

# SAN FRANCISCO PORT COMMISSION

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

**Elaine Forbes, Executive Director**  
**Office: 415-274-0400**

**Carl Nicita, Commission Affairs Manager**  
**Office: 415-274-0406**

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

**TUESDAY, OCTOBER 12, 2021**  
**2:00 P.M. CLOSED SESSION**  
**3:15 P.M. OPEN SESSION**

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

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

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

<p><b>TO STREAM THE LIVE MEETING:</b></p> <p><a href="https://sfgovtv.org/sfgovtv-live-events">https://sfgovtv.org/sfgovtv-live-events</a></p> <p><b>TO MAKE PUBLIC COMMENT:</b></p> <p>Dial 415-655-0001 Participant Code: 2485-957-8989#</p> <p>When prompted, press *3 to be added to the public comment queue.</p>	<p>If you are in the public comment queue, an audio prompt will indicate when it is your turn to speak.</p> <p>Public comment is limited to 3:00 minutes and must be in respect to the current agenda item.</p> <p>When making public comment, please:</p> <ul style="list-style-type: none"><li>• Ensure you are in a quiet location</li><li>• Turn off any TV's or radios around you</li><li>• Speak Clearly</li></ul>
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*The Port Commission Agenda as well as Staff Reports/Explanatory Documents available to the public and provided to the Port Commission are posted on the Port's Website at <https://sfport.com/meetings/15>*

**1. CALL TO ORDER / ROLL CALL**

**2. APPROVAL OF MINUTES – September 14, 2021**

**3. PUBLIC COMMENT ON EXECUTIVE SESSION**

**4. EXECUTIVE SESSION**

A. Vote on whether to hold a closed session and to invoke the attorney-client privilege regarding the matters listed below as Conference with Legal Counsel.

(1) Conference with Legal Counsel – Anticipated Litigation (one matter). Discussion of initiation of litigation pursuant to California Government Code Section 54956.9(d)(4) and San Francisco Administrative Code Section 67.10(d)(2)

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

**5. RECONVENE IN OPEN SESSION**

A. Possible report on actions taken in closed session pursuant to Government Code Section 54957.1 and San Francisco Administrative Code Section 67.12.

B. Vote in open session on whether to disclose any or all executive session discussions pursuant to Government Code Section 54957.1 and San Francisco Administrative Code Section 67.12.

**6. PLEDGE OF ALLEGIANCE**

**7. ANNOUNCEMENTS**

A. Announcement of Time Allotment for Public Comments: Please be advised that a member of the public has up to three minutes to make pertinent public comments on each agenda item unless the Port Commission adopts a shorter period on any item. Please note that during the public comment period, the moderator will instruct dial-in participants to use a touch-tone phone to register their desire for public comment. Audio prompts will signal to dial-in participants when their Audio Input has been enabled for commenting. Please dial in when the item you wish to comment on is announced.

**6. PLEDGE OF ALLEGIANCE**

**7. ANNOUNCEMENTS**

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

## **9. EXECUTIVE**

- A. Executive Director's Report
  - Economic Recovery
  - Equity
  - Key Project Updates

## **10. CONSENT**

- A. Request approval of a resolution adopting a Competitive Selection Process Communications Policy to support the integrity of the competitive selection process for Port contracts; and authorize the Executive Director to implement this policy through competitive solicitation documents. (Resolution 21-39)
- B. Request authorization to award Deloitte & Touche LLP a contract for Implementation of Government Accounting Standards Board Statement Number 87 in a contract amount not to exceed \$200,000. (Resolution 21-40)
- C. Request approval of a proposed 2-year lease with rent credits between the Port of San Francisco and Silverado Contractors, Inc. for a vacant area of the Port's Pier 70 Shipyard. (Resolution 21-41)
- D. Request approval of a resolution adopting findings under new State urgency legislation to allow remote meetings during the COVID-19 emergency; continuing remote meetings for the next 30 days; and directing the Commission Affairs Manager to agendize a similar resolution at a Commission meeting within 30 days. (Resolution 21-42)

## **11. PLANNING & ENVIRONMENT**

- A. Informational update on the Port of San Francisco's efforts to address conflicts on the Embarcadero Promenade in support of the City's Vision Zero traffic safety goals.

## **12. PLANNING & ENVIRONMENT**

- A. Informational presentation on the Department of Homelessness and Supportive Housing's ("HSH") Compliance with Option Exercise Conditions to extend operations of the Embarcadero SAFE Navigation Center at Seawall Lot 330 for an additional 24 months.

## **13. WATERFRONT RESILIENCE PROGRAM**

- A. Request approval of a resolution authorizing the Executive Director to enter into a new Feasibility Cost Sharing Agreement (FCSA) with the United States Army Corps of Engineers (USACE) for the San Francisco Waterfront Coastal Flood Study (Study). (Resolution 21-43)

**14. NEW BUSINESS**

**15. ADJOURNMENT**

**PROPOSED AGENDA  
SUBJECT TO CHANGE**

**OCTOBER 26, 2021**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Seawall Lot 330	Action	Request determination of the Department of Homelessness and Supportive Housing's ("HSH") compliance with Option Exercise Conditions, and affirmation of the HSH's exercise of the Option to Extend for Memorandum of Understanding No. M-16518 between Port and HSH for temporary use of a portion of Seawall Lot 330 for the Embarcadero SAFE Navigation Center for an additional 24 months
2	Portwide	Action	Request authorization to advertise with competitive bids for a two-year Maintenance Dredging Construction Contract
3	Portwide	Informational	Presentation on equity opportunities in construction project delivery methods
4	Portwide	Informational	Presentation on proposed Retail Fish Sales policy amendments

**NOVEMBER 9, 2021**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Portwide	Action	Request approval of proposed Retail Fish Sales policy amendments
2	Portwide	Informational	Presentation on strategies for collection of accounts receivable
3	Portwide	Informational	Report on the Contracting Activity for Fiscal Year 2020-2021 (July 1, 2020 – June 30, 2021) and Updates on the Local Business Enterprise Strategy
4	Portwide	Informational	Report on Waterfront Resilience Program (WRP) Local Business Enterprise (LBE) Subcontracting and WRP Equity Actions

**DATE TO BE DETERMINED**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Seawall Lot 354	Action	Request approval of a Memorandum of Understanding (MOU) M-16808 between the Port of San Francisco and the San Francisco Municipal Transportation Agency (SFMTA) for use of a portion of Seawall Lot 354 (also known as 1399 Marin Street) for general office, general warehouse, storage, related parking of SFMTA staff vehicles, maintenance and repair

			of SFMTA buses including fueling and washing of same, and for incidental, directly-related uses and for no other purpose for a term of seven years and a waiver of the security deposit.
2	Pier 70 Shipyard	Action	Request authorization to advertise Port Construction Contract 2843, Pier 70 Shipyard Uplands
3	Portwide	Informational	Presentation on proposed Guidelines for Recognition or Commemoration at the Port of San Francisco
4	Piers 30-32 & SWL 330	Informational	Presentation on the project status with Strada Trammel Crow Companies Partnership LLC for the Piers 30-32 & SWL 330 the generally located along the Embarcadero between Bryant and Beale Streets
5	Piers 39-43.5	Informational	Presentation on PG&E Offshore Remediation Project
6	Portwide	Informational	Present status of San Francisco County Transportation Authority's Downtown Congestion Pricing Study
7	Portwide	Informational	Presentation on Alternative Project Delivery Methods
8	Pier 80	Informational	Update on PASHA Operations and Local Hire Performance at Pier 80
9	Pier 70 Historic Core	Informational	Presentation on formation of a Community Facilities District (CFD) over the Pier 70 Historic Core area (including Buildings 14, 101, 102, 104, and 113-116 located at Pier 70)
10	Pier 70, Parcel K North Plaza	Informational	Presentation of the Schematic Design of the Parcel K North plaza located at the southeast corner of 20th and Illinois Streets
11	Pier 70	Action	Approval of resolution directing staff to seek issuance of the first Pier 70 Lease Properties Community Facilities District bond from the Board of Supervisors
12	Portwide	Action	Approval of amendments to Port of San Francisco Tariff No. 5 (Rules, Regulations, Rates, and Charges)
13	Piers 19-23 and Piers 29-31	Action	Authorization to issue a Request for Proposals for the rehabilitation and development of Piers 19-23 and Piers 29-31, located near The Embarcadero at Lombard Street
14	Mission Bay Ferry Landing	Informational	Presentation on proposed lease with Water Emergency Transportation Authority Transportation to lease and operate the Mission Bay Ferry Landing for ferry service
15	Mission Bay Ferry Landing	Action	Authorization to accept and expend \$25 million from WETA and from private contributions for the Mission Bay Ferry Landing, subject to the

			Board of Supervisors' approval, and authorization to enter into a Memorandum of Understanding with WETA governing expenditure of the \$25 million
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**OCTOBER / NOVEMBER 2021  
CALENDAR OF UPCOMING PORT MEETINGS – OPEN TO THE PUBLIC**

DATE	TIME	GROUP	LOCATION
OCT. 26	2:00 PM Closed Session 3:15 PM Open Session	Port Commission	VIRTUAL
NOV. 9	2:00 PM Closed Session 3:15 PM Open Session	Port Commission	TBD

**NOTES:**

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

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

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

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

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

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

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

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

### **ACCESSIBLE MEETING INFORMATION POLICY**

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

### **DISABILITY ACCOMMODATIONS**

To request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please contact Wendy Proctor, Port's ADA Coordinator at (415) 274-0592 or via email at [wendy.proctor@sfport.com](mailto:wendy.proctor@sfport.com) or Carl Nicita at (415) 274-0406 or via email at [carl.nicita@sfport](mailto:carl.nicita@sfport) at least 72 hours in advance of the hearing. The Port's TTY number is (415) 274-0587.

### **LANGUAGE ASSISTANCE**

**311 Free language assistance** / 免費語言協助 / Ayuda gratuita con el idioma /  
Бесплатная помощь переводчиков / Trợ giúp Thông dịch Miễn phí / Assistance  
linguistique gratuity / 無料の言語支援 / 무료 언어 지원 / ทว“ ๖ “งภ“๕“ ’ ค / Libreng tulong  
para sa wikang Tagalog

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

#### **SPANISH:**

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

#### **CHINESE:**



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

請在聽證會舉行之前的至少48個小時提出要求。

### **TAGALOG:**

Adyenda ng Komisyon ng Pagpapalano. Para sa tulong sa lengguwahe o para humiling ng Pantulong na Kagamitan para sa Pagdinig (headset), mangyari lamang na tumawag kay Jenica Liu sa 415-274-0471. Mangyaring tumawag nang maaga (kung maaari ay 48 oras) bago sa araw ng Pagdinig.

### **RUSSIAN:**

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

## **NOTICES**

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

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

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

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

### **Lobbyist Registration and Reporting Requirements:**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Campaign & Government Conduct Code Sections §2.100 – 2.160) to register and report

lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness, Suite 3900, San Francisco, CA 94102, phone (415) 581-2300 or fax (415) 581-2317; web site: [www.sfgov.org/ethics](http://www.sfgov.org/ethics).

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

If the Commission approves an action identified by an exemption or negative declaration as the Approval Action (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA decision prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. Typically, an appeal must be filed within 30 calendar days of the Approval Action. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Department's Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at <http://sf-planning.org/index.aspx?page=3447>. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

**Prohibited Contributions by Persons with Pending Land Use Matters:**

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