike lane on the Embarcadero. [crosstalk]

President Brandon: Yes. Go ahead.

Female Voice: Okay. Sorry. I will continue. Please recognize that the design is going to create gridlock and how this will affect merchants and visitors of the waterfront. Businesses struggle to go back to normal after COVID-19.

So decreasing traffic lanes would have negative outcome on the wharf. It definitely will decrease visitors, future tenants, employees and business in general. Thank you so much.

Todd Barbee: Good afternoon. Thank you, commissioners. My name is Todd Barbee. I'm a planning and design consultant that has spent the better part of 25 years working with many of the leading tour and attraction operators in the Fisherman's Wharf community. Thank you for giving me the opportunity to speak today.

I believe there is little, if any, opposition from wharf merchants to a dedicated and distinct bike lane along the Embarcadero. In fact, I believe, within the wharf community, there is a tremendous amount of support for this idea as a means of providing a more safe environment for visitors, residents, for pedestrians and bikers and car traffic alike.

With that said, anyone that does business in the wharf or along the Embarcadero or in San Francisco in general, whether a member of the wharf community or the greater San Francisco business community, knows what a critical thoroughfare the Embarcadero is.

A responsible balance of pedestrian, biking and vehicular traffic is critical for commerce and the health of local businesses. In fact, I believe one can make a very strong case that the Embarcadero is one of the primary means of access for visitors to and from the wharf area.

We all know just how congested the Embarcadero can be during certain days, certain seasons and certain hours of the day both with visitors to the city and with local residents and regional residents that use this thoroughfare daily to come to and from work.

So I believe that it is critical that whatever plan is decided upon and any reduction in motor vehicle lanes in either direction that favors one interest over the other is shortsighted and will create an additional unwelcome and largely negative economic impact on the Fisherman's Wharf and San Francisco business communities.

Thoughtful design and a thoughtful use of the available space can benefit all interests and will provide a safer environment and will have the least impact on the wharf business community. I strongly implore the Port Commission and the SFMTA to find a long-term solution that works for everyone without reducing the number of motor vehicle lanes currently available to vehicular traffic. This solution is not that. Thank you very much.

Tom Simmons: My name is Tom Simmons. And I am a merchant on Fisherman's Wharf. I wholeheartedly concur with the idea of rejecting this proposal because it unduly affects vehicular traffic. No one suggests that having pedestrians be safe or bicyclists be safe is any less important.

But why is the businesses down at Fisherman's Wharf, at Pier 39 being put in a lesser position? We need the vehicular traffic. As you've heard before, half of the visitors to this area, to this very important area to San Francisco come through vehicular traffic whether it's by their own car, by taxi or by ride share.

We need two lanes both ways. This will help continue the progress that we're making trying to rebuild after COVID. Please reject this proposal. Have the MTA look at something that continues traffic in both directions with as many lanes as possible and has pedestrian safety and bicyclist safety in mind. This is not that proposal. Thank you.

Sidney: Okay. Yes. Thank you. Hello. My name is Sidney. I'm from Pier 39. I have been merchant for the last 16 year at the Pier 39. And I would like to express my concern with the two lanes becoming to one.

I think it's going to hurt the merchants significantly especially if you're in a tourist position. If you're coming into the city and if you have to wait in long line to get in, then it will deter the tourist from coming in the future.

And also, can you imagine? Usually the tourist that comes their whole family. I'm sure the kids are complaining to daddy and mommy say, "When can we get to the pier? We have to use the bathroom."

And if they have to sit in the traffic for a long time, they will think twice of coming back to the city again. So we do not want them to deter. We want to welcome them, make them easy for them to come. And then, you know, hopefully, if you create enough lane for the traffic to come in, make them easy, they will come back.

If you make them difficult, I think they probably would not like to come back and visit the city. And that's just my concern. Thank you.

[Brian Hayes]: Yeah. Hello. My name is Brian Hayes. I want to thank the commission for just the beautiful Embarcadero. I love it, just love it. And I'm a biker. I bike up and down the Embarcadero about 300 times a year. I'm up and down.

And now that Third Rail EBikes opened down on 24th Street, I'm continuing on down the road to chat and visit with them. I'll tell you the most dangerous thing of being on the Embarcadero is when you narrow down to one lane with the traffic jams because, when you do that and people finally break through of that gridlock, you listen to the motors.

When you're riding a bike, you're always listening to the guy behind you, the motors. You can't see them. So you listen. And these guys, they're like the

Indianapolis 500. They're barreling, punching it to get down to their final destination.

So I think we have the cart before the horse here. I appreciate everybody going fast now. And government is not running 10-year studies and 10-year projects. But in this case, I think we've gone too fast.

I think that traffic-timing-light study has to come first. We need to see how that impacts the flow. This is about flow, making people flow and not being squeezed and congested, so they have to bolt out. That's where a lot of these e-bikes -- there's traffic and cars skidding around and trying to detour.

And then, that pushes them into the promenade for the pedestrians. I'm on that Embarcadero 300 days a year up and down the Embarcadero. I love it. It's one of my peaceful places in the whole -- it's just wonderful.

But I think we need to have the MTA look at this. Reducing down to one lane doesn't -- as a bicyclist, doesn't make sense to me. I realize, as a bicyclist, cars have a right to flow too. And there's many more cars that go down the Embarcadero than bicyclists.

So I feel perfectly comfortable now as a long-term committed bicyclist going down the Embarcadero almost seven/eighths of the year. I feel very comfortable -- those painted bike lanes. I feel very comfortable. I feel very safe.

And I do encourage anybody that I do see on e-bikes to, hey, that's the lane to travel in. I don't like this. But usually, the e-bikes are -- when they start diverting like that, it's coming from the cars being all smashed together during a lot of construction and detours. And that pushes them onto the pathway for the pedestrians.

So I think the MTA has to revisit this. I think we have the cart before the horse. I think we need to do that -- see what that timing study for the traffic lights for everybody and see how it slows from there because -- anyway, that's just my opinion.

You guys are going to go down and stay there and send people to investigate. I'm there. I'm a bicyclist. I can tell you. I'm there 300 days out of 365. Reducing down to one lane is a very dangerous idea, very dangerous. So thank you very much for your time.

[Roger]: Good afternoon, commissioners. My name is Roger [unintelligible]. And I have been a merchant of multiple businesses on Fisherman's Wharf for over 47 years. During that time, I have seen many disruptions on the flow of business to the wharf from earthquakes, doing the Embarcadero and the ferry

plaza, widening the sidewalks and reducing traffic lanes from three to two and the pandemic, which we are still trying to recover from.

All this has had a great economic toll on the wharf businesses. Bicycle safety is important -- I understand this -- but so is the livelihood of Fisherman's Wharf. A plan has to be developed that provides bike safety along with traffic flow to the wharf.

I travel the Embarcadero six days a week. And I experience it when there is construction that reduces traffic to one lane, a delivery truck double parked reducing traffic to one lane. A trip that takes normally 10 to 15 minutes from AT&T Park takes 45 minutes or more on a good day.

This is very frustrating especially for the tourists. I urge you to have traffic engineers look for alternative options that will assure no part of the Embarcadero will be reduced to one lane. Thank you.

Sina von Reitzenstein: Hello. Okay. My name is Sina von Reitzenstein, president of the Fisherman's Wharf Community Benefit District. I urge you to please vote no on the proposed MTA quick-build bike-lane proposal 1A before you today.

While the safety and efficiency of the Embarcadero roadway remains top of mind for all of us, please recognize the need for an Embarcadero redesign that maintains a continuous two-lane thoroughfare in each direction of the Embarcadero that will not create additional gridlock, traffic and safety issues.

Please, let's not solve one problem by creating another. The potential lane reduction to the Embarcadero contemplated in phase 1A requires additional and significant review and public outreach to the very business owners and individuals of the northern waterfront whose business would be directly and negatively affected by the contemplated reduction of a portion of the Embarcadero to a single lane northbound.

While bicyclist, pedestrian and vehicular safety and efficiency is extremely important, equally important is the ongoing success of the Port's commercial tenants along the waterfront which must also be taken into consideration.

I ask you to please vote no on today's phase 1A proposal and instead require that the SFMTA work more closely with you, the Port Commission, community members and stakeholders to revise its proposed plan to ensure two continuous lanes of traffic in each direction of the Embarcadero remain. Thank you.

Paul Miller: Good afternoon, commissioners. My name is Paul Miller. I'm the vice president of Boudin Bakery. We all know and support the importance

of safe streets and specifically protected bike lane. This is not the issue nor the question here.

What is an issue and problem is reducing the vehicle lanes down to one lane at the Broadway intersection. This would effectively choke off all northbound vehicle traffic and cause massive traffic jams back to the 280 off ramp past Oracle Park on a daily basis.

We have all seen this in the past when the cruise ships are in port taking on passengers and provisions. Now, the MTA proposes to have the Embarcadero reduced down to one lane four blocks before the terminal.

This will cause major traffic jams. The Embarcadero is a major thoroughfare and used by residents, employees, students, businesses and tourists to the northern waterfront. [Unintelligible] delivery trucks, automobiles, motorcycles all use this roadway. And the volume of usage is very high most of the year.

One lane is just not enough to serve the public that depends on the Embarcadero. I strongly encourage the commission to closely review the changes the MTA is proposing and not allow lane closures on the Embarcadero.

I am encouraged today that the SFMTA is looking at a couple options for that intersection. And option B and C both have two lanes continuing into the northern waterfront. So I would support looking at those two options that keep two lanes going northbound. Thank you for your time.

Margaret Majua: Hi. My name is Margaret Majua. I'm a merchant on the Embarcadero. And I really don't want to waste any of your time by just repeating what everyone else has just said. But I'm completely in agreement with them.

I'm very, very bike friendly. And I'm thrilled that San Francisco is becoming more bike friendly. But one lane doesn't work. One lane for cars on the Embarcadero just really doesn't work. So please reconsider.

And I respectfully ask you to reject the current proposal and study further. Thanks for your time. And thanks for what you're trying to do. It's a great project. And it's very worthy. But we have to do it another way. Thank you.

Commissioners' Discussion on Item 8A:

Commissioner Gilman: Yes. Could we have the MTA top line please just remind us why we want to do the traffic study at Broadway? Because this was a study to see what the impacts would be if the lane configuration was

changed. So can you just please remind me why this was part of the quick-build proposal? It's my first question.

Casey Hildreth: Yes. Casey Hildreth, MTA. You know, I think the callers alluded to -- I think we all know there's just less space at Broadway to do all of the things that we would like to do. We know there has to be tradeoffs made in order to address safety, in order to improve the promenade.

So we spent a significant amount of time looking at traffic analysis in sort of a big-data way as well as our traditional analysis. We are worried about not serving the left turn onto Broadway, then backing up, then also contributing to increased congestion.

But we acknowledge that we don't have a crystal ball. There is not going to be a study that we could do that is going to get us over the hump of the skepticism that you just heard from a number of folks in Fisherman's Wharf.

I think we agree -- or, you know, our approach was that we need to test this in real time. And we need to do it thoughtfully. And we need to have evaluation with data to support our evaluation and then our decision moving forward.

And then, I think it's just important to note that, in the current proposal that we're presenting for the field test, we would start the configuration by maintaining two northbound travel lanes and starting with, I think, what I'm hearing - what we heard today would be a more preferred configuration of testing to see if that single left turn lane could work.

That is our approach. We would be coming back to the commission prior to switching over. And if it's working well, we might have a recommendation to prolong the field test indefinitely to see if that condition can work for a longer period of time.

But that is kind of the crux of where we're at. A lot of these concerns have been raised over many years. And we've taken them very seriously.

Commissioner Gilman: So a couple of follow-up questions because -- I'm sorry, Casey -- I just wanted you to explain it a little deeper. So we need to do the bicycle lane, we need to change the configuration at the Broadway turn. That's what I'm hearing you say.

Casey Hildreth: Correct.

Commissioner Gilman: They are interconnected. So how long would the field study be?

Casey Hildreth: We're proposing to test both configurations for a period of two to four months but wanting some flexibility to make field calls based on what we see out there during the field test.

Commissioner Gilman: And what is the best practice for doing field tests? What's the optimum time in the past for other MTA projects to get enough data to make an informed decision? Do you need two to four months? Could it be done in six to eight weeks?

I'm just asking if there's other options to impact businesses in a different way because this is just a study. And I guess I also want to say, for everyone who called on public comment, that we've made no decisions about reconfiguring the turn lane. This is a study to get data to bring back to us to finally make a decision.

So can you do it in a shorter time period to alleviate some of the concerns who just called? Or is there a rationale around two to four months?

Casey Hildreth: We have options to do less. I don't think we recommend doing less than two months because people's behavior does change based on changes in the field. So there's always going to be an initial period of adjustment and perhaps even mild confusion if people are used to doing the same thing and then see something differently.

So we want to make sure that sort of the initial noise of the change goes away. And we're starting to see a more regular pattern. Obviously, the Embarcadero changes from season to season. We're proposing to do this sort of in the early part of the year to be as least impactful as possible to the high-revenue months for particularly the folks that we've just heard from.

So we do recommend two months being, I think, a solid minimum. I would hesitate to go sooner. But if that is requested, you know, we can certainly accommodate that. At some point, we do need some time -- [our shops] just need to get out there and do the work and make the changes. And that does take a little bit of time.

So I would hesitate to go much shorter than two months. You know, other times, we do sort of longer pilots, you know, nine months to a year. Clearly, that's not appropriate for this situation right now.

Commissioner Gilman: Okay. Thank you. So then, I guess my comments to fellow commissioners is, you know -- and I want to acknowledge for the folks at Fisherman's Wharf and Pier 39 that, at least for me, I heard those comments. And I heard those concerns.

I think what's important for me if we move this item forward is this is a field study test. It seems like it would take place between January and April of next year. It could be just for two to four months to gather data on reconfiguring and would come back to this commission for action, that the MTA would not be taking any kind of action on their own without us.

And so I want to say that I heard that. And I have concerns around traffic flow to the wharf and traffic flow in general particularly -- I know it's still a ways off -- we will someday be having a state-of-the-art hotel and live venue for theater and trapeze right at the corner of Broadway and the Embarcadero with the hotel coming in and Zinzanni being here, which will also impact traffic driving to that site.

So I think the community of Broadway and the Embarcadero is in flux right now. And we need to figure out the best traffic pattern. I do want to reiterate that it's a study and that we reserve the right to take no action and to leave the configuration with two lanes of north and southbound traffic.

So those are my comments. And I just wanted to be very clear to the MTA that I think the expectation of this commission is that no action would be taken unless you came back to us. And that's the amendment that we made as well.

President Brandon: Thank you. Commissioner Woo Ho?

Commissioner Woo Ho: Okay. So my reaction is to the public comments - - and I guess -- I'm not sure what Commissioner Gilman was suggesting as far as the pilot study. I think we sh -- what I understand is that there is no more space. There's no parking to be removed that could continue to keep a protected bike and two lanes of traffic.

Is that correct? There is no more parking to be removed. So I think we all know what it's like on a freeway anywhere when you have a merging down from two lanes to one or three lanes to two. It really does back up fairly quickly.

And it backs up for a tremendous amount of distance. It's not just for a few blocks. It kind of backs up all the way. So I can see that. I think that, if we're going to approve anything today, I would approve the quick-build to continue the two lanes north, not to reduce it and to see just what happens with the bicycle traffic because that's the one we're trying to protect and understand if that's workable or not.

It's not to see whether the vehicular traffic can work because I don't think it will work if you take out the one lane. I mean, I do believe we've seen that. And I can -- you know, any circumstance, whenever you see a merge down to one less lane anywhere, it backs up.

I mean, you see it all the time on any of the freeways, 101, 280, whenever they're doing highway construction or there's an accident or anything. So I think it's common sense that that's going to happen, that the backup is going to -- when the merge has to take place.

The question is whether the bicycle can continue to be -- if that section is not protected, is that going to be safe for the bicyclist? I think that's the question to me more than trying to reduce the traffic lane because I know the answer to that. It's going to create more congestion and particularly when we have cruise ships coming in, etcetera.

And I am very empathetic to what we heard from the merchants on Fisherman's Wharf. You know, I didn't realize that 50 percent of the people that come to the northern end of the waterfront come by car. But that's not surprising, I guess.

So it's a question of asking, how can we help continue to protect -- which is the start of this whole exercise -- one of the constituents, key constituents, the bicycle, without making that change? And I think we have to study that issue versus just studying how many cars are going to be congested if we cut it down to one lane because I -- I mean, I don't -- I think it's -- not common sense.

I think that the bicyclist that made the public comment saying there are more cars than bicyclists, that's probably true. And I don't know if you know that for a fact. But that resonated with me to say that there are more cars traveling on the Embarcadero than bicycles.

So we have to kind of take that into consideration. Who are we trying to do the best for? And we're obviously trying to make it good for everyone. But you sort of have to understand the tradeoffs.

So my question to MTA is that, if we said you must maintain the two lanes north, I'm not sure whether the traffic study is going to show us much because we already have two lanes north today. So it's a question of what's going to happen to the bicyclists.

And is the rest of the quick-build still feasible to go forward? So my question to the MTA -- if you maintain two traffic lanes north, is the quick build still a feasible project to you?

Casey Hildreth: Casey Hildreth, MTA. We can design the protected bikeway to connect at Broadway. It's a slightly less robust connection from a bicycle standpoint. But that is a feasible design in terms of the physical width.

It does require going down to a single left turn onto Broadway. We were proposing to start with that configuration as part of the Broadway field-test concept. So you know, we do know that is a physically feasible design.

The question would then be, you know, is that single left turn lane sufficient to serve that turn and not back up into the main line and create some of the congestion that none of us want to see to the point where it becomes an infeasible project. But certainly, we can design and build a project that maintains two northbound lanes and protects the bike lane.

Commissioner Woo Ho: Okay. So today, we have a single turn. Right? Today, we're already -- you already know what the traffic -- no. I mean, I'm s - - I'm wrong. Today, you have a single turn but two traffic-flow lanes.

Commissioner Gilman: No. Sorry. Commissioner Woo Ho, I'm sorry. At Broadway right now, there's two -- as someone who takes it all the time, there are two lanes that turn left onto Broadway.

President Brandon: Commissioner Gilman, can you let the MTA -- [crosstalk]

Commissioner Gilman: Sorry.

President Brandon: Because I think the issue right now is not knowing exactly, without standing there, what's there and what we're actually proposing because, right now, at Broadway, I think there are six lanes. There's a bike lane. There's two left turn lanes and two lanes going forward. So is it five or six lanes there now?

Casey Hildreth: Four vehicle lanes and a northbound bike lane in the northbound direction. So it's two lanes northbound, straight two lanes, left turn onto Broadway with an unprotected, s -- you know, just a one-way northbound bike lane today. Correct.

President Brandon: So I think where we're trying to get today is everybody wants a protected bike lane. We all want that. It's how we get it. And with economic recovery, with all of our tenants at Fisherman's Wharf, with all of the vehicles along the Embarcadero, how can we resolve this so that we are not just looking at what's best for the bicy -- the cyclists and not really considering the traffic flow, the pedestrian?

But what we don't want to do, especially with our economic-recovery efforts, is hamper our tenants on the northern Embarcadero. So I think that what we probably should look at first is moving forward with these protected bike lanes but not doing any major adjustments at Broadway.

Because, from Washington to Broadway, you're already going from three to two northbound lanes. So if we go from three to one, which, again, I guess we're losing one with the new protected lane. So there will only be two at Washington into one at Broadway.

And I just -- I really think that, at this point, maybe we can support the -- moving forward with the quick-build but doing an overall analysis because the Embarcadero is gridlocked. When we come out of COVID and we're in the heat of our summer season, the Embarcadero is already gridlocked.

Now, throw a ship in there. Throw a ballgame. Throw whatever. And I think what we're really talking about at Embarcadero is rush hour, you know, maybe 7:00 to 9:00 a.m. in the morning when people are using it as a thoroughfare to get to the rest of the city.

But I'm not quite sure there's a lot of that throughout the day. So maybe we can just try with this quick-build having two lanes going northbound, one left turn lane. Later on, we could possibly study, you know, two left turn lanes during certain hours and then two -- you know, something, some hybrid.

But we cannot cut off Fisherman's Wharf to the rest of the Embarcadero. We just can't do it. That's my thought. So Vice President -- Commissioner Woo Ho, were you done with your comments?

Commissioner Woo Ho: No. I think you've summarized it very well. I'm with you. I think -- and I heard the MTA feel that they might be able to accommodate so that we can agree on a project today, which I would like to see some progress on the quick-build.

But it sounds like, if they can make a commitment to keep those two lanes north and that the protected bike lane may not be as great as we would want it. But it would still be a protected bike lane. We've taken care of the bicyclists.

And we can study the traffic flow for a long ti -- I don't know, two to four months, whatever -- because you may be studying it in a time period where it's not the seasonality factor because the first quarter is not seasonality. Okay.

Your seasonality is in the summertime. So you're not going to get the accurate read. I'm not sure that we want to know until we get through a longer period of time to know whether, you know, this is working or not.

And then, we need to see what happens with the bicyclists. And I think we can come back to that. I wouldn't want to commit to a study of six weeks or eight weeks or whatever. I don't know what the [target] time period is. But all I

know is going from two to one is definitely going to be a problem. I mean, I just think it's just common sense.

Director Tumlin: So let me step in and clarify. This is Jeff Tumlin again. And Casey, please correct me if I'm wrong. So in order to deal with the safety problems at Broadway and Embarcadero, we have to lose a lane. And there's a question about whether that lane is going to come from the left turn or the straight through.

Taking it from the left turn may actually result in worse traffic congestion than taking it from the straight-through lane because of the way that the traffic works at that particular intersection. We care very, very much about the flow of car traffic particularly in this critical arterial both for Fisherman's Wharf as well as for Chinatown and other destinations. This is a very important intersection to us.

And we have done extensive modeling on a whole variety of different options. And you know, the models tell us what the models do. But nothing beats a real test. What we're proposing is to test both options.

We believe -- and we have our preliminary conclusions from the modeling. But nothing beats actual reality. And it is important to test both options. If we find that either one of those options is a complete catastrophe, we can stop the test early.

If the conclusions are inconclusive, we can extend the test. We can also do a lot with signal timing. We plan to do a lot of adjustments. Fine tuning the exact time of the left-turn phase, the pedestrian phases, there's lots of small tweaks that we can do that are best done in the field rather than in clumsy traffic analysis software.

So I urge you to allow us to move forward with testing the different options to see how they work because, in my 30 years of experience doing traffic analyses, what I find is that what appears to be common sense is actually not.

Traffic analysis is very much an Alice-in-Wonderland world. And what seems to be a terrible idea can sometimes be the best solution. And what seems like an obvious solution sometimes doesn't work as well as we had anticipated.

President Brandon: Thank you. Commissioner Woo Ho, any more questions or comments?

Commissioner Woo Ho: Okay. Given those comments from Director Tumlin, I would say we should still start with the two north lanes and the one left turn. And you can see if that -- if your models are suggesting that that's

going to create more -- worst congestion, then we'll see whether the reality actually does actually prove that out because I guess the model is a model.

And if that's the case, then you can come back to us. And we can revisit that issue. I guess I would not want to start with one lane north and two left lanes. I think I'd want to go the other way and prove the theory that, if you think that the model is right, it's going to create more congestion because then all of these merchants on Fisherman's Wharf will come back to us and say, "Please change the traffic again because it's hurting us."

They will be your supporters if you are right. But at the moment, they're not convinced. And I guess we're a little bit unsure as well. So I would prefer to go that route and prove that actually that doesn't work.

So I find it hard to believe that it would. But nonetheless, you know, I am not a traffic analyst. You guys are the experts. I don't know the answer. But I think that would make me feel more comfortable to go forward with this project.

President Brandon: Thank you. Vice President Adams?

Vice President Adams: Go ahead. Commissioner Gilman had her hand up. Go ahead.

President Brandon: But she's had a couple opportunities to speak. So can you go ahead, and [we'll come back].

Vice President Adams: Okay. Yeah. Okay. I guess this question, I think, would be to Director Forbes. I heard the merchants. And I heard Taylor. What was being said by the different merchants -- is this misinformation? Is this perception?

And I have to say, President Brandon, you know, I haven't had a car in 18 years. And I just got a car a month ago. Y'all driving me crazy about this stuff. Now, I regret that I got a car about all this. [laughs] But this is crazy.

But I'm trying to understand it. Director Forbes, maybe you can tell me or Director can say. I'm listening to what the merchants are saying. So where is the disconnect because it's just so much confusion even with the commissioners?

And I'm glad we're getting down to the bones. So when I hear Taylor saying and all these other people, where are we missing the boat at? And what's the misconception or misinformation? Or is it just not -- where are we going wrong maybe? I'm just trying to understand that.

Director Forbes: Thank you, Commissioner Adams. I'll do my very best to respond. And then, I'll invite Director Tumlin in to clarify or add additional comment. So I think that many of the callers from the wharf -- and I would start by saying the SFMTA and the Port have worked closely with the wharf in the study.

I know SFMTA staff pers -- I know that they've been on bread-delivery trucks in the wharf. They've spent a lot of time with our merchants. And you could hear that in the comments that several of the merchants expressed overall support for the project.

So I just wanted to take a moment to say that there was public -- serious stakeholder involvement. Where I think the public may have not heard enough information to be clear on a point is many of the public callers thought we were absolutely reducing the two lanes going north down to one lane.

That is not the case. That is, in fact -- that was, in fact, the SFMTA's recommendation. The Port Commission got really worried about it and felt that it would cause more traffic. And that's why they've built the field-test instrument.

Now, what everyone at the SFMTA has made sure to point out is that there is an impact to traffic from the two-way bike lane at Broadway because we're going from four traffic lanes to three traffic lanes.

And everyone's been very careful to point out that tradeoff. SFMTA's traffic modeling says those -- of the three lanes, two should turn, and one should go all the way through. And everyone else feels like two should go all the way through, and one should turn. And that's the field-test concept.

So we can test, get the real data on the ground and make the decision. That decision will come back to you before a permanent decision is implemented. And the final thing to say is Director Tumlin has been clear that these are temp -- these are easy improvements to lay down.

So if there's something revealed in the field test that the commission and the public can't tolerate or feels is too deep of a tradeoff in traffic, we can make a different decision at that point. So those would be my comments. I hope that clarifies. And Director Tumlin, please step in if you would like to do so.

Director Tumlin: You got all the key points. Thank you, Director Forbes.

Vice President Adams: Okay. Thank you, Director Forbes. I understand. Okay. Thank you.

President Brandon: Commissioner Gilman?

Commissioner Gilman: Vice President Adams, thank you so much. That was the clarity I was looking for also. And I am supportive of letting us do this testing to find out what is really going on. I think it's important. All I was trying to articulate is if we could do a shorter test even if we do it during peak time to create less inconvenience for everyone.

I thought that could be a possibility. But that clarity was what I was looking for. And I think it's important that we gather the data and see what really is happening. I also remind us and I think we should acknowledge at our last meeting we had over 100 letters and comments from a completely different set of constituents.

So this is a hard thing for me to balance when we have so many constituents that we are trying to do the right thing for which is why I think doing these tests and figuring it out is the right move to go with no decisions being made tonight except to move forward basically with testing.

President Brandon: Thank you.

Commissioner Woo Ho: So -- okay.

President Brandon: Commissioner Woo Ho?

Commissioner Woo Ho: Yeah. I think the testing, as I said -- we already discussed this. My only concern with the testing is that there is seasonality. And we know that the seasonality does vary during times of the year. So this project is supposed to launch in January.

So I'm just sensitive to the fact that, you know, when you model things and you test things in the wrong time, you're going to get the wrong answers. So I think let's not just say we're going to do a test, and the test said X. And then, this is fine.

And we have seasonality. And you're not going to be able to -- you know, what are you going to test in the summer versus winter? I don't know what the existing traffic patterns are. But my guess is that January through March or whatever is not a high peak tourist season regardless of the pandemic.

And we have the pandemic, which may or may not be completed by then. We don't know. So I just want to be careful before we just go ahead and jump in and say, well, we'll test it. And the test may not be as conclusive as we think it is.

And I would like Director Tumlin to address -- how are we going to understand the seasonality factor? And given -- you know, we are living in a pandemic. So we don't have the usual patterns. So how are we going to read these test results --

Director Tumlin: Yeah.

Commissioner Woo Ho: -- and make sure that they are accurate?

Director Tumlin: Thank you for that question. One of the things that we're fortunate about now is, as a result of cell phone technology, we can back cast traffic data to almost any point in time. So we can look at the actual traffic patterns pre-COVID by time of day, by day of week and by season and calibrate the results from our tests to future conditions.

As the economy recovers, you know, looking at summer versus winter and get a much more accurate estimate of what the traffic conditions will be in any condition.

President Brandon: Commissioner Woo Ho, do you have any other questions?

Commissioner Woo Ho: No. But I'd like us to phrase exactly what we're -- what's been put in front of us again.

President Brandon: Okay. Okay. Commissioner Burton, do you have any more questions?

Commissioner Burton: No. I think everything's been thoroughly covered.

President Brandon: [laughs] Okay. Thank you.

Commissioner Burton: [laughs] You want me to call Ed Reiskin for you?

President Brandon: Okay. So Commissioner Woo Ho would like to know what exactly we're proposing. So just for my clarification, once we do the quick-build, which will be done hopefully by the end of November, December according to the time line -- is that correct?

Casey Hildreth: I would say by early January just to give us a little bit of time in case we have to coordinate with that PUC project, which is the one kind of complicating factor on our end.

President Brandon: Okay. So we cannot start until they finish.

Casey Hildreth: It's a matter of -- there will be a little bit overlap. Some overlap could be okay. And we could start pieces while they're still wrapping up. Broadway -- you know, they're not at Broadway. They're more at Washington. Yeah. There could be minor overlap.

President Brandon: Okay.

Casey Hildreth: It shouldn't affect our implementation. We would not want them there for a long period of time while we're obviously evaluating traffic.

President Brandon: Right. So when will the quick-build project start -- the construction start and end?

Casey Hildreth: I would estimate -- you know, it's always a little bit of an art to get our shops to get out there. It should take no more than a couple of weeks for us to do the striping changes. We also have bike signal heads that would go in for the bikeway that we could kind of work on ahead of time and then kind of flip a switch.

So there will be different pieces. But the actual sort of like meat of the project would take no more than a couple of weeks to implement. So it could be that we only start in early January. It could be that we begin implementation in late 2021.

But to the average customer, average rider, you wouldn't really notice the bulk of the changes until we're almost at like full implementation.

President Brandon: Okay. So we'll start in January -- end of December, January, about six months away. And then, we'll do a few weeks of testing. This is a hard one. This is a really hard one. And I think that everyone needs to know that the one thing we are all committed to are these dedicated bike lanes.

We want to have bike safety along the Embarcadero. And we are all committed to that. I think that, at this particular intersection, unlike any other part of this quick-build, this is a tricky one. And I think that -- [sighs] it's just hard for me personally to let go of a minimum of two lanes.

So can we just have you come back -- okay. So you're going to do the -- it's going to be operable by January. We're going to do a couple weeks of testing, a month or so. Can you just come back to us in February or March and tell us how it's going with the flow now before you make the changes? Is that possible?

Casey Hildreth: I'm sorry. Can you clarify? So the cu -- can you clarify that? I'm sorry.

President Brandon: Meaning we'll have a bike lane. We'll have two lanes going north and one turn lane.

Casey Hildreth: Yes.

President Brandon: That's how it's going to be until we study the other way. Right?

Casey Hildreth: Yes. Our current proposal is to do just exactly that, maintain the two travel lanes northbound, come back to you with an initial sort of interpretation of how things are going. You know, if they're going terribly, we could talk about switching possibly to the one-lane design.

If things are working okay, you may decide, let's keep going with this current configuration and see how it works for a longer period of time. That is our current proposal for the field test is to come back to this commission, you know, after the initial implementation maintaining two northbound lanes.

And we could really have a real-time discussion about, does it make sense to do anything else right now? Or could we just kind of push out any changes and see how the current configuration is working if it's working fairly well?

President Brandon: Okay. So right now, we are agreeing to the bicycle lane, two lanes going north, one left turn lane. And you --

Casey Hildreth: Correct.

President Brandon: That's what we're agreeing to when we approve this.

Director Tumlin: Well, you're agreeing to one option that we will be testing.

President Brandon: Yes. We're agreeing to one option and --

Director Tumlin: Well --

President Brandon: -- asking you to come back with how that's flowing. And if you say we need to go to option two just to test it because it's backing up and it's not flowing good, then we can have this conversation and talk about if we go to two lanes or one lane going left and then one lane that is a left and a straight or, you know, plan A, plan B, plan C.

Director Tumlin: So I think it's actually very good practice for us to come back to you as we -- like throughout this process to report back on results and our findings along the way because we really are committed to doing this in partnership with the Port staff and the Port Commission and sharing our findings throughout.

President Brandon: That would be great.

Commissioner Woo Ho: Yeah. So one thing -- I think part of it also the people that turn left on Broadway are probably either going to Chinatown or some other destination in that area. And they're probably not necessarily the tourists.

The tourists are going all the way through to the Fisherman's Wharf. So we may end up -- and if you put signs somewhere along the way, so the people retrain themselves that they might turn left earlier and not wait to get to Broadway, that you train -- you know, if it's commuters or whatever, they decide they're going to turn on Howard. They're going to turn much earlier because they want to avoid the traffic -- the congestion that they may see.

So I don't know -- and you said you have your cell phone data, whatever -- if you could show us -- where do these people go that turn today or pre-COVID? Because I think we do need to make sure that the traffic can get through to Fisherman's Wharf to protect the merchants for economic recovery because those people have to go through. There is no choice.

The other people that turn left have other choices. They could turn left earlier if they wanted to depending on where they're going. And maybe you can show us some of the data that shows -- where do they end up?

And then, we could understand, you know, are these the commuters? Are these the people -- you know, what are they doing so that they could be behaviorally -- change their behavior? And they may want to turn left earlier and get to their destination if they are persistently going in this direction.

I mean, you can influence and change behaviors. So I think it would be interesting for us to understand that whereas we know the people who go to Fisherman's Wharf, they have no choice. They have to go all the way through if that's where they're going, if that's their destination. Did that make sense?

Director Tumlin: It does. But I would also point out that Sansome and Battery also serve Fisherman's Wharf. And that's something else that we're wanting to look at in terms of accessing Fisherman's Wharf from the highways particularly on the weekends when we have much greater capacity on Sansome and Battery than we do on the Embarcadero.

How can we help people find the best route regardless of what mode they're taking in order to get to their final destination and particularly the wharf, since it is in a bit of a cul-de-sac?

Casey Hildreth: And I'll just add -- this is Casey at MTA. I think that is precisely the sort of change in behavior that we want to account for in our evaluation, which is why we're reticent to say do it for four weeks because that may not be enough time for people to actually change -- you know, make that pattern switch which would ultimately lead to a better condition for the Embarcadero.

Commissioner Woo Ho: Right.

President Brandon: Commissioner Woo Ho, any more questions?

Commissioner Woo Ho: No. I'm done.

President Brandon: Okay. Commissioner Gilman?

Commissioner Gilman: No. I think we're ready to move forward. I guess I just want to say too that Broadway does serve as the lifeline to North Beach and other communities that is very hard to cut through downtown for. So I guess I'm not a transit expert.

So I'm looking forward to the study and the data. And I hope that you come back to us actually multiple times as informational, maybe even monthly to just keep us informed because the Embarcadero serves a lot of interests: tourists, neighbors, all sorts of folks who live and work and who want to spend time on the northeast waterfront.

And we want it to be seamless, so they can also then go the other way and spend time and dollars on the southeast waterfront. So it's -- I'm ready to move forward with action on this item.

President Brandon: Okay. So Dan or Elaine, can you clarify what our action is right now?

Director Forbes: Okay. You will be approving phase 1A of the quick-build, which is the central quick-build project. You are going to make your language amendment to the resolution that has the SFMTA returning to the Port Commission.

And it sounds like, from this conversation, you don't want a return after the pilot test. You want a return after implementation and experience with two lanes north, one turn lane onto Broadway. That will be the time to work with the SFMTA and Port staff on the test and how the test is implemented.

But many commissioners have said, if all is going well and we don't see additional traffic, then we wouldn't want to do a test but that that would be the time to have that conversation. So we can make an amendment.

Carl, maybe you can help me with the language. I'll help you too. I think it would be -- what do you have, Carl? Whereas --

Carl Nicita: So we have whereas the SFMTA will test configuration of the auto-traffic lanes northbound on the Embarcadero at the intersection of Broadway. The SFMTA will collect data related to the implementation of the configuration and will report back to the Port Commission.

And then adding in the second-to-last resolved clause, resolved that the San Francisco Port Commission hereby approves the construction of the central Embarcadero quick-build phase-one project affecting the Embarcadero between Mission Street and Broadway, as shown in exhibits A and B of the staff memorandum accompanying this resolution, subject to the requirement that the SFMTA will test the configuration of auto-traffic lanes northbound on the Embarcadero at the intersection of Broadway.

And that test shall be a configuration with no less than two northbound lanes. And --

Director Forbes: Okay. So I think what we want to do is strike the language about the SFMTA testing and instead say whereas the SFMTA will return to the Port Commission with an update on project implementation and discuss a pilot test for the Broadway configuration, period, and not have those two whereas clauses that require the testing first and just really signal that testing will occur.

And then, in the second part where you were reading test -- whereas the SFMTA will test, I would strike test. Does that sound about right, commissioners?

President Brandon: Yes.

Director Forbes: Okay. Thank you. And then, so you'll amend it in that fashion to reflect the conversation you've all had about the Broadway configuration. So again, you're approving the quick-build -- central quick-build project.

And the SFMTA will be back with Port staff to give an update on how it's going. And we'll talk specifically -- we'll include how traffic is flowing at that time. We'll have dialogue about the project and get to the Broadway

configuration and the specifics of a pilot test. Okay? Does that sound good? Thank you. Did I miss anything? Carl?

President Brandon: No. I think that's perfect.

Director Forbes: Okay.

President Brandon: So we have a motion and a second. Carl, can we please have a roll-call vote?

President Brandon: Thank you so much. The motion passes unanimously as amended. Resolution 21-32 is adopted. Thank you so much, Director Tumlin, for joining us and giving us so much more clarity. Thank you, Casey, Mark, Dan, the entire team. Thank you. Look forward to seeing you next year.

Roll Call Vote:

President Brandon – Yes
Vice President Adams – Yes
Commissioner Burton – Yes
Commissioner Gilman – Yes
Commissioner Woo Ho – Yes

President Brandon: The motion passes unanimously. Resolution 21-32 is adopted. Carl, next item, please.

9. REAL ESTATE & DEVELOPMENT

- A. Informational presentation and overview of project development and delivery process.

Brad Benson: Good afternoon, President Brandon, Vice President Adams, commissioners. Brad Benson -- I'm the Port's waterfront resilience director. We appreciate the time on the agenda to talk about a very important effort to develop the resilience program, which is a very defined project development and delivery process.

I want to start by acknowledging Steven Reel, who is in charge of engineering and project delivery for the program. Steven wrote the staff report and the presentation but could not be here today due to family business. So I'm really filling in for Steven.

A multi-decade, multi-billion-dollar investment is required to reduce earthquake and flood risk along the Port of San Francisco's waterfront to

improve life safety and disaster response and reduce flood risk to the city of San Francisco.

To deliver this in an efficient and transparent manner, the waterfront resilience program team recommends that a programmatic delivery approach be taken with a clear process for project development within the program framework. Next slide, please.

So this is an overview of today's presentation. We'll touch briefly -- and just a reminder about the various efforts happening in the waterfront resilience program. I want to talk about the benefits of a programmatic approach to project delivery.

We'll talk about the steps in project development and that delivery process and touch briefly on contracting opportunities. But I will flag that we'll be back to the commission to talk further about those contracting opportunities. Next slide, please.

So you've seen this slide. The commission has seen this slide before. We've got multiple efforts in the resilience program. We're developing an adaptation plan called the adapt plan that we hope to publish next year for comment by the public.

We're very lucky to be engaged with the Army Corps of Engineers on the flood resiliency study. That's looking at flood risk along the entire seven-and-a-half miles. We've got other efforts that are focused in specific geographies like the Embarcadero seawall and the southern waterfront seismic vulnerability study.

We also recently completed the Islais Creek mobility adaptation study with San Francisco Planning Department, SFMTA and the San Francisco Public Utilities Commission. So this program and project-delivery strategy will ultimately apply to all of the efforts in the resilience program. Next slide, please.

So I want to talk a little bit about the benefits of a programmatic approach. Really, the intention is to develop an effective strategy for simultaneously delivery of multiple interrelated projects. Through this approach to program management, we will be able to manage interdependencies among projects, be able to elevate issues quickly for issue resolution.

We want to leverage and standardize common tools and processes across the program and really be able to learn as we go and become effective and continuously improve. Next slide, please.

So there are really three phases of project development. There's the planning phase, which we're in right now. Then, we move to pre-design of projects and then final design and construction. And you'll see that the environmental review and permitting process overlaps the design process.

What we're trying to do with this overall strategy is to provide a consistent framework for project delivery. This is typical for an infrastructure program of this size and complexity. It's designed to deliver highly successful projects that meet waterfront resilience program goals on time and within budget.

As the program develops over the coming year, the resilience program staff will make a recommendation to the Port Commission on how to structure existing and future contracts to ensure the benefits of programmatic delivery including LBE opportunities so that these are maximized and the Port achieves maximum value for its investment.

This is an industry best-practice approach. And it's used by the Public Utilities Commission. So this is not a new strategy. The overall goal is to spend smaller amounts of money upfront on project definition to identify and reduce risks, saving money later in the process. The iterative process allows for continuous evaluation of the benefits and costs of specific projects. Next slide, please.

So the first step in the process is project identification. We've reported to the Port Commission about the results of our multi-hazard risk assessment. We identified life-safety risks in various areas of the waterfront, been working with emergency-response managers to understand where we need better performance for disaster response along the waterfront.

That work has led to identification of more than 20 potential early projects in the program. And we've already taken the step of identifying those projects, identifying a project champion who is then put together a summary memo about the intention of the project, all of the available information from the multi-hazard risk assessment, ideas that we've learned through the planning process so far. And it's really so that we can bookmark these projects and advance them to the next step. Next slide, please.

The next step is a needs-assessment report. And this stage collates and refines our existing understanding of the project and develops support among stakeholders including the various Port divisions.

At this stage, the waterfront resilience program team more robustly establishes the project need and program context, scope, preliminary list of engineering alternatives, budget and schedule to inform the decision to move to the alternatives analysis stage.

So just to be clear, for each project, we're going to be developing a range of alternatives to identify the most effective alternative or the preferred alternative. Next slide, please.

This is really robust pre-project planning. And this involves a significant expenditure of funds, the alternatives analysis report. We're starting to advance multiple project alternatives, evaluate the alternatives against a specific project and broader program goals and objectives and then select a recommended project alternative to advance to conceptual engineering.

As we take these steps, we're getting more and more certainty about our cost range for the project. Some projects will, at this stage, need more detailed study, stakeholder input, maybe further geotechnical investigation on a specific location or engineering design to support evaluation while other projects may be more straightforward.

We will use a risk-informed approach to focus resources on developing what matters most for alternatives analysis. We've got a lot of existing conditions data. We've been out in the public for three years gathering stakeholder input.

We'll look at design feasibility, constructability and construction impacts, cost and schedule, entitlement risk. At this stage, there is still a fairly high degree of budget and schedule uncertainty. Next slide, please.

After the alternatives analysis and recommending a preferred alternative, we'll enter conceptual engineering to advance the design of that selected alternative to a sufficient level to define the draft basis of design, describe the basic scope of work for the project, what entitlements are required, establish the initial baseline budget and schedule and select the delivery method for detailed design and construction.

For most projects, this will be a 10-to-15-percent level of design. Some projects may require up to 35 percent design to support decision making or funding requirements. At the end of this stage, a decision is made to advance the project and initiate environmental review and permitting. Next slide, please.

Then, we enter preliminary engineering to get to a 35-percent level of design. At this point, we'll have approved baseline scope, budget and schedule. We could, at this point, start using a separate contract to advance further design and construction of the project. That could also occur at the conceptual design stage. Next slide, please.

Then, we would enter detailed design and construction including design submittals at the 65-percent, 95-percent and 100-percent levels, conduct value engineering, look at constructability and final approvals.

There are a number of methods for project delivery allowed under the city's code. The most typical is design, bid, build. That's what we use most often at the Port. We've also used construction manager/general contractor or CM/GC for more complicated projects like the cruise terminal.

There's also a design-build process and progressive design build. And we'll be back to the Port Commission to describe these different delivery options at a later meeting. Next slide, please.

So there will be contracting opportunities to advance these projects for engineering design and review, construction and construction management. We believe a programmatic approach to this future contracting will help the Port achieve LBE goals, equity goals and value from money invested. Next slide, please.

That concludes my presentation. And I'm here to answer any questions that the commission has. Thank you.

President Brandon: Thank you, Brad, for your presentation. Now, let's open it up for public comment. We will now open the phone lines to take public comment on item 9A from members of the public who are joining us on the phone. Jenica will be our operator and will provide instructions now for anyone on the phone who would like to provide public comment.

No Public Comment on Item 9A.

Commissioners' Discussion on Item 9A:

Commissioner Gilman: Thank you so much, Brad, for this update and report. I really appreciate this project is so critical to what we do. One thing -- and I apologize because hour -- well, the hour is not that late. But my mind is a little fried from our last item. So I apologize if I missed it.

But it seemed like a lot of the engagement process we're doing right now is under -- would be under construction management, professional services. And I just wanted to know what -- to make sure what our plan would be to make sure that we have strong LBE representation on those bids.

Or did I miss it around the requirements or what our goals are around that? I apologize if I missed that in your report.

Brad Benson: Well, you did not miss it. There was not a deep dive on the LBE strategy related to the future contracting. And we will come back and present that strategy to you. But there will be a lot of contract opportunities

coming up in the near future over the course of the next year, 20 -- towards the end of 2022.

Commissioner Gilman: That's great. You know, let's also make sure that, when we're doing community outreach, that we're also really making sure that we're compensating individuals or giving them opportunities to be at the table and really valuing their time. So that's just my only other comment.

I know you've done a ton of community outreach. And we have people under contract to do that. But I think we sometimes forget that we should be valuing folks' time the same way we value our time or staff time. So that's my only comment. I like the fact we're moving forward. And I have no other questions for you. So thank you.

Brad Benson: Thank you, Commissioner.

President Brandon: Thank you. Commissioner Woo Ho?

Commissioner Woo Ho: Hello. Commissioner Brandon?

President Brandon: Yes. We can hear you.

Commissioner Woo Ho: Yeah. I don't know. Something happened on my laptop. I am locked out of Teams. So I've called in on my phone. So anyway, I'm back in. So I just wanted to let you know I unfortunately missed most of Brad's presentation. But I did see the slides.

President Brandon: Great. Do you have any comments?

Commissioner Woo Ho: No. I think it's very -- no. Thank you, Brad. I know a lot of effort has gone into it. I guess we've been hearing about the program for quite a while. I guess this is the kind of final unifying presentation of all the efforts and initiatives that we've been doing because we've been working on this for some time.

Brad Benson: This is setting up the project-delivery phase of the program. So we're in the planning process. We've identified early projects to buy down some of the life-safety and disaster-response risks that we're seeing.

We'll be before the commission later on this year to talk about those projects and get program-level direction about investment of Proposition A. And what this is doing is providing context for how we're going to take a programmatic approach to delivering those projects when we get that direction. Is that helpful?

Commissioner Woo Ho: Yeah. I mean, I think we've been hearing -- you're connecting the dots is what I sort of gathered from this presentation and telling us what process you're using, which I support. I mean, I don't think I disagree with anything in your presentation. And the timeline of what you're going to do, what, when, where is what you're going to present next to us. Is that right?

Brad Benson: Yes.

Commissioner Woo Ho: Okay. So -- all right. I think we've been hearing bits and pieces of this for a long time. But it seemed to me this was the first time we saw it on a comprehensive level. Would that be correct?

Brad Benson: Yes. This is a critical way that we're trying to structure the program so that we have consistency. We have opportunities to evaluate each of the projects at distinct stages along the way of project definition to get direction from executive management at the Port and also to report out to the commission over time. So it's a program structure for project delivery.

Commissioner Woo Ho: Right. Okay. So I just want to say I appreciate all the hard work and appreciate that it's so very thorough and comprehensive. And I look forward to hearing more progress on it. Thank you.

Brad Benson: Thank you.

President Brandon: Thank you. Commissioner Burton?

Commissioner Burton: No comment. Thank you for the information.

President Brandon: Thank you. Vice President Adams?

Vice President Adams: Brad, it's good seeing you again, appreciate it. Very thorough, very comprehensive, very, very excited about this. I'm really glad you're on this because, once you get a hold of something, you don't let it go. And I know that you're giving this all you've got. And it's very thorough. So thank you. Appreciate it.

Brad Benson: Thank you.

President Brandon: Thank you, Brad. Thank you so much for the presentation. And thank you for all the work that your team has put into getting us to where we are today. And I think it's exciting and, you know, looking forward to what you come up with next, so we can actually start putting the shovel in the ground and [unintelligible]. So again, thank you. [Unintelligible] looking forward to your next presentation.

Brad Benson: Thank you, President Brandon.

President Brandon: Thank you. Carl, next item, please.

10. REAL ESTATE & DEVELOPMENT

- A. Request Approval of: (1) Increasing Phase 1 Budget from \$145 Million to \$184.2 Million and (2) Modified China Basin Park Construction Sequencing. for the Mission Rock Project at Seawall Lot 337, bounded by China Basin Channel, Third Street, Mission Rock Street and San Francisco Bay. (Resolution 21-33)

Phil Williamson: Thank you, Carl. Next slide. Thank you. Next slide, please. Good evening, President Brandon and Vice President Adams, commissioners, Phil Williamson, project manager for the Mission Rock project at the Port.

Today, you will hear from myself and Rebecca Benassini on the topics listed here. And Fran Weld from the developer is in attendance as well and is available to answer questions as needed either during or after the presentation. Next slide, please.

Phase one construction continues a pace with horizontal work on streets and sidewalks approximately 30 percent complete. Vertical work on Parcels A, B and G is also underway with Parcel G, the Visa headquarters, scheduled to erect its final structural steel members later this month. The topping out will occur at the end of the month on Parcel G, a big milestone for that building. Next slide, please.

At the July meeting -- July 14th meeting, Port staff updated the commission on the progress the team has made since the phase-one budget was approved in September of 2019. Those steps are shown here. And as you can see, it's been a busy and productive 23 months since you approved the budget in September of '19. Next slide, please.

We also provided this snapshot of upcoming project milestones that we're looking at over the next two, two-and-a-half years. And we're really looking forward to starting work on China Basin Park and Parcel F. Next slide, please.

We also reviewed the DDA provisions that are guiding our consideration of the proposed phase-one budget increase as described here. Next slide, please.

And finally, in last month's presentation, we discussed the phase-one budget solutions including modifying China Basin Park construction sequencing such that the in-water portions of the park align with phase two, thereby reducing phase-one cost increase from \$62 million to approximately \$39 million, also applying the DDA reduced-return provision for the first \$10 million of phase-one cost increases.

And this reduces the rate of return on that amount from 18 percent down to today around 4.1 percent. And we also discussed implementing monetary penalties for submitting the phase-two budget after a negotiated deadline. Next slide, please.

During the July informational presentation, the commission requested additional information on the four items listed here. The next four slides will focus on each of these issues. Next slide.

Regarding the projects contracting efforts, through March of this year, the project has spent and invested in the waterfront \$490 million at Mission Rock phase one. Of this amount, \$31 million has been awarded to local business enterprises and an additional \$63 million of the \$490 million is committed to hiring LBE firms through agreements that are in place with the general contractors.

This brings a combined horizontal and vertical LBE awards to 19 percent -- roughly 19 percent, just shy of the project team's 20 percent goal for horizontal and vertical construction. Next slide, please.

Turning to the visitor experience at China Basin Park, the image on this slide shows the inland portion of the park in green which will be built in phase one. The in-water portion shown in orange is proposed to be built in a later phase.

The green portion, including the Bay Trail portion, will remain accessible to the public during construction of the orange portion. Now, there may be limited construction circumstances that require temporary closures of portions of the park.

But the developer will work to maintain access and limit inconvenience to the public throughout construction of the orange area. Next slide.

Looking now at the proposed phase-two submittal deadline of December 31, 2022, I first want to note that this date is more than five years in advance of the outside date, a defined term in our DDA. So it's well in advance of that date.

And I also want to point out that the overall project finance's benefit greatly from getting phase two started as soon as we can. So I think developer and Port are all very incentivized to start phase two as soon as practical.

So with that in mind, the developer and staff looked at this date and studied, you know, the potential for moving it up and concluded after meeting and looking at some of the dates that are shown here on this page, that we really want to take staff resources and time and focus on phase-one milestones that are before us that we talked about earlier in this presentation, making sure we get those square and get those done to ensure the success of phase one. So that's priority number one.

And then, B, we want to also have sufficient time to put together some of the items you see on this page that take multiple months to prepare to submit a complete phase-two submittal. So we believe, after looking at this in great detail, that 12/31 of next year, 2022, does present a reasonable deadline for this important project milestone. Next slide.

And regarding the proposed contingency amount in the revised budget, the phase-one contingency has been resized from 7 percent at phase-one budget approvals in 2019 to 10 percent going forward for the remaining cost of phase one.

Thus far in phase one, the project team has encountered several unforeseen costs in building this public infrastructure, the streets, the sewers, the sidewalks and all the other infrastructure that's going to be accepted by four different city agencies: the Port, the PUC, Public Works and MTA, very complicated and, unfortunately, a little more expensive than we thought.

So that experience, I think, has been what has pushed the team to look at increasing the contingency to this higher 10 percent number going forward to cover our bases. Next slide, please.

Rebecca Benassini: Thank you so much, Phil. I'll take this one. Good afternoon and good evening, commissioners. Rebecca Benassini, deputy director of real estate at the Port.

So looking at the phase-one budget, I wanted to review for you what we went over in July. We have here the 2019 approved budget, which we currently show at \$145.4 million, which was your approval back in 2019.

The proposed increase before you is an increase to \$184 million. This is a \$38.6 million increase, about a 27 percent increase since 2019. We went over at the last meeting discussion about the hard-cost increase, which we've had reviewed by our engineering firm.

And we've looked in detail at the soft-cost increase. Soft costs are a relatively large part of the increase. And this is due to what Phil was describing, a lot more architectural engineering review, legal costs. We also had fees that went up for some of the elements of the project.

So that was a big part of the cost increase. And this is the overall approval item that's before you tonight is this budget up to \$184 million. And I also wanted to mention that we've been working closely with Mission Rock on their contracting, as Phil was mentioning earlier.

And they're very close to signing subcontracts. But they need this budget increase in order to sign those and get that -- the park, in particular -- get that park going. This is a really critical time for the project. Next slide, please.

In looking at this budget increase, the table shown before you is sort of the scenario reviews that we did in determining how we might be impacted. What's shown here are nominal dollars to the Port over a 75-year period for all of the phases.

We also show the NPV of revenues to the Port. So I'm going to take you through the scenarios just to remind you what we've reviewed. Scenario one - - or the scenario on the farthest left-hand side of the table shows the 2019 results, the nominal dollars \$1.7 billion over 75 years, \$190 million net present value.

Then, we went through and did different scenarios to see how different decisions might impact the Port. The first one shows just the updates to the model based on what we know today. We know how much land values were for phase one.

We know how much our first bond issuance was. We know how much money we've spent to date. And we also have projections for what we think land values might be in the future. So that's that -- scenario one is sort of just, if we did nothing else, this is what the result to the Port would be, a slight increase in NPV -- I'm sorry -- a decrease in NPV and an increase in nominal dollars.

And the reason those nominal dollars go up is because, as costs go up strangely, our tax increment that we're projecting over time goes up. So in the nominal-dollar basis, we can have this funny divergence that happens because this model is over such a long period of time.

Then, we went through different future scenarios. One was let's just build the whole park. We don't have enough money right now. But let's build it all and deliver that with phase one. And that is a real detrimental impact to us on a revenue basis.

So that's why we're proposing the sequencing to better match that expenditure with land values that are going to come in in phase two. The next scenario, which is 2B, shows the cost increase that we're proposing.

But maybe we don't deliver the in-water portions of the park for quite a long time or ever. And we see a big revenue increase to us, but then we haven't delivered that park that we all really enjoy looking at and want to see in place.

So then, the next scenario is three. This shows us building the park -- full park just sequenced over time. And we see a better revenue outcome so long as we work on some solutions in phase two to align those revenues with that park.

Then, the last scenario we did was showing a better market. We think we know where -- or we think we know -- we have some ideas of where office lease rates are going to go. But we don't know exactly. And when phase two comes along, there is the potential for there to be more of a recovery than we're currently modeling.

So with just a couple percentage increase in those lease rates on offices, we see a better revenue outcome for the Port in that last scenario. So we know that this sort of an incremental discussion we're having now.

But phase two, as Phil was mentioning, will come back to the Port not later than the end of next year unless Mission Rock faces those financial penalties. So we'll be coming back to you with phase two. And then, we'll have even better scenario planning with better information for the next phase of the project. Next slide, please.

So the action item that's before you today is to increase the phase-one budget from \$145 million to \$184 million and to allow that sequencing of the park to be delivered with phase two, those in-water portions coming a bit later.

I also wanted to remind the commission that we did take this presentation on the park sequencing to the SAC. They were understanding and supportive of that sequencing to better match those costs along with the revenues that were coming in so long as they still get that beautiful park and have that inland portion of the park open.

We talked a lot about the amenities that will be in place with the inland portion, the Bay Trail, access to water and fountains and sort of normal amenities that folks will expect when they come to a really spectacular park like this one is envisioned to be.

That's the end of the slide show. I'm happy to answer questions. And I see Fran and [Jeremy] from the Mission Rock team are here to help us out if there's any details we don't have. Thank you so much.

President Brandon: Thank you, Phil and Rebecca. Commissioners, can I have a motion?

ACTION: Commissioner Gilman moved approval of the resolution.
Commissioner Woo Ho seconded the motion.

No Public Comment on Item 10A.

Commissioners' Discussion on Item 10A:

Commissioner Woo Ho: Hi. Thank you, Rebecca and Phil, for the presentation. I know we've discussed this budget increase in phase one several times. And you have increased, also given us more information. I appreciate you did put in your report -- the staff report the increased or the amount as the contingency reserve and explained why we continue to have that at least for phase one.

On your presentation today, I guess I had one -- I want to understand. And unfortunately, looking at your slides on my phone -- because the laptop kind of -- I don't know what's wrong with it. But it's not working at the moment. So the revised budget and projected Port-revenue scenarios -- so what we are approving today is which scenario?

Rebecca Benassini: Thank you for clarifying that, Commissioner. I can answer that one. It is cost increase -- it is item 2B. And then, when we come back to you with phase two item, we will have information that reflects scenario three or scenario four or something else if that makes sense.

So the in-water portions of the park we need to come back to you and show you either we have land value to pay for it, or we have to do some tax -- we have to do some sort of a tax-revenue swap to pay for it.

So you are approving item 2B today. And then, when we get to phase two, then we'll figure out whether or not we're in scenario three or scenario four or something else that we come up with.

Commissioner Woo Ho: Okay. So basically, you're indicating, when we put this together in 2019, we thought the NPV was \$190 million. And now, even with the cost increases and what you've done with, I guess, less park is that we have recouped with some of the other savings that we're not off on the NPV by more than \$9 million at this time. But that's also because of the less park. Correct?

Rebecca Benassini: Exactly correct. We are absolutely committed to doing the rest of the park. So either -- so the subsequent scenarios three or four will be one of those in order to get us to the whole park.

Commissioner Woo Ho: Right. Okay. So this is not hitting us on an economic feasibility basis as much as just the increase itself so just wanted to make sure that we understood that. However, since some of the costs have now been pushed into later phases, phase two in particular, which you'll come back to at the end of 2022 -- and as we have discussed, just so that the commission is always informed about the impacts, probably we will see an increase in cost in phase two just because of what we're seeing in the market right now in terms of inflation.

And other costs of materials have gone up -- that we are also going to hopefully request some modeling so that we can see how you could model that out over time so that we understand what we potentially could be anticipating rather than waiting for you to present all of the cost increases at the deadline, which is December of '22.

So we know that these are just models and scenarios. And they're not necessarily final. But at least we can look ahead at the horizon and understand what phase two and, over time, as we want to just make sure that we're maintaining some economic feasibility and, I guess, fiscal responsibility on the part of the Port.

So that is a request that I make of all of you to come back to us. It's not related to actually approving what we're going to approve today but just to keep us ahead of what's going to happen and not to wait until December of '22 to know what phase two is going to be. This is just modeling scenarios that I'm requesting.

Rebecca Benassini: Thank you, Commissioner. We can do that for sure.

Commissioner Woo Ho: Okay. That's the extent of my questions and comments.

President Brandon: Thank you. Commissioner Gilman?

Commissioner Gilman: Thank you for the presentation. I have no questions. I asked them last meeting.

President Brandon: Okay. Thank you very much. Commissioner Burton?

Commissioner Burton: No comment.

President Brandon: Thank you. Vice President Adams?

Vice President Adams: Thank you, President Brandon. I just wanted to say to Phil and Rebecca, great presentation. Great seeing you, Fran. I clearly understand watching this project that the money -- it seems like there's always variables.

And it continues to float up. But we've got to do what we have to do to continue to see this thing out. I suspect this thing will constantly change until we get it to completion.

And there's nothing set in stone because, with the economy, there's just so much happening. I mean, we have a set number. But it fluctuates. It goes up. It stables off. So I'm supportive. Thanks.

President Brandon: Thank you very much, Vice President Adams. Phil and Rebecca, thank you again for the presentation. Thank you for the updates and answering the questions from the last presentation. And I think Commissioner Woo Ho answered most of my financial questions.

I just wanted to make a comment regarding contracting update. And that is that, right now, we are a little over 6 percent with LBE and that you guys have made commitments of \$58 million, but they're not actually committed.

So hopefully, with the increase in expenses of this project, we can really increase our LBE participation also. And I want to congratulate you and thank you -- congratulate you, number one, on the groundbreaking, which was absolutely phenomenal and so happy to see the buildings actually going up and also the fact that the project is going so well that you are doing so much to try and put LBEs in line and ready for contracting opportunities.

So I just want to thank you for the outreach and the commitment you have made today on that. So thank you. I think, with that, no more questions. Carl, can we have a roll-call vote?

Roll Call Vote:

President Brandon – Yes
Vice President Adams – Yes
Commissioner Burton – Yes
Commissioner Gilman – Yes
Commissioner Woo Ho – Yes

President Brandon: The motion passes unanimously. Resolution 21-33 is adopted. Carl, next item, please.

- B. Request approval of a Resolution establishing a licensed vending pilot program on Port property; adopting associated regulations; and delegating implementation authority to the Executive Director. (Resolution 21-34)

Boris Delepine: Okay. The item before you is a follow-up to our June and July hearings related to the regulation of the sidewalk vending on Port property. Today, we're requesting your authorization to adopt operational standards applicable to mobile vendors as proposed in exhibit one of your report.

This includes delegation of your authority to the executive director to create and revise administrative regulations that implement the guidelines defined in the operational standards. A copy of draft administrative regulations are included as attachment C of your report. Next slide, please.

Could you actually jump to the following slide as well? By way of background, as we discussed in the past, Senate Bill 946, the Safe Sidewalk Vending Act, decriminalized sidewalk vending in public spaces across California and prohibited cities from requiring vendors to operate in specific parts of the right of way unless directly related to health, safety or welfare concerns.

SB 946 outlines what cities can and cannot do when creating regulations. Under SB 946, San Francisco's existing vending or peddler regulations were rendered inoperable. As a result of the law, we saw a significant increase in vending activity on Port property, particularly during the pandemic evidenced by the photograph on this slide.

Numerous concerns have been raised including public health and safety issues, violations of public health regulations on the sale of prepared foods, compliance with traffic and parking laws, maintaining accessible paths of travel, unpermitted alcohol sales and fire-code violations on wooden piers. Next slide, please.

It's been a long road to get to this point. In February, working with the city administrator's office, we convened an interagency working group that culminated in the development of the mobile vendor regulation ordinance introduced by Supervisor Peskin on May 18th.

We brought this issue before you in June. And it was then heard by the land use committee of the Board of Supervisors and recommended for approval on July 12th. Since your last hearing, the Board of Supervisors unanimously approved the legislation in late July.

Mayor London Breed signed the ordinance into law last Wednesday. The ordinance and pilot program will become effective 30 days after the mayor's signature on September 3rd. Next slide, please.

As a refresher, the ordinance brings our existing code into compliance with SB 946. It repeals police code sections not compliant with state law and establishes a permit program for vending on Port property.

The ordinance authorizes the Port Commission to adopt time, place and manner requirements for the program. At this point, I'll turn it over to Assistant Director Martin to review the program's operational standards and administrative requirements. Next slide.

Assistant Director Martin: Thank you, Boris. Good evening, commissioners. Mike Martin, assistant Port director. So here, I wanted to go through sort of the basic structure of the program. I think our goal has been to be very straightforward and try to keep the barriers to entry as low as possible.

So we're proposing, as we discussed last time, \$100 Port vendor permit fee. We'll reassess that over time after the first year of operation to see how that's achieving a recovery of our costs. But we felt like we wanted to make it as accessible as possible, so we have as much uptake of the program as possible.

The Port permit will also require sellers and vendors to get the underlying permits required to vend their merchandise. So for example, food vendors would be required to secure a permit -- food-facility permit from DPH and, if they're using a heat source, appropriate permit approval from the fire department.

Similarly, vendors selling handcrafted arts or crafts will be required to procure a street-artist certificate from the Arts Commission under their program. Next slide, please.

We will be identifying designated locations on Port property according to the map that was attached to your staff report this time. That map hasn't changed since our last presentation to you. We're looking to provide up to three vendors per location depending on sidewalk width and ability for there to be free circulation in the area.

We'll identify these by painting -- marking the pavement. So it's clear where these approved vendor locations would be. We're going to start out with a first-come, first-serve basis as we hopefully grow the program.

And we also engage with BCDC to secure their approval for these sites to the extent they're in their jurisdiction. And we expect to have that feedback in place before we move ahead with the program. Next slide, please.

Enforcement actions -- administrative fines and citation amounts are limited under SB 946 to these amounts shown here on the table. So we've incorporated that into our program as well. The executive director is authorized under the ordinance and under the resolution before you to designate enforcement officials. And we'll do that as part of the program rollout.

I think our goal is to continue the work with our city agency partners like DPH, DPW, the police department and the fire department to have a sort of multi-agency approach to this to make sure that people are complying and keeping the public safe.

But obviously, we need to have our own enforcement ability for our own program. So we'll be adding that to the menu as well for our enforcement strategy. Next slide, please.

We are continuing to work to complete the contract amendment that OEWD is working with us on with the Mission Economic Development Agency. The goal here is outreach, educational and technical assistance.

So once the contract is in place, the scope calls for MEDA to go out and meet with vendors on the ground, understand their desires and efforts to ply their business here at the Port, hopefully assist them in understanding -- providing technical assistance in the application process and all of the permitting they'll need to do to be appropriately permitted to do their work under the new program.

We think this is a critical part of our ability to actually have a success that balances the interest of these entrepreneurs with our tenants and the people that are enjoying the waterfront, the natural beauty and the recreational opportunity.

So we think this is critical. And obviously, if we see that we need additional linguistic capability, we'll use this outreach to identify what other resources we need. Next slide, please.

Wanted to note a few other items to close out in the proposed regulations -- we're continuing to have a dialogue with Arts Commission staff. Their street artist program was voter approved. So it's not easily amended or sort of integrated with ours.

So our goal is to make sure that vendors are able to enter that program without conflict with ours. And obviously, our program, we want to move forward and obviously don't want to violate any provisions of their existing program.

So we're in a good dialogue with them. And we hope to continue that to make sure that our program launch is something that sort of adds to the opportunities for commerce on the waterfront and doesn't take away from them.

Vendors, as I mentioned -- vendor spaces will be initially allocated on a first-come, first-serve basis. We'll see how that plays out and then initiate a space allocation process as sort of demand for spaces increases to make sure people have a fair chance at getting the key locations that they want to vend their merchandise or food.

And then, we wanted to highlight that we are adding good-neighbor requirements as part of the permit requirement so definitely trying to look out for making sure that this program is a success and not creating impacts that sort of detract from its success and have people unhappy with the vendors.

We want the vendors to be good neighbors just like all of our visitors, just like all of the people that come to Port property. So hopefully, those pieces together will help us continue to have a successful launch and move this program forward. Next slide, please.

So today, we're asking you to adopt the proposed resolution. If it's approved, we'll move ahead to complete the MEDA contract, prepare program documentation and take all other steps needed to implement the Port's pilot vending program when the ordinance takes effect in September '21.

And I just want to pause here to say today is a major milestone. We've been working on this for over a year. And I really want to commend the really strong work by Boris Delepine, my co-presenter today, as well as Joe Reilly in trying to manage this effort and also manage the on-the-ground sort of oversight of the situation as we sort of reopen from COVID and try to balance out and bring a program proposal back to you all that we think will really improve the Port's waterfront and improve our situation going forward. So with that, I'll close out and welcome any questions you may have.

President Brandon: Thank you, Mike and Boris, for the presentation. Commissioners, can I have a motion?

ACTION: Commissioner Gilman moved approval of the resolution. Commissioner Woo Ho seconded the motion.

Public Comment on Item 10B:

Taylor Safford: Good evening, commissioners. Again, this is Taylor Safford at Pier 39. I just want to recognize the work of staff to get this project to this point and strongly recommend and encourage you to support it, so we can get this program underway. Thank you.

Brian Hayes: Yes. Brian Hayes. I just want to tell you folks how -- I've been listening since 3:00 -- or 3:15. I'm so impressed with you people. I know we can't physically help. But I'm sending you air hugs because the leadership here, staff members -- it just makes me so proud as a taxpayer to tell you the truth.

I do -- I'm calling in to support that you adopt this resolution. I think it'll clean up a pretty big mess in the waterfront with 200-plus vendors. And it's an organized approach and fair to all. So thank you very much for your leadership. And I really appreciate it. Thank you.

Randall Scott: Good evening, President Brandon, Vice President Adams, esteemed commissioners and Director Forbes. Thank you for allowing me to speak today. I assure you I'll be brief. My name is Randall Scott. And I'm the executive director of the Fisherman's Wharf Community Benefit District.

On behalf of the entire district, we are over 100 percent in support of this pilot program. I could go on and on and on, but I won't. I believe this commission is well informed. And I really want to extend my thanks. I know it's been a huge heavy lift on the part of, you know, everybody.

But to you, the Port commissioners, thank you, Port staff, Elaine Forbes, Assistant Director Mike Martin, Boris Delepine, Joe Reilly, Supervisor Peskin, Legislative Aide Lee Hepner, my board of directors and, of course, my deputy director, Laura Schaefer, for her tireless efforts.

I'd also like to mention my friend and colleague at SF Travel, Cassandra Costello had to jump off and focus on her primary role as a mom. But she assured me that SF Travel is in full support of this pilot program as well. So thank you, thank you, thank you.

Commissioners' Discussion on Item 10B:

Commissioner Gilman: I just want to thank staff, Supervisor Peskin's office and the folks at Fisherman's Wharf, Pier 39, Little Embarcadero for working on this legislation. I enthusiastically support it and cannot wait to see it be implemented and see its results.

President Brandon: Thank you. Commissioner Woo Ho?

Commissioner Woo Ho: Yeah. I also echo Commissioner Gilman and want to thank all the people involved that she mentioned to get us to this point. I'm very supportive. I just had a couple of questions. I think it was referenced that we have about 200 vendors today [on the] sidewalk. I haven't been down there physically to see it.

But I would like to know, given sort of the -- what Mike Martin outlines, what would the density be now reduced to given that we want to regulate how many people in certain locations? What roughly would be the maximum that would now be number of vendors in the space now going forward?

Assistant Director Martin: Initially, portwide, we're looking at up to three per spot so approximately 34 spaces per day or 33 spaces per day.

Commissioner Woo Ho: Okay. Compared to the 200 that I'm hearing that one speaker referenced is the situation. So that's quite a cut back. So these permits on the rotational basis, is it every day? Or do they get it for a certain number of days, and then it has to rotate to somebody else? How does that work?

Assistant Director Martin: The permit is issued on an annual basis. What we're offering is first-come first-serve use of the stalls on a daily basis so load in and break down on the same day. As we issue permits that exceed the number of spaces, we'll move to a space-allocation approach so that everybody has a fair and equitable chance to get at each location on the waterfront over time.

So we're not guaranteeing the ability to do it every day. But I think the actual sort of -- the number of applicants and the number of permittees, I think, will determine what we do from here. We could expand the program if needed.

We'll bring that back to you, you know, with an information item if we think that's needed. But we think we're starting with a prudent number of sort of well-separated vendor locations to make sure that we have ability for visitors to travel on the waterfront. And then, we'll sort of evaluate our conditions as things move forward and as we get hopefully more vendors into the program.

Commissioner Woo Ho: Okay. My second question just relates to the obviously having to get permits from a food safety and, I guess, fire safety if they have any use of fuel, etcetera. But who is going to monitor the food safety on an ongoing basis to check that that they are meeting quality standards?

Assistant Director Martin: So that's something we'll partner with the Department of Public Health on. They've actually partnered with us on a number of visits already down to the Little Embarcadero in particular to inspect the quality of the food and deal with those that weren't following regulations.

So we'll continue to move that forward. I think the good thing is that someone who has followed through on their permitting from DPH will understand what those requirements are. So we feel like they'll have a good chance at sort of succeeding and showing that they're continuing to provide the food safety that we need.

Commissioner Woo Ho: Okay. Then, my last question relates to that -- well, also, in terms of just the cleanup on a daily basis, I mean I'm sure you're going to make that the responsibility of the vendors. But in terms of just resources from the Port, do we have the resources to make sure we can monitor in terms of, you know, cleaning up and just monitoring? I mean, is this going to require extra resource from the Port to oversee the program?

Assistant Director Martin: I would argue on the whole it's less resources than we're extending now in terms of dealing with the unpermitted vending and cleaning up after it. The vendors will be required under the good-neighbor policies to clean up after themselves.

Port maintenance, I think, has done a great job at dealing with the situation on the ground. You know, I think we'll rely on the eyes on the ground we already have between our property managers and wharfingers who are already out, you know, sort of walking in their portfolios and seeing what's going on.

So I think a lot of the cost to us really reside in sort of the staff administration of the permits as well as the contracting with our technical assistance. So we don't really know what it looks like until we get into it.

We'll come back to you and let you know what the costs of operating the program are. And we can evaluate whether the permit fee is adequately covering that or not going forward.

Commissioner Woo Ho: Okay. So right now, is there any interim steps taken to manage this until it's formally adopted? Or is it still just whoever shows up is out there today?

Assistant Director Martin: We're coordinating ongoing oversight of the rules not associated with this vending itself so trying to make sure people aren't doing parking violations associated with sort of loading in their stuff, DPH looking at folks who are not permitted selling food.

So we're not sitting back. But ultimately, this program is the real way to make sure people are complying with the relevant rules. So we think that is going to be a big step forward in bringing back sort of a more orderly use of the sidewalk that will allow people to better access the vendors as well as the waterfront itself.

Commissioner Woo Ho: Okay. Thank you, Mike. One curious thing -- I mean, we've heard this item now -- this is the second time. And interestingly, we have not heard the voice of the vendors themselves. So I guess they are aware that this is coming. Right?

Assistant Director Martin: Yes, absolutely. I mean, we've had staff speaking with those folks. So we've definitely been trying to reach out to them to understand their situation. I think we've got a number of anecdotal feedback about their interest level in becoming compliant.

I would say there is a portion -- a number of them that do. I think there's a number of them that I think will wind up going somewhere else where they don't have these rules. So I mean, ultimately, I think our goal with the technical-assistance contract is to make sure everybody who wants to comply will have a fighting chance to do so.

Commissioner Woo Ho: Okay. Thank you. That's the end of my questions.

President Brandon: Thank you. Commissioner Burton?

Carl Nicita: He's no longer here.

President Brandon: Okay. Vice President Adams?

Vice President Adams: Boris, Mike, thank you. I want to thank Supervisor Peskin's office. I really feel good about this. And this is the right thing to do. Once again, the Port is leading.

And I'm glad we're in a unique position being on the waterfront that we can make a difference in our society and to help some smaller businesses and to help some people especially with this COVID seem like it's continuing. So I'm very happy about it. I'm totally on board with it. Thank you.

President Brandon: Thank you. Again Mike and Boris, thank you so much for the presentation. I just have one question. You know, I know it's in the Little Embarcadero. But I know it's also across the street not on Port property. So how does this work in conjunction with the entire Fisherman's Wharf area?

Assistant Director Martin: I'm sorry. What's not on Port property?

President Brandon: Meaning that there are vendors on the sidewalk -- the non-waterside of Jefferson also.

Assistant Director Martin: So we've identified one spot -- I think -- are you talking about the spot that's on the south side of Jefferson in the map?

President Brandon: Well, no --

Assistant Director Martin: Because that's actually Port property.

President Brandon: I'm talking about like in front of -- I don't know what it's called now. But it used to be Believe It or Not, you know, that area -- the tourist area on the other side --

Assistant Director Martin: Sidewalk -- the southern sidewalk of Jefferson Street.

President Brandon: Yes.

Assistant Director Martin: So part of that is Port property. I thought you were talking -- we have a specific -- next to the Pier 39 garage, we have a location that's on the south side I thought you were talking about. But you're just talking about what if people set up off of Port property.

President Brandon: No. But I think they -- from what I understand, they are setting up off of Port property. So I was just wondering how this works in conjunction with the entire Fisherman's Wharf area with vendors who are not on Port property.

Assistant Director Martin: So we've been authorized to do a pilot program and assert time, place and manner regulations on Port property. So anyone who is not permitted on Port property can continue to do their vending off Port property up to the point in time where the city adopts a citywide program.

So in part, our program is meant to sort of see what it means to regulate under this new state regime. And then, you know, based on the comments we've heard in the legislative process, we sort of anticipate that there will be a move towards a citywide approach at some point in the future.

But until then, if someone is told, "Hey, you need to have a permit on Port property," they can just go off Port property and would not have the same enforcement challenge.

President Brandon: Okay. Got it. Well I'm glad that we're trying to do something on Port property. Thank you and Joe and everyone else for all the work that has gone into this. So with that, Carl, can we please have a roll-call vote?

Roll Call Vote:

President Brandon – Yes
Vice President Adams – Yes
Commissioner Burton – Absent
Commissioner Gilman – Yes
Commissioner Woo Ho – Yes

President Brandon: The motion passes unanimously. Resolution 21-34 is adopted. Carl, next item, please.

C. Informational presentation on Pop Up Request for Qualifications.

Crezia Tano-Lee: Good evening, commissioners, President Brandon, Vice President Adams, Director Forbes. Crezia Tano-Lee from the real estate and development division at the Port. I'm here presenting on the pop-up RFQ.

I'd like to acknowledge several Port staff who have been instrumental in supporting me in executing the -- releasing the RFQ and implementing the process. So those folks are: Tiffany Tatum, Toni Autry, Bob Davis, Joyce Chan, Deirdre Hussey, Randy Quezada and, last but not least, Stephanie Tang and Annette Mathai-Jackson have been immensely supportive during this process. Next slide, please.

As you know, we have been discussing the pop-up RFQ since February of 2020 when the commission authorized staff to release it. In the next month, a global pandemic turned our world upside down.

And in this time, we have learned much about the pandemic. But what has become most evident is that open space and, in particular, our open space is a critical asset for the city to enjoy. As vaccination distribution ramped up and recovery was on the horizon, Port staff decided to release the pop-up RFQ with the goal of delivering vibrant and diverse waterfront experiences that enrich the city and San Francisco Bay by activating our parks' open space and outdoor public facilities along the waterfront. Next slide, please.

However, as we all know, COVID continues to be present in our city and that our partners will indeed need to honor some community values, one of which is ensuring that we are safely engaging the public based on changing COVID-19 health orders.

And the second value is that we are creating opportunities for small local businesses and BIPOC communities along our waterfront. Next slide, please.

The RFQ asked respondents to self-categorize their proposed activations into small, medium and large with thresholds based on square footage and occupancy identified on this slide. We did want to note that small-scale activations -- we intended for that to not include things like open flame, placement of stanchions and barricades, installation of structures or include food or alcohol service so to create a streamlined process for these small-scale activations. Next slide, please.

Port staff from various divisions collaborated to develop an outreach list of over 125 waterfront stakeholders and city organizations. This list included organizations like the San Francisco African American Chamber of Commerce, Chinatown Community Development Center and SOMA Pilipinas.

Prior to the release of the RFQ, Port staff contacted key stakeholders to make them aware that the RFQ would be released. And on May 7th, we released the RFQ and conducted a significant email blast to over 125 stakeholders.

On May 10th, Port staff coordinated Listserv blasts with city agencies such as CMD, OEWD, the Arts Commission -- sorry, I shouldn't say all these out loud because it's alphabet soup -- Grants for the Arts and the Office of Small Business.

And we were able to touch over 10,000 stakeholders citywide. On May 14th, we conducted a virtual pre-submittal meeting where 21 participants attended and asked questions. We were able to answer nearly 30 questions in formal responses posted on our website.

On June 14th, calls were made to small businesses and community organizations who registered to be kept informed of the RFQ to remind them that the due date would be on June 17th. And with that, we had submittals due on the 17th for a six-week open period.

I really would like to highlight that the RFQ process was really managed by Stephanie Tang, our contracts and procurement manager. Next slide, please.

So in terms of outcomes, we convened a panel review process with representatives from the city administrator's office, the Arts Commission and two Port staff. These folks reviewed 22 submittals categorized into nine small, four medium and nine large.

And of that, the panel found that 17 were qualified based on various criteria, five in the small category, four in the medium and eight in the large.

I am confident in saying that we have geographic diversity along our waterfront from as far north as Fisherman's Wharf and as far south as Heron's Head Park and everything in between. Four of the qualified respondents indicated that they were open to several geographic locations within our portfolio. Next slide, please.

While we did not collect race data, we know that some of the qualified respondents represent BIPOC communities. Organizations such as the Bay Area Jazz Mobile have racial diversity. We know that Gumbo Social, who has a big presence within the Bay Area, is an African-American owned business.

So I have a lot of faith that our organiza -- our efforts are going to promote opportunities for small and local businesses and BIPOC-owned businesses. Next slide, please.

I'd like to highlight early opportunities that we see. The Fisherman's Wharf CBD is proposing an art installation in the Fisherman's Wharf that will result in a photo competition and will draw visitors out to that area.

The Bay Area Jazz Mobile that's photographed here in the top-right corner is an easy opportunity for us to activate along several locations along the waterfront in the summer months coming. And En2action, which is a nonprofit that is heavily engaged in our southern waterfront, has submitted a proposal to activate Heron's Head Park.

There are other noteworthy opportunities. I'd like to highlight again Gumbo Social, who is photographed here in the bottom-left corner. He has historically been a market vendor all throughout the Bay Area. And his proposal is to do food competitions at several of our larger open spaces along the waterfront.

Chalos Empanadas is an existing brick-and-mortar restaurant out in the Sunset District. It's owned by a family, one of which is a San Francisco native. And this opportunity is to really provide a mobile expansion to get more visitors to come to their restaurant in the Sunset District.

And Crepes A la Cart is an existing brick-and-mortar business in District 3. So we're creating opportunities for not only [folk] stakeholders along our waterfront but opportunities citywide for small businesses. Next slide, please.

I do want to acknowledge that there are opportunities that require further community engagement and coordination. As you heard in the prior presentation by Boris and Mike, there were several vendors that submitted that wanted to be present at Pier 1/2.

So we are going to coordinate these responses with the pilot vending program that we will be launching next month. There was a submittal for activation of the cruise ship terminal area, both the Pier 27 open space and also the terminal plaza and the parking lot.

We recognize that cruise is back. We want to be very supportive of that industry coming back to life so just making sure that we're coordinated there. And then, of course, Pier 30/32, which has hosted many of our large events, saw a lot of interest from the respondents.

We want to recognize that there is a lot of work to be done in engaging the community around there. Next slide, please. In terms of next steps, there were several respondents that requested or indicated that a fee waiver or a fee reduction would benefit their activation.

So we will be reviewing those proposals more in depth. We will be sending out a survey to those who registered to be informed about the RFQ but did not submit to the RFQ to understand what the barriers were to their participation and see what feedback we get, so we can incorporate it in any potential RFQs that we might release in the future.

In terms of communicating with our qualified respondents on next steps, you know, we have been in communication with those that indicated a September/October activation target. And then, all the other respondents we will be getting into conversations with on starting to figure out licensing vehicles for all the activations.

In terms of community engagement, we will be at the Southern Waterfront Advisory Committee on August 25th and the Northern Waterfront Advisory Committee on September 15th. And in terms of targeted engagement, we want to -- we really want to dive in a little bit deeper with respect to Pier 30/32 to understand the community values and concerns.

And we want to ensure that the -- curating a program incorporates community values and concerns. That comes out of that process and supports our strategy for the 30/32 development project.

In terms of Heron's Head Park, as you know the EcoCenter is managed by the Recreation and Park Department.

And there is a Heron's Head advisory group that advises the Port and RPD on programming. So we want to be in alignment with them with respect to what occurs at that asset. Next slide, please.

That's the end of my presentation. I'm happy to answer any questions you may have for me. Thank you so much.

President Brandon: Crezia, thank you so much for that presentation. We will now open the phone lines to take public comment on item 10C from members of the public who are joining us on the phone. Jenica will be our operator and will provide instructions now for anyone on the phone who would like to provide public comment.

Public Comment on Item 10C:

[Jess Martin]: Hello. Hi. This is Jess Martin. I'm a resident of Mission Bay. And I'm particularly interested in the area by the Pier 52, the boat ramp. I'm part of a committee that is in charge of enhancing Mission Bay [unintelligible] for the residents.

And I've been living here for -- I don't know -- 10-plus years. And so far, that area has not been used for anything. Right. They only use it [unintelligible]. Sometimes, there will be children playing around.

But more often than not, we see homeless issues. And from what I understand, the city is not cleaning any homeless encampments anymore because of COVID. So now, we have two individuals who were placed there.

And when people pass by, they actually cuss at them. And [unintelligible]. And I believe there's stolen property. And from what I understand, that area is covered in the pop-up request. And we tried to implement -- we suggested ideas for a free gym similar to the one we had in the marina that would be fully paid for and installed.

But apparently, in the midst of our discussions, this area was placed in the [unintelligible] where it was not considered even for a free project that would enhance the area and avoid these issues that we're facing now.

So I guess I would like to understand when would we really reach a final conclusion as to what is happening to that area because it is unfair to the residents to bear the consequences of inaction of the city and the Port Authority.

Even when we try to implement suggestions that were endorsed by both [buildings with like] 300, 400 residents as well as people next door and -- everyone was very excited about the project. But so far, we couldn't make it come to fruition because there were other plans for the city.

Commissioners' Discussion on Item 10B:

Commissioner Woo Ho: Yes. Thank you, Crezia, for the presentation and also all the other people that you mentioned that are working on this. I think

the idea of activating the open spaces on the waterfront is a wonderful idea particularly really ties in well with what we're trying to do -- on the economic recovery and liven up the waterfront as we -- during COVID.

And actually even post-COVID, we'd like to see the waterfront activated on the small, medium and large spaces. I wanted to understand, under the pop-up kind of concept, what do we mean in terms of how long is the pop-up allowed to be a pop-up so that -- I think we've learned in the past sometimes we let people come into the space.

And then, all of a sudden, it becomes permanent. So it may not be a bad idea. But on the other hand, I'd kind of like to understand pop-up because there may be some other idea that comes along that then feels that they don't have the ability to come in as a pop-up.

And I also want to understand that -- you did this on an RFQ basis. And you have all the submissions in review, etcetera. How could we make this more of a program versus a one-time RFQ process? So I guess I have separate questions. And I have a couple other questions. But let me stop there and have you answer these so far.

Crezia Tano-Lee: Thank you, Commissioner Woo Ho. So in terms of license term, we did say that licenses could be made for up to one year. We recognize that, especially with activations on the water side under BCDC jurisdiction, that there is a -- there are other coordination we have to do with BCDC to understand time limitation.

So we will work very closely with BCDC on that. But I think, for the -- in terms of it being a pop-up, there actually is diversity. There are some that are proposing one-day events or pop-ups that are every third Saturday of the month. And then, there are some that want to be present, you know, as much as every day for 365 days of the year.

You know, so we're evaluating all of those a little bit more to see how we can accommodate those proposals. On the --

Director Forbes: Crezia, [crosstalk] could help out. I just wanted to answer to Commissioner Woo Ho's question because you did a very good job providing her context. But in terms of making sure that we don't have a permanency that establishes itself, that we really perhaps would want to competitively bid -- and I can remember certain uses when I came to the Port like the soccer field in the Pier 27 area that had been there temporarily.

And it was possibly not the best use. Or we should have competitively offered it. So I think the response to that question is that these agreements

will come to the Port Commission if there's a certain amount of term associated.

But if they fit into the temporary -- really what Crezia was talking about, they would be under delegated authority. I think that's how the execution would work. And Crezia and Mike, please help me with any details I might have missed.

Crezia Tano-Lee: You're absolutely correct. We're evaluating each of the proposals to see what falls under the Port's general special-event permit with BCDC. And we're trying understand what terms might be triggered that would require further commission action.

Commissioner Woo Ho: Okay. I appreciate Director Forbes's comments. I really do think -- because, when you first said somebody wanted to get it up for one year, that seemed to me like a short-term lease, not a pop-up. So I was thinking that definition did not necessarily seem to match.

I do think there should be a policy developed which we don't have to go into the details of that today but that you come back to us in terms of what would be delegated authority. Even under delegated authority, what is the policy as far as how long a pop-up is a pop-up because a pop-up normally suggests that it's really a very temporary use.

It's not a long-term use. So I think we need to have some guidelines and some policies developed so that we understand exactly how this is going to work and that we don't have a situation where, you know, squatters' rights. It's like, well, I'm here.

And particularly, since you mentioned -- and I am empathetic to perhaps some of the smaller-space uses that they don't want to charge -- you know, they don't want us to charge a fee though I would suggest that you think about that, if they don't wish to pay a fee and we are supporting that, that we need to know at what point where maybe, if they're very successful, there would be a point where there might be some sort of sharing with the Port if they are.

So I think you need to think about those things. I think, on the medium and larger spaces, I really do think we need to think about the economics of it both for the Port and for the user.

So I think it can't be -- I would be leery of having a blanket fee waiver because, obviously, there's a reason why these people want to do pop-ups. I mean, as you said, a couple cases, they're trying to generate traffic to their other locations, to their permanent locations.

In other cases, they're thinking that they are going to generate some revenue that would be bringing a bottom line to them. So we just want to be fair. But I think we don't want to necessarily say that the Port won't share in something.

So I think there is a differentiation between the small, medium and large and depending on who the user is. But it seems like there's a lot more to think about. How do we do that without some sort of blanket policy?

Because that would be concerning to do a blanket policy for a large space, as an example, unless it's some sort of charity that we would be convinced. And maybe that it is an item that you would have to come back to the Port Commission on a transaction level.

I don't know. You can develop guidelines. But those are things that think we need to think about some more. But I think the general idea of activating our spaces is absolutely a great one. I just think we need to put some guideposts on how we want to make sure that it's being used wisely and fairly, and also we're sharing in the success of the users here along the way.

Also, I think, as Director Forbes mentioned, that we give other people chances to succeed in these spaces and not give it just to one exclusively for too long so that there are other people that can rotate in and out which is, I think, what pop-ups are supposed to basically be. Does that make sense?

Crezia Tano-Lee: Thank you, C -- yes, Commissioner. I've taken down these notes. And we will return to commission with this more fully fleshed out.

Director Forbes: If I could ask for an additional clarification, there may be some that would look like leases. And it is our intention that we would bring a lease conversation to the commission if that were something that rose to the top and we would recommend or want policy guidance on but have the guideposts and the definition and policy development around the pop-up program.

And I just wanted clar -- I just wanted to put that on the record and make sure I understood the direction clearly.

Commissioner Woo Ho: Yes. I mean, if it looks like a lease, then absolutely bring it to us as a lease. As I said, we're going to leave it up to you to make that judgment call. And obviously on certain things, there should be delegated authority that we don't have to look at everything. But I think there just seems to be -- I think we need to flesh it out a little bit more --

Director Forbes: Yes.

Commissioner Woo Ho: -- understand it better. But I think the overall idea is to make use of the space whenever we can for lots of different reasons. And I think that makes sense.

Director Forbes: Thank you. And we will work with legal on our parameters around how we can use our recruitment and make good recommendations on how to move forward. Thank you so much.

President Brandon: Thank you, Commissioner Woo Ho. Vice President Adams?

Vice President Adams: Crezia, thank you very much. I think Commissioner Woo Ho hit on everything I needed. I think she wrapped it up very thorough for me and just want to say thank you. And I'm waiting for you to come back.

This is very exciting. Once again, as I said, I feel like we're on the mend even amidst this COVID, that we're doing some big strides. So thank you.

Crezia Tano-Lee: Thank you.

President Brandon: Thank you. Crezia, thank you again for the presentation. Thank you and the team for all the work that went into creating this RFQ. Commissioner Woo Ho had some great questions. And I think I was also thinking more about the parameters and how these 17 leases, if moved forward, how they would be structured not knowing what they've requested to do.

But I really have a question regarding -- there were 22 submittals that met minimum qualifications. And then, there were 17 that met the minimum score of 70 points. So I'm just wondering what the five that were declined -- and then, I see that there was a protest that was denied. So can you just tell me a little bit about that?

Crezia Tano-Lee: Yeah. So we -- I don't know if Stephanie is still on the line. She helped to manage that part of the process. But of those five -- let's see my spreadsheet. So really, it came down to scoring. So the panel -- there were four members.

There was criteria that were set with community impact, previous experience, etcetera. So those four members -- it really came down to their review of the submittal and their scoring. And I'm looking at that now. Those scores were below the 70. And so that was really the biggest factor in them not meeting that 70-point threshold.

President Brandon: Right. Okay. I get that. I do get that.

Crezia Tano-Lee: Yeah. I guess it's hard for me to say because I -- you know, the panel reviewers were selected based on their experience. They had previous experience in the Arts Commission and doing special events. And the city administrator's office had done community organizing.

And then, our Port staff here were very much involved in EIP and REAP. So we really trusted that they would apply a judgment in evaluating these proposals. I don't -- the score sheets, I -- it was their judgment that really gave them those scores.

President Brandon: Okay. It's not -- okay. Then, what about the protest?

Crezia Tano-Lee: The one protest was -- he felt very strongly that he should have scored more than 70. But the package that he submitted did not -- the panelists did not feel like that he submitted -- he answered all the questions in a way that would provide him a 70-point score.

President Brandon: Okay. So the next steps are you're going to figure out what each of these respondents needs. And then, you're going to then come back to us and -- what's the next steps?

Crezia Tano-Lee: So in terms of next steps, we're going to look at all of the scheduling. You know, as of right now, it appears that we can accommodate all of the 17 proposals. There is -- you know, I do think that we -- you know, most of these submittals can typically fall under our special-event license.

So we are going to execute -- we intend to execute some of those small-scale early licenses for a September/October activation. And then, the other proposals that will require more permit review, we will be coordinating that and convening an internal review process for those to figure out what might require further commission action. I see Mike is coming to help me out.
[laughs]

Assistant Director Martin: I just wanted to chime in. I'm sorry. I should have had my info in. So for these initial ones, these free events, we're trying to use the existing commission-delegated authority for special events that we use for other people that just come in off the street.

So we wanted to get that kicked off while we work through some of these harder cases that reflect what Commissioner Woo Ho was saying about people wanting more time or more revenue-generating events where we have to figure out what is the right share for the Port and also doing community engagement around the events that are going to have more impacts on other people.

I think the goal of the scoring was really to look to find people who had experience with their events. Those who didn't make it through the minimum qualifications or minimum scoring we're happy to continue talking with them and seeing if there's a way to bring their events forward.

So we're really starting sort of with baby steps with sort of activations that we know are sort of going to bring something to the waterfront while we work out these other rules. So we'll bring those back to you as we sort of work through those pieces including with the community engagement that you heard about earlier.

President Brandon: Thank you. So I guess this goes back to Commissioner Woo Ho's question. Is this something that's going to be like ongoing? How is this pop-up opportunity going to work going forward? We have these 17 that we're going to look at this time, this space. But when is the next activation? When do we put it out again or give others opportunity to engage?

Assistant Director Martin: So we don't consider the door shut at this point. I'm sorry to jump in. But I think our goal was to get people in the door to say, "We want to do this." And we want to help people get special events onto Port property in a way that maybe they weren't aware of.

It's also part of our reopening strategy. But certainly, if someone came in tomorrow and said I wanted to do a special event on Port property, we would accommodate them just as we have all the time when people come in and say they want to do that.

We have a special-event-fee regime that you've approved under the parameter-rate delegation of authority. We have a form special event. We know how to do these things on a regular basis. So I think we'll see the success of getting these 17 events going.

And we'll see if it's worthwhile to do this again and sort of cast a wider net or if we've got sort of a -- I think our goal is to have a self-sort-of-reinforcing, perpetual-motion machine of people coming in to say, "I want to activate Port property. I saw what you guys did at Crane Cove Park or in Mission Bay. And I want to do that as well somewhere else."

I mean, that's where we want to get to. But ultimately, I think this was a good opportunity to get people to be aware of us and for us to sort of sharpen our game about the different types of special events that want to come here and what we need to do to accommodate them.

President Brandon: Great. Thank you.

Commissioner Woo Ho: So this is Commissioner Woo Ho again. I would like to just ask -- so I guess, under the special-event program and parameters, there is probably a time period of how long that special-event parameter is. And what is that right now?

And how many of the 17 would fall within those parameters? And how many would not fall in? Because that's the one that -- while you develop all the very more detailed guidelines, in the meantime you're trying to work through the 17.

So I'm trying to understand how many of the 17 would fall under the special-events guidelines today in terms of their request. And how many would not and would have to wait for rules to be developed?

Or should we put in some preliminary to say we don't want anybody to have use of the open space for more than X days, as an example? Because, I mean, when I heard the request for one year, that kind of makes me a little bit uncomfortable because it doesn't seem like that's a -- that really feels that it falls within what I consider what we're trying to do here with the pop-up policy.

Assistant Director Martin: Commissioner, definitely appreciate your question. I think there's something that's been a little misinterpreted here. The one year was the full amount of time over which an activation could be authorized. But we did not expect anyone to use any specific space for a year straight.

The idea was you could get a license for a year to come every other weekend. And you wouldn't have to come in and get a new license for every other weekend. So the special-event delegated authority doesn't limit how long a special event can go. But it charges per-day fees.

So ultimately, no one is going to pay for a year's worth of fees when they could rent a space for much less if that's what they wanted to do. So none of the events that we're moving forward with now are an extended right to occupy any property.

And we'll come back to you with anything that we talked about earlier that has significant revenue-generation possibilities that we want to understand what the commission's feedback is or other community engagement needed to sort of reconcile between sort of rotating different uses such as at Piers 30/32.

So again, I'm sorry that we gave you the impression that there was going to be a potential for a lease of a year of any spot. We're not doing that. What we may do is offer people the opportunity to activate over time. But we would limit that time.

And certainly, if something is looking more like a lease, we've heard the commission's concern. So we'll bring back to you any guideposts that we think are appropriate. So we can have an action item because right now this is an information item.

Commissioner Woo Ho: Yeah. Okay. I appreciate that. That's a very good clarification. But I guess, for instance, in the old days, which we actually did not participate in, but Cirque du Soleil actually took over, as we know, Parking Lot A.

And we wouldn't mind having them come back to Pier 30/32 as an example. That would be a pop-up because it's only a certain period of time. Right. That would be --

Assistant Director Martin: That would be a lease because, ultimately, that's a revenue-generating opportunity that's different than a special event, come one, come all. So at Lot A, that was through the Giants. But we still enjoyed some benefits from that under our relationship with the Giants.

So I agree that it's a pop-up. But at the same time, it's different in context from the pop-up jazz that we're talking about or something else that's free to the public's enjoyment.

Commissioner Woo Ho: Okay. Well, I look forward to hearing more sort of the guideposts and the policies. But the 17 that you're referring to -- it's a little bit of an -- obviously, it's a pilot. And it's going to be a little bit trial and error because we probably will learn some things that we might want to modify as we go over time as well.

Assistant Director Martin: Absolutely. I think we're learning especially with the feedback from the operators about what they can sort of afford in terms of the fees. And I think what we want to bring back to you eventually as part of a parameter-rate approval is sort of a gra -- more of a gradation of our special-event fees for small, medium and large maybe to sort of better reflect the different sort of impacts that events have.

So I think this is a good information-gathering effort for us as well. And I think these guidelines will not only affect these 17 but hopefully how we manage special events going forward.

Commissioner Woo Ho: Right. I think also, if you could also give us, as Commissioner Brandon also mentioned, you know, how do we make this a programmatic sort of program so that, you know, you don't have to come back to us each time you put a request out there but that it's self-sustaining, I guess.

We're not there yet. But it would be nice to know how that could work in the future and if you could come back to us and let us know.

Assistant Director Martin: Definitely. Absolutely.

President Brandon: Thank you. We really appreciate the presentation. Thank you for all the great work.

Crezia Tano-Lee: Thank you.

11. NEW BUSINESS

Director Forbes: I have to come back on revenue projections to discuss Port economic recovery and also a joint briefing with the SFMTA -- so many folks are frozen. I hope you all can hear me. Okay. Good -- a joint briefing with the SFMTA at a time convenient for both commissions. Is there any other new business?

Vice President Adams: You're coming back on -- does that include parking, right?

Director Forbes: Yes. Definitely.

Vice President Adams: Okay. Thank you.

President Brandon: Is there any other new business? Can I have a motion to adjourn?

12. ADJOURNMENT

ACTION: Commissioner Woo Ho moved to adjourn the meeting. Vice President Adams seconded the motion. In a roll call vote, the motion passed unanimously.

President Brandon - The meeting is adjourned at 7:46 p.m.