



SAN FRANCISCO PORT COMMISSION

**OCTOBER 12, 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 October 12, 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 2:01 p.m. The following Commissioners were present: Kimberly Brandon, Gail Gilman and Doreen Woo Ho. Commissioner John Burton joined the meeting during closed session at 2:13 p.m. Vice President Adams was absent.

The Commission Affairs Manager read the Ramaytush Ohlone Land Acknowledgement.

2. APPROVAL OF MINUTES – September 14, 2021

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

3. PUBLIC COMMENT ON EXECUTIVE SESSION

No Public Comment.

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.

ACTION: Commissioner Gilman moved to meet in closed session and to invoke attorney-client privilege for matters listed as Conference with Legal Counsel. Commissioner Woo Ho seconded the motion. In a roll call vote, the motion passed unanimously.

At 2:05 p.m. the Commissioners withdrew to closed session.

- (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

Present: President Kimberly Brandon
Commissioner John Burton (joined at 2:13 p.m.)
Commissioner Gail Gilman
Commissioner Doreen Woo Ho

Also present: Elaine Forbes, Executive Director
Carl Nicita, Commission Affairs Manager
Michael Martin, Assistant Port Director
Rebecca Benassini, Deputy Director of Real Estate & Development
Kimberly Roberts, Assistant Deputy Director of Real Estate & Development
Josh Keene, Assistant Deputy Director of Real Estate & Development
Michelle Sexton, Port General Counsel
Grace Park, Deputy City Attorney

The closed session adjourned at 2:45 p.m.

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.

No Report.

- 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.

At 3:16 p.m., the Commission reconvened in open session.

ACTION: Commissioner Woo Ho moved to not disclose anything discussed in closed session. Commissioner Burton seconded the motion. In a roll call vote, the motion passed unanimously.

6. PLEDGE OF ALLEGIANCE

7. ANNOUNCEMENTS

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

8. PUBLIC COMMENT ON ITEMS NOT LISTED ON THE AGENDA

No Public Comment.

9. EXECUTIVE

- A. Executive Director's Report

Director Forbes: Good afternoon, President Brandon, commissioner, Port staff, members of the public. I am Elaine Forbes, the executive director of the Port of San Francisco. I'm going to start my report with a focus on economic recovery, talking in particular about the people and events that are signaling our revival.

First, the Port welcomed back the safe return of cruise. The first vessel to call was the Majestic Princess. And she called yesterday morning. We're expecting 21 cruise calls through the remainder of 2021 and a banner 126 calls in 2022.

Pre-pandemic, we welcomed 280,000 cruise passengers to our city. And we worked hard to welcome back cruise safely. Cruise is resuming in strict compliance with the CDC rules and regulations. And each cruise line has an agreement with our Department of Public Health that exceeds CDC COVID guidelines.

To be specific, 95 percent or more of both passengers and crew members are required to be vaccinated on each cruise. Each cruise line has vessel-specific health and safety guidelines to protect all people on board, terminal workers and the public.

The Port's cruise terminals at Pier 27 and 35 are also rolling out new COVID-19-informed protocols to ensure the safety of staff, passengers and the public. The safe return of cruise is an important milestone to the city and the Port's economic recovery and in the revitalization of the tourism and hospitality sectors.

This was truly a citywide effort. I want to thank our maritime director, Andre Coleman, and the Department of Public Health, the Department of Emergency Management and the city attorney's office.

And I want to thank our labor partners, the ILWU, cruise and metro cruise partners. Second, we hosted Fleet Week. Fleet Week brought thousands of people to the waterfront to enjoy our shoreline. And San Francisco is the only city in the nation that is holding an in-person fleet week.

This is remarkable and is due to the leadership of our mayor, Mayor Breed, and our COVID-19 successes. San Francisco is a safe place to enjoy. As one of the largest events of its kind in the nation, San Francisco Fleet Week has become a significant and integral part of San Francisco's culture and economy.

The event attracts over one million visitors to the city each year. The air show, parade of ships, the joint military, San Francisco first responder and civilian disaster planning exercises and the humanitarian village are important ways to be prepared and to honor our sea services.

Third, the Port is so excited to be home of and cheer on our San Francisco Giants in the playoffs. The Giants being in the playoffs this year means so much. It not only gives our city something amazing to look forward to. It brings us together with hope that the pandemic is behind us.

When San Francisco Giants fans come to watch their hometown team, they come to enjoy our waterfront too. Additionally, our championship basketball team, the Warriors, are beginning their preseason games. What a great time for the Port, for the waterfront and for San Francisco.

These events support our family-owned and small businesses. And they are integral to our economic recovery. While we believe we have a long road ahead -- as you know the Port projects a five-year recovery -- this is all welcomed activity that signals recovery is taking hold.

Commissioners, as you know, we continue to work toward bringing our tenants into good standing by collecting rent and applying tenant-relief tools you've authorized over the course of this pandemic.

We anticipate providing you an informational item on these efforts and potential additional programmatic strategies for continuing to resolve our outstanding rent due in November. I would like to report our efforts to work with our tenants at Boudin's flagship location and the Boudin's Chowder Hut, both located in Fisherman's Wharf.

These locations have been operating since May 20, 2020. And Port staff has been in dialogue with our tenants to resolve outstanding rent. The tenant and Port staff agree that your approved base-rent-relief program for percentage-rent tenants is the appropriate structure to address these rent obligations.

While the tenant did not file applications by the deadline, they did satisfy all other aspects of the program and would have been accepted if they applied on time. Accordingly, I have directed staff to admit these tenants into the program subject to a late penalty of 10 percent of rent credits otherwise applied to participating tenants.

To equity -- and we are supporting our Port tenants -- as we are supporting our Port tenants, we're also taking actionable steps for the Port to become a more equitable organization to do business with for our contractors.

On October 5, 2021, the city administrator hosted the small business summit. This was a virtual two-day event to understand how the city procures goods and services, learn city compliance practices and connect on opportunities.

The Port was a presenter, thanks to Stephanie Tang and Tiffany Tatum, in the small business opportunity showcase and was proud to lend our support to the many small businesses that participated in the event.

We're also making notable progress implementing our REAP, our racial equity action plan, actions that support the Port becoming a more equitable place to work. We began our first cohort of all staff racial equity training with our Port equity champions in September.

Training supports the advancement of equity at our Port. Our goal with the training is to deepen our understanding of racial inequities and enhance critical thinking with a racial-equity lens to apply to internal and external programs, plans, policies and operations.

The Port is underway with our month-long celebration of the Filipino community's rich history, heritage, culture and achievements. We are looking forward to celebrating the Filipino American History Month by uplifting the community's rich history, culture and invaluable contributions to our Port, city and beyond.

Now, I'm going to turn to key projects. I'm excited to announce that we are launching a new and improved website tomorrow. Our new website will better represent the Port as a place to visit and do business with and to work with.

New website sections are dedicated to visitor information and business ventures. The site is intuitive and easy to navigate for the public and could not

come at a better time, as we welcome thousands back to our waterfront to do business with us.

Thanks to Kelley McCoy for leading this effort. That concludes my director's report. I want to wish you all happy Indigenous Peoples Day, which was yesterday. And go Giants.

No Public Comment on the Executive Director's Report.

Commissioners' Discussion on the Executive Director's Report:

Commissioner Woo Ho: Sorry. I think this is absolutely fantastic and positive news to have so many positive events happening. And I guess this is kind of a turning point for us in terms of economic recovery and activation of the waterfront with the combination of so many different events with the cruise ship, with the Giants, with Fleet Week and hopefully even with the Warriors starting their preseason.

So I think this is a very exciting milestone for us. And I think it bodes well because I was in the city for a little bit of last weekend. And I could just see the activity. And I think it was also the excitement in the air and so many people who were so excited just to see the Blue Angels even in my neighborhood, which is not anywhere close to the typical places where you'd watch the Blue Angels.

But everybody was standing on the street looking up at the sky. I think it brought out a lot of people. And I know a couple restaurants that I frequented on the waterfront, they were hopping. So I think, hopefully, this is -- obviously was a special event -- but this will draw people to feel like it is safe and comfortable to come to the waterfront and to the Port of San Francisco.

So I think this has just been just absolutely a turning point for us. And I hope this chapter shows that we finished one, and we're beginning a new chapter going forward. Thank you.

President Brandon: Thank you. Commissioner Gilman?

Commissioner Gilman: Thank you, President Brandon. Thank you, Director Forbes, for a great report. I, too, want to echo what Commissioner Woo Ho said about my excitement for the economic activity that's returning to the Port, you know, noting that we were the first, I believe, and only so far this year U.S. city to host a Fleet Week due to our high vaccination rates and our COVID protocols.

So I do want to commend everyone in the city and the Port for that. As I noted with Commissioner Brandon, I'll be signing off after agenda item 12. So I do want to take the opportunity to just ask for three things that I hope we can have informational presentations either before the end of the year or in the first quarter of 2022.

I'd love to get an update on how we're doing with legalizing and right-sizing vendors on the waterfront, particularly Little Embarcadero. I was down there before Fleet Week. And it seemed like the situation had drastically improved. But I would love to get a report back from Port staff and from MEDA, which is the nonprofit doing outreach to see how that is going.

I also hope that we can get two items that are somewhat related. As we have all this new economic activity and people are feeling safe coming back to the waterfront, I am deeply concerned about the number of businesses yet to reopen and the vacancy at the Ferry Building.

So I'm hoping that Hudson Pacific come and do a joint presentation with Port staff about what their leasing strategies are. The Ferry Building appears to be -- I'm not the leasing expert. But from an observer's perspective -- almost 50 percent vacant when you walk through it, many businesses closing by 1:00 or 2:00.

So I'd love an update on what's happening with that asset of the Port that drives a lot of the economic activity when folks debark our Ferry Terminal and walk into a building that has so much vacancy. I'm concerned about that.

And I'd love to also understand what our leasing strategy is. We have properties that, even before the pandemic -- as an example, the Bay and Embarcadero site of Butterfly that has been vacant my whole time on commission -- to new businesses that are not reopening after the pandemic.

So I just hope we can get an update on how we're going to lease and really bring back full vitality to the waterfront. And I appreciate your report. So thank you so much, Director Forbes.

President Brandon: Thank you. Commissioner Burton?

Commissioner Burton: Just really a good report and good news. And we can never get enough of that. So thank you, Director.

President Brandon: I concur with my fellow commissioners. It has been a banner week for the Port and our economic recovery with the return of cruise ships, which is amazing, Fleet Week with over a million people on the waterfront along with the wonderful San Francisco Giants in the playoffs and the Warriors during their preseason.

I mean, the Port was just packed last week. And it was just so good to see and the establishment of our new website, which is going to be absolutely wonderful for the Port. And all this was done under the leadership of Elaine Forbes, who is celebrating her five-year anniversary at the Port of San Francisco.

Since 2016, Elaine has worked tirelessly to deliver an equitable Port and waterfront to the public. She has been with the City and County of San Francisco for 21 years and with the Port for 11 years, almost half of those years as executive director.

In her tenure, Elaine has increased our maritime business. She has negotiated the Port through development projects for the benefit of the public including projects with 40 percent affordable housing and one development with 100 percent affordable for the working and low-income residents.

She helped secure a \$425 million bond from the San Francisco voters to create a safer and more resilient Embarcadero. We've added new open space and parks to the shoreline creating more public access to nature and the bay, including the recently opened Crane Cove Park.

But equally important, Elaine has fostered a culture of inclusion, belonging and excellence by leading the Port's exceptional employees with compassion and innovation. Thank you for five great years, Elaine. And congratulations. [claps]

Director Forbes: Thank you so much, Madam President. That was very kind. Thank you.

President Brandon: Thank you for all you're doing for the Port. Carl, next item, please.

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 agendaize a similar resolution at a Commission meeting within 30 days. (Resolution 21-42)

ACTION: Commissioner Gilman moved approval of the consent calendar. Commissioner Burton seconded the motion.

No Public Comment on the Consent Calendar.

Roll Call Vote:

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

President Brandon - The motion passes unanimously. Resolutions 21-39, 21-40, 21-41 and 21-42 are adopted.

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.

Ming Yeung: Hi. Good afternoon, commissioners. I am Ming Yeung. I'm the acting deputy director for planning and environment. And I'm happy to be here today. I just wanted to do a quick introduction on this item before turning it over to Dan for his presentation.

We're here today with an update and proposed process to address conflict of uses on the Promenade. This item is a follow up from the commission's previous hearings on the Embarcadero quick-build project. During those series of hearings, we heard loud and clear from the commission concern over safety on the Promenade and a request to study conflict of uses by bicyclists, pedestrians and scooters.

At your August 10th meeting, the commission approved SFMTA's Central Embarcadero quick-build project. Just as a reminder, the project will include a two-way protected bikeway between Mission and Broadway Streets and a signage program and robust education and public-awareness campaign.

These efforts are intended to encourage bicyclists and scooters to use the new protected bikeway and to better define separation of all uses along the promenade. We think the quick-build project that you approved is an essential part of the solution in reducing the number of conflicts on the Embarcadero.

But we do need to assess whether these strategies are actually helping. So with that in mind, we've laid out a proposed process where we would rely on the SFMTA staff to collect data before and after the quick-build project implementation and to develop a qualitative user survey to capture perceptions of safety by the general public.

The data and survey that we collect will help Port staff assess whether the protected bikeway, the signage and the education campaign is helping to reduce conflicts on the Embarcadero or whether additional measures are needed and what those might be based on user behavior.

We think the data will help better inform the Port staff and commissioners' decisions on any potential strategies going forward. So to recap, we propose to work with the SFMTA to gather the data and return to the commission to report on the results and with further recommendations.

In response to the commissioners' request, we have laid out other potential options for regulating uses that the commission could consider at that later date. We appreciate the commissioners' feedback thus far and the thoughtful engagement on how to address the Embarcadero Promenade issues.

I look forward to the commission's feedback on this proposed process. And with that, I'll turn it over to Dan for more of the details on this.

Dan Hodapp: Thank you, Ming. Good afternoon, President Brandon and members of the commission. Dan Hodapp of the planning and environment division. And I'm very pleased to be back here today. As Ming described, we are back today to discuss the Embarcadero Promenade and the problem with conflicts between pedestrians and wheeled vehicles which currently share this space.

I will focus on how the problems may be resolved and the steps we are taking to understand the improvement measures. A reminder that the Port is collaborating with SFMTA to improve safety and efficiency for all along the

Embarcadero. And it also done with full focus on making improvements that aid the Port and the city in economic recovery. Next slide, please.

For what we'll cover today: how the quick-build project aims to reduce conflicts on the Promenade; the data collection and user survey, which SFMTA is undertaking; along with a discussion on the evaluation; and a quick touch on the options for regulating uses. Next slide, please.

Okay. Sorry. The project purpose, safety and comfort for all on the Embarcadero roadway and Promenade, applies to both the Embarcadero quick-build and the solutions being pursued for the Promenade. Next slide, please.

How the quick-build may improve safety -- the project intent is first to improve safety and efficiency through design and physical improvements. It aims to accomplish this by providing a safe and attractive place for cyclists, scooter users and other wheeled users to operate and to want to be.

When it is implemented later this year and early next year, signage and a public-awareness campaign will inform regular and first-time users of this protected space. Next slide, please.

For data, counts will be taken via cameras, counting pedestrians, bicyclists, scooters or other wheeled-device users, measuring both the numbers and the direction. In 2019, MTA collected baseline data for future comparison.

This was repeated just a couple of weeks ago and will be repeated once the quick-build improvements are in place for some period of time, a month or so, and then would likely be repeated again later in the spring. Next slide, please.

While the data being collected is quantitative information, the survey is aimed to provide a qualitative assessment of the changes to safety and comfort. The survey will be prepared with the assistance of a consultant, which SFMTA will be bringing on board.

Today, we are also seeking commission input on the survey and plan to return to the commission to review progress prior to releasing this survey. In addition to understanding the proportion of users on wheeled vehicles on the promenade versus in the new bikeway, questions will address the qualities such as passing distance, perceived speed and changes to level of enjoyment and comfort.

The survey will be promoted with a mailer to residents and businesses in the surrounding neighborhoods and in the larger city with email updates to the project stakeholder list, project website updates and individual updates to

key neighborhood and other stakeholder groups that have a citywide constituency to their group. And today, we welcome comment on the objectives and questions to be addressed as part of that user survey. Next slide, please.

The process for evaluation is to first collect the data and perform the survey and then prepare findings of where we stand, which will be presented to the commission. At that time, we will provide options to resolve issues and refine the improvements and take suggestions on appropriate next steps. Next slide, please.

A quick schedule update -- the data collection are in the yellow boxes. And the commission briefings are in the blue. And you see those on the left falling on top of each other. We recently collected -- SFMTA recently collected data out in the field. And we are here at the commission today.

The red box is putting in the quick-build, which will provide a protected bikeway in the Mission-to-Broadway area. That'll take a couple of months to install focusing on the area around the beginning of the year.

We will come back with an update about what the survey will encompass, the type of questions and ask for commission input and also be able to respond to how the installation for these improvements went.

We'll then do another data collection, follow it once it's been in for a bit. And the survey and that'll take place. And further on in the spring, we'll do an additional data collection to see how things have rounded out and they're functioning and return to the commission with results on that.

And then, later on in the year, the green box anticipates refinements, adjustments to the quick-build improvements to make them function at their best. Next slide, please.

Depending on the project outcomes following the quick-build construction, the Port Commission could consider other options for regulating uses on the Promenade that include code changes to prohibit bicycles on the Promenade and to establish an enforcement program for scooters and other motorized users.

Currently, the Promenade is codified in the Port code, which is one element of the city's municipal code. The Promenade is not a city sidewalk where persons aged 13 and older are prohibited from riding a bicycle.

The Port code identifies the Promenade as a park and prohibits vehicle use in Port parks. It includes a broad definition of vehicle that includes anything

with a motor such as electric scooters, electric bicycles and other motorized devices.

However, vehicles under human power are allowed for the Port code. This is our current situation. In addition to Port regulation, the Promenade is dedicated by the Metropolitan Transportation Commission and Association of Bay Area Governments as part of the San Francisco Bay Trail and subject to Bay Conservation and Development Commission permits that designate it as dedicated public access. Next slide, please.

As for enforcement, because motorized devices are already prohibited under the Port code, the commission could direct greater enforcement of existing regulations. Enforcement of bicycle, scooters and other wheeled devices for nonmoving violations such as improper parking, as illustrated here, are handled by SFMTA parking control officers while moving violations to users of wheeled devices are handled by police officers.

Being that the quick-build is adding a fully protected bikeway only in the Central Embarcadero area and other areas of the Embarcadero do not have a space where many feel comfortable riding, enforcement along the entire length of the Promenade could create a safety concern for some.

An option could be to concentrate enforcement along the Central Embarcadero segment of the Promenade where there will be a protected bikeway and where user conflicts are the greatest and the Embarcadero is the busiest.

Using data gathered from the SFMTA, as explained earlier, Port staff could evaluate segments of the Promenade with the greatest user conflicts to consider enforcement. Going forward, we could also consider additional public awareness and education and signage and also additional public outreach.

Port staff will return following data collection, as I mentioned just a minute ago, with updates on enforcement options. As for revising regulations, the quick-build may reduce conflicts on the Promenade. That is an intent of it particularly in the Central Embarcadero area by attracting wheeled users onto the new protected bikeway.

When we return next spring, if necessary, the Port Commission could consider revising regulations that govern use of the Promenade. Changes to how we use the Promenade would require a thorough public-outreach process to local, city and regional users and may require approval of other agencies including BCDC.

Public outreach would be followed by Port Commission consideration of proposed code changes and could require Board of Supervisors approval if the chosen option is to amend the Port code. Next slide, please.

Implementation of the quick-build changes are scheduled to occur in December '21 and January 2022. The public outreach and awareness campaign, project evaluation and ideas for further modification would be ongoing through 2022.

Port staff welcomes public and commission comment on the proposed approach to address conflicts on the Promenade including the user survey, public messaging tools, enforcement and potential new regulations for the Promenade.

SFMTA and Port staff plan to return to the Port Commission in the spring of 2022 to report on how the quick-build roadway and Promenade improvements are functioning and present pre-survey and post-construction data and survey results.

Port staff will also provide options for further actions, if the Port Commission deems necessary, to further reduce conflicts on the Promenade. Thank you for your time this afternoon. Mark Dreger and Casey Hildreth from the SFMTA and I are all available at this time.

No Public Comment Item 11A.

Commissioners' Discussion on Item 11A.

Commissioner Burton: I'm a little bit confused. I thought we had a discussion when we were dealing with the MTA, and it was what I thought is there were not supposed to be bicycles on the Promenade. When I talked to the MTA guy, he had agreed to that.

In my own experiences, I walk twice outside of -- I can't remember the damn restaurant now. And I damn near got hit by a bike going out. I damn near got hit by a bike going in. They've got the bike lanes. What are we even doing discussing the fact whether there should be bikes on the Promenade or not?

Promenade means walk. It doesn't mean bicycles. In fact, the only bicycles I think should be allowed if you've got a little tot there on a little trike with his parents. So what are we doing back here on this? [Audio skip] -- torical question.

Dan Hodapp: President Brandon, would you like me to address that?

President Brandon: Please.

Dan Hodapp: I'd be happy to. Dan Hodapp again with planning and environment division. Currently, the Promenade is not a city sidewalk. Bicycles without a motor are permitted to use it. And that's as defined in the Port code -- the Port park code. So they --

Commissioner Burton: So the Port -- excuse me -- so the Port code allows them use it.

Dan Hodapp: That is correct.

Commissioner Burton: And so the Port code could take it off. Right?

Dan Hodapp: And the whole quick-build project, which SFMTA is undertaking, is meant to create a more desirable space for cyclists and other wheeled users to be to take them off the Promenade. That is a major intent of that project.

And that will go under construction later this year. December and January is what we're looking at. And then, we're going to evaluate its effectiveness and come back to you again to see if --

Commissioner Burton: What's to stop --

Dan Hodapp: -- the problem is resolved.

Commissioner Burton: -- us from banning it now if it's under the Port code? That's our code. We can do something or not.

Dan Hodapp: You are absolutely correct. It is our code. And we could make the -- the commission could direct staff to pursue changes to that code. And we would embark on suggestions for what those changes would be. And then, we would conduct a thorough public-outreach process, as there is a broad audience that uses the Promenade. We would also --

Commissioner Burton: Promenade means walk. That's what a promenade is. And the fact, when it started, I mean bicycles were not that popular or such a big mode of transportation. But I, for one, don't believe, having almost got hit twice and one time would have been a real injury -- because there's a gawd damn bike on the Promenade outside of what the hell ever his name is that -- the restaurant down at the -- I think it's Bay and somewhere.

But I mean -- so we have to go through a whole thing to update a code that, if we were thinking in advance, we wouldn't have had bikes on the Promenade anyway. That's not necessarily a rhetorical question.

Director Forbes: I can make a couple comments. So one of the things we're trying to do, Senator Burton, is analyze how many conflicts are going on on the Embarcadero after we put the quick-build in. So remember, you approved the quick-build, which is creating a bike lane -- a protected bike lane.

Commissioner Burton: Off of the Promenade.

Director Forbes: Off of the Promenade -- off of the Promenade, onto the street a protected bike lane. And we're putting signage up to encourage bicycle riders onto that protected bike lane. We want to see what happens once the bike lane goes in. So we're looking at watching the data and putting a survey instrument on to see how it's going.

Commissioner Burton: As I recall, parking and traffic was going to have a sign suggesting no bikes. And I thought we had a discussion that the sign said no bikes, and then people might obey it or not obey it. But it wasn't to be a suggestion.

And if we have to go back to minutes, it was a subject of discussion. And it was clearly, well, you should if you -- you should not ride your bike over here. And you should not shoot good people with a gun either.

Dan Hodapp: The current code does not allow motorized vehicles on there. So we have bicycles that are human power and bicycles that are electric. They have motors. And we have scooters that are electric.

So the signage that was presented at the previous hearing was saying that those motorized devices, whether it's a bicycle, a scooter or one of the many other personal conveyance devices, are not permitted on the Promenade. So it is setting up for that. It's saying, no, you can't do it. And it's providing a safe place for those people. I hope that was clear.

Commissioner Burton: No. It's not. I mean, I'm the guy that almost got run over twice. In the way bikes go now, they go pretty good. So if it's a regular bicycle and people are going huckly buck down the streets with no regard for the pedestrians, that's legal. But if they happen to have a motor on it and even if they're just put-putting, that's illegal. You're telling me that.

Dan Hodapp: Yes.

Commissioner Burton: And it's not illegal to have it -- we cannot say bicycles are not permitted on the Promenade because it's going to take thousands of dollars, thousands of hours for a study that the Bike Coalition

can come in and say, "We want that." And then, we say, "Well, the people have spoken."

Dan Hodapp: Senator Burton, you're correct in your summary of the situation that we would undertake a public process for doing this. And we would also consult the other agencies, both MTC with the ABAG that has designated as Bay Trail. And we'd also check -- go back to BCDC as part of it as -- [crosstalk]

Commissioner Burton: Why do we have to talk with ABAG whether or not on our property we can say you can ride a bike, or you don't. [phone rings] I'm a pretty familiar guy with ABAG. I mean, we're talking about San Francisco property on the Port. What the hell does ABAG got to do with that?

What does any other institution have to do with that unless it's BCDC? And we're not going into the bay, so it isn't that. So why don't we bring in the City of San Jose and see what they think about San Francisco Port sidewalks?

It looks like you're going through a study that's guaran -- to defe -- and we had a fairly lengthy thing of this. And I specifically asked [phone rings] -- and I can't think of the guy now that took Ed Reiskin's place.

And he said, "I agree. There shouldn't be bikes there." So what's the hang up? It was in a Port -- how long ago was the Port code made? When the state had it or when the city got it?

Director Forbes: The allowance of bicycles on the Promenade? That's been there for a very long time. But we'll check to see when it first started. It may have been back when the state handed over the Promenade to the city -- [crosstalk]

Commissioner Burton: It's when nobody was thinking -- when people were riding bikes on a nice Sunday outing as opposed to now it's a [main-mode] transportation for a ton of San Franciscans.

Ming Yeung: Right.

Director Forbes: Senator --

Commissioner Woo Ho: Could I interject here? Could I interject here? I think you're hearing from Senator Burton -- and this is Commissioner Woo Ho. I agree with him that there's no reason to wait to decide whether we should have some restrictions regardless of how many conflicts occur or not

occur because one of the issues I have with your presentation -- and most of it's good.

But the one issue I have with your presentation is on the survey. The survey is really talking to people that live in the neighborhood or in the city. But people who use the Embarcadero, whether it's the sidewalk or the motorway, many of them are either tourists from out of town.

Or they're motorists who are coming in from -- commuters coming from outside San Francisco trying to get to the office. So you're missing a whole group of people that you're not going to be able to get to.

And you're going to have a lot of people who, unless they know clearly what the rules are as far as the Promenade is concerned or on the motorway, I think your survey is really -- is not universal. It's really touching a subsection.

I have a couple ideas of how you potentially could try to reach those people to get their input because you're only talking to citywide residents. But the Embarcadero isn't just for the people of San Francisco. It's for people from outside of San Francisco.

So I think we're missing a huge element here. And what about all the people that go on the cruise ship terminals -- on the cruises? They're also from outside the city. They use the Embarcadero to get to the cruise ship terminal. So we're missing a huge element here.

But I think there are ways that you can try to get more data collection that represents all of the stakeholders. But you're missing a huge chunk right now in terms of what you described where the survey would be.

You either can have signage that says, "If you have any comments, here, go on this website." Or you could have Pier 39 pass out things to their customers saying -- and comments about what's going on on the Embarcadero or the cruise ship terminal or even signs for motorists to say, you know, "Here. You want to give us comments?"

You can put up some of those electronic signs. I think -- I agree with Senator Burton that I don't think this -- whether or not we should have bicycles on the Promenade is not a debatable issue. It's not a good idea. And I think we should start addressing it.

And it sounds like the process that you're going to use is very convoluted. But if that's what you have to do, I won't comment on that. But I do think we should just make a decision now to proceed to figure out how to not have bicycles on the Promenade.

So I don't know why we want to wait. It doesn't have to be empirical. It doesn't have to be incremental. Why have a protected bikeway if people are not going to use it? And a lot of people are not going to be educated enough to know in advance.

So unless you have signs saying prohibited or there's enforcement -- and once there's enforcement, the bike shops will tell all their customers saying, "You know, one thing I need to tell you before you go out, don't ride on the Promenade." It's going to be simple.

That's how you get information out to induce the behavior that you're trying to get to. So my two issues are -- one is about the bicycles, when you're going to start changing the code whatever way you wish to do it. And secondly, your survey data collection has to cover a larger audience because you're not covering the entire audience that uses the Embarcadero.

Dan Hodapp: Thank you very much, Commissioner. We'll include those.

President Brandon: Commissioner Burton?

Commissioner Burton: Well, somebody was ahead of me. And then, I'll go back. I think Commissioner [unintelligible].

President Brandon: Commissioner Gilman?

Commissioner Gilman: Yeah. Thank you for the report. I think, sort of echoing and trying to move us forward in a positive manner to staff, I think one way, to Commissioner Woo Ho's point, is that we should ask Boston Property to issue the survey to all of their tenants at the Embarcadero Towers in a way to capture some office feedback as well as asking Fisherman's Wharf and other entities to pass our flyers to capture more survey data.

I want to be helpful to move the staff forward. I want to echo my other commissioners. This is a study around the protected bike lanes which, as I've stated at previous commission, I fully support regardless of how we reroute the turns on the Broadway, hoping that we -- I'll just say my opinion -- hope we keep both left-hand-turn lanes to the Embarcadero from the Embarcadero to Broadway, which is a gateway to Chinatown and North Beach.

But I'm waiting for your study results to comment on that. I think, simultaneously -- because we're conflating issues here -- we need to move forward as a commission, which is under our jurisdiction, to ban bicycles and scooters or to come up with possibilities of how to do that in our code on the Promenade.

I also want to say that we need to also be very clear with any code changes that we make -- in my opinion, as someone too who walks the Embarcadero and lives on the northeast waterfront a lot, a lot of the culprits who are riding their bicycles on the Promenade are people who rent scooters or bicycles from rental bikes or rental-scooter stations.

And they need to have signage that it is prohibited for them to have people rent the bicycles and ride them on the Promenade. And the -- on signage, I do want to say, as someone who is currently sitting in Barcelona, there are stencils all over the street that tell bicycles where to go, what not to do.

The whole city has protected bike lanes. And I have not seen one bicycle on a sidewalk, a promenade, along the waterfront here. So I do want to say there are other cities we can look at that got it right. And there is enforcement here.

So I do want to just echo that as maybe a study of how other cities and other ports have accomplished this on their Promenades. We should look and do that. I think you're hearing loud and clear from all of us that we want to see bicycles and scooters off of the promenade.

So it's safe for pedestrians to enjoy while we do our study, which I am happy you're moving forward on how to build protected bike lanes on that section of the Embarcadero to be successful.

Dan Hodapp: Thank you, Commissioner.

President Brandon: Thank you. Commissioner Burton?

Commissioner Burton: We had the discussion whenever it was. And it was clear that the research done by parking and transit is nothing that anybody that wants to really get a fair idea of something would do. They sent out -- I forgot how many -- questionnaires. They got back a very -- not quite miniscule but a very small number of returns back.

Then [unintelligible], but then returns back, found something. That's not the way to make a dec -- it's either safe to have bikes on the Promenade, or it isn't. It's safe to drive under the speed limit, or it isn't.

I do not remember in the legislature or any way, well, before we reduce the speed limit, let's have a vote of the people. I mean, it's a matter of safety. And saying you have to talk to ABAG -- I mean, the best thing I remember about ABAG -- the guy that ran it got indicted for stealing the money.

I mean, we don't need to check. If there's places you have to check w -- we have to ask ABAG, which would give a vote to somebody down in Marin, whether we should have bikes on the Promenade. I mean, it makes no sense.

It's our Promenade. And if the commission in its wisdom doesn't want to do it, you know, that's cool. I mean, I've had the losing side of a lot of votes or whatever. But I mean, talking to ABAG, talking to this, you know, talking to Marin Transit, I mean, that's a reason not to do something.

It's our thing. It's our code. The Board of Supervisors maybe or maybe not even be able to overrule it. But if you ha -- in my mind, when the head of -- not the Bike Coalition -- but when the head of MTA who was, you know, pretty bike friendly agrees, yeah, we shouldn't have bikes, I don't know why we, the Port, would be the ones dragging our footprints.

If somebody -- I mean, talking about ABAG -- why don't we give them authority on whether or not San Francisco should have Fleet Week? I mean, it makes no sense.

Director Forbes: President Brandon -- [crosstalk]

Commissioner Burton: Other than that, I don't have strong feelings on the subject.

President Brandon: Director Forbes?

Director Forbes: Thank you, President Brandon. So I wanted to make a couple of comments. First and foremost, we're not trying to drag our feet. What we were trying to figure out is, we don't have a protected bike lane up and down the Embarcadero.

So there's only a certain segment of our waterfront where we have the protected bike lane. And now, we have a larger protected bike lane going in.

So we wanted to ask you about our own survey that we're asking the SFMTA to do to see if, when those -- when the protected bike lanes go in, if folks get off the Promenade and then if our regulation should be prohibiting bikes altogether, doing age limits -- so some can bike and some cannot -- doing speed limits on the Embarcadero or designating places where bikes are not allowed because we don't have two-way bike lanes.

So one of the considerations and one of the concerns is that bicycles may be forced onto the roadway where it's unsafe because we don't have those protected lanes. So it's a different condition up and down the waterfront.

So we're not trying to drag our feet. We're honestly trying to get some survey information that you help us design to see what we should do next. I think that concludes my remarks. So that was the point of coming today was to ask if the survey instrument was well designed and if we're taking the right approach here.

President Brandon: Commissioner Gilman?

Commissioner Gilman: Yeah. So what I want to say was I think, with the added outreach that was articulated by folks, you know -- I haven't seen your survey. For me at least, I'm going to trust your methodology and what your question set is because you're not asking us.

And I'm not sure it's appropriate for us to get into that level of detail. But I would also -- on that outreach, could we also please outreach to both the Fisherman's Wharf Community Benefit District since they're another user.

They might have been on your list already. I'd also like to make sure that we outreach -- even though I know it's not this section of the waterfront, I think it would be important to reach out to like our CAC groups for the north and southeast waterfront because it's still in continuous usage of it from a vehicle perspective -- and the Chinese Chamber of Commerce.

I'm thinking of the neighborhoods that drive -- that folks along the Embarcadero go to -- and the Bayview Business Association. I just want to make sure, from the minute you exit all the way over on the southeast sector going all the way to the northeast sector, if we're going to put in protected bike lanes anywhere, it is going to compact traffic.

And that's going to have a user impact. So let's just make sure we have a wide breadth. I think, from an equity perspective too, we always need to remember to outreach to the neighborhoods, which are Dogpatch, Bayview, North Beach, Chinatown, that are affected by when we make changes on the waterfront. Beyond that, I'm fine with the methodology as long as you widen the outreach.

President Brandon: Commissioner Burton?

Dan Hodapp: Thank you, Commi --

Ming Yeung: Thank you. That's helpful.

Commissioner Burton: What is the methodology -- or what are you studying? You're studying whether people got on the bike lanes or got on the Promenade or not? Are you going to study -- what is it you're going to study?

Dan Hodapp: Senator Burton, there's two areas we're focusing on: quantitative information and qualitative. The quantitative is the numbers where we have pre-quick-build information done in 2019 and then done just a couple of weeks ago that says this is how many bikes and scooters we've got on the Promenade.

And then, after the quick-build goes in, we'll do it again -- MTA will -- and say, okay. How successful have we been? Has it made any difference at all? Has it solved the problem? And so we want to see that information to see how it is. And the quick-build --

Commissioner Burton: I'm sorry. Which problem are we solving? We want to see [if what] solved the problem? We're solving the problems of the fact that more people are using bike lanes? Or we're solving the problem that the bike lanes aren't sufficient enough for the travel of the cyclists?

Dan Hodapp: We're looking to reduce the conflicts on the Embarcadero Promenade between pedestrians and all the wheeled users. So by creating this new protected bike lane, the intent is to draw those wheeled users off and not have to do enforcement, which is expensive but to take and create something that works and people want to use.

So one, it's physical construction of those improvements. Two, it's signage to inform the riders and users that that's where they should be. And then, third, it's a public-messaging campaign that reaches out to try to encourage people to do that. And then, we look for --

Commissioner Burton: [But you're not] -- encourage them not to violate the law.

Dan Hodapp: Yes.

Ming Yeung: Essentially, we're trying to see whether or not the bicyclists and the scooters can use the quick-build area, the protected bikeway and get off of the Promenade. So we're trying to monitor whether or not those efforts are being success -- are successful to pull the bicyclists and scooters onto the protected bikeway to improve the Promenade -- [crosstalk]

Commissioner Burton: It's not going to be suc -- it might not be successful if we do not say you shall be over here. [But sure], if you feel like being over here, go ahead. It's fine. In other words, if you say, you know,

bikes and scooters shall use these, they must stay off the Promenade. Then, that gives you kind of an inclination.

And if so many people disobey the shall, maybe it tells you, well, it's [unintelligible] let everybody be on the Promenade wherever they are [where they had people or not]. But I mean, you've got to have not just the suggestion. This is where you should be and then prohibited from here.

And then, you see what they do. And then, the study could maybe show how many people go crazy because they can't ride their bikes on the Promenade and go out and throw rocks at people. But I mean, from my feeling, it's just like, well, you should do this. Or maybe we shall do this. Or they shall do that.

And then, like I go back to the MTA guy that says they should be prohibited. And we're looking for ways not to prohibit them. We want to run it through ABAG. We want it through all these other things. It's our code. And we could put that up.

And before you do it, if we have to -- and I don't know if you do. We would have to put it out to the people to say, "Do you like this law to stop you from riding there or stopping from going to 75 miles an hour?" Well, the people will vote one way or another.

But it seems to me you're looking for a way not to deal with the up-and-down issue of, are bikes at least on this section of the Promenade safe or a threat to public safety? And I don't really know. I only have, you know, something that happened.

If it didn't happen, I probably wouldn't have done here. And if it happened worse, I wouldn't be here. I'd be in a hospital. No more questions. I'm sorry. Willie's lucky he ain't here. [laughs]

President Brandon: Thank you. Any other comments? Commissioner Woo Ho? Okay. So I think it's pretty clear that we all want to find a solution for a safe Promenade. And whatever we need to do to get there will be great.

I think, with the protected bike lanes, we do have to do some type of enforcement to make sure that that is the first mode of transportation -- first lane of transportation for cyclists. So no matter what we study, how we study it, I think we all agree that the goal is to get as many cyclists, whether they're motorized or not, off of the Embarcadero, off of the Promenade.

Commissioner Woo Ho: Right. I just --

President Brandon: So does that help?

Commissioner Woo Ho: Can I echo what you just said, Commissioner Brandon? What I wanted to say was responding to the information that Director Forbes mentioned, that we don't have protected bike lanes all the way up and down.

So one clarifying question to understand this -- because we've been collecting data and observing traffic for a long time. So this is the MTA's responsibility. What section of the Embarcadero has had the most conflict between bicyclists and pedestrians and if that is the area where the quick-build is going?

And why does the Port code, if we amend it -- we don't have to say it's 100 percent up and down. It can be just for where the quick-build is, where there is a protected bikeway that you will not use the Promenade because I'm -- I don't know if the two match up.

But it seems like you can do it in stages. You can even write the code and say, wherever there is a protected bike lane, you will not allow bikes on the Promenade. And where there -- you know, other areas on the Embarcadero that are further down where you don't have as many conflicts with pedestrians maybe and there's -- that's a future enhancement of a quick-build or some other enhancement, it doesn't have to be -- the code doesn't have to be black and white up and down.

It can be sectional. It can be, when we have this improvement, you will follow the bike lane, as President Brandon just said. And maybe that's where the biggest traffic conflict is. I don't know. All this data has been collected. But hopefully, we know what sections where the most conflict -- and that's the reason we're having the quick-build.

So I'm assuming that makes sense. So I'm not sure why we're getting the answer that we have to wait and see and decide later and see whether there are conflicts. I mean, just make the decision on the areas that we can make a decision on, where we can direct them to the protected bike lanes for now.

And the other parts of the Embarcadero you can continue to be a little more flexible for the time being because there are other safety issues. I did understand that message. But I also hope that those other sections are not where most of the conflicts are occurring already according to the data.

So somebody has to answer. According to the data, are the conflicts occurring elsewhere as great as in the Central Embarcadero area? It's just all pragmatic approach here.

Dan Hodapp: Okay. Commissioner, we're fortunate in that the project is taking place where the greatest number of accidents have occurred. The Broadway intersection, the Washington intersection and the Mission intersection -- those are sites of some of the biggest conflicts.

MTA could present a more honed response to that. But we are approaching the busiest section and the one that has had the most injuries on it. So we're doing, I think, a good job of matching that up. Mark Dreger of SFMTA, do you want to add anything to that if Commissioner Bra --

Mark Dreger: Yes, briefly. Thank you, Dan. Thank you, commissioners. Indeed, when we look at conflicts, we look at collisions along the Embarcadero roadway. It is indeed Broadway and Washington Street that really stick out.

So that's kind of the other side of the coin. You know, tackling those portions of the roadway that are the least safe today with a protected bike lane will provide people with a place to be that is safe and comfortable so that they're not on the Promenade.

Getting data on the Promenade about conflicts between wheeled users and pedestrians is a little bit more difficult simply because the absolute numbers are low. And the way that you define conflict -- it depends on who you ask.

It's all about comfort. So we've done this work in the Central Embarcadero. We've done this work in the Southern Embarcadero looking at video footage, how close people pass one another, user surveys.

And it really varies person to person. But the key thing is the more folks that are there at a given time, at a given location just the more friction you have and the more frustration that you have from any user group and the more opportunities for people to get in the way of one another and, unfortunately in some cases, actually collide or brush elbows.

And I would venture to say that the Central Embarcadero with the Ferry Building and all of our water taxis and now cruise ships back, that is one of the most conflict-rich areas. And that's why it's been the focus of the Central Embarcadero safety project.

I would say, second to that, probably areas northward. And it really, again, depends on the time of day. But the southern area, especially if there's a ballgame, people commuting to Caltrain, you know, it's something we really want to look at for the entire breadth of the Embarcadero waterfront. I hope that was helpful.

Commissioner Woo Ho: Okay. So --

President Brandon: Commissioner Burton?

Commissioner Woo Ho: -- based on all this conversation, what are the key takeaways from staff and MTA on what we're telling you?

Director Forbes: If you'd like, I can summarize the key takeaways. Ming, would you like to help me out?

Ming Yeung: Sure.

Director Forbes: Thank you. Ming and I will summarize. I think it's very clear that some, if not all, members of the commission have a strong preference that bikes either be banned or strongly limited from the Embarcadero Promenade.

We all want to see the conflicts reduced dramatically. And our goal is to reduce the conflicts for the pedestrians. So we're really looking at safety and security of pedestrians. We don't have a safe and protected bike lane all the way up and down the Embarcadero.

But where we're putting it in -- where we have it already and where we're putting it in -- the SFMTA is putting in -- are the areas where we have the most conflict. We already have a prohibition on our wheeled users, the scooters, all of them. It's really about the bikes at this point -- the bicycles.

We do have the ability in our code to prohibit or limit bicycles on our Embarcadero Promenade. Staff is asking that we collect more information after we put in these protected bikeways to see if the conflicts reduce or if user patterns reduce.

There's two ways we can handle it. We can prohibit or limit bikes and enhance enforcement. We can do a speed limit and do enforcement. So we're asking that we collect more data to see next steps.

If the commission would like a parallel process where we come in and look at code sections -- Commissioner Woo Ho is absolutely right. This does not need to be a blanket ban on bicycles -- we can do so if that's what the commission requests.

But we would, in fact, like to continue talking to people who use the Embarcadero to see if the experience is changing as a result of putting in the protected bike lanes. So we're just trying to find with the data the best path forward.

In summarizing the commission's comments, I think we would like a little more direction. If you'd like us to come back earlier than the data is collected to work on this policy issue or if you're comfortable with our proposal to collect the data and then come back with our recommendations.

Ming Yeung: And I did hear a lot of comments about making sure that the survey -- the user-evaluation survey is really more widely distributed to tenants and other -- not just citywide but elsewhere so kind of reaching out to the Boston Property tenants, the Fisherman's Wharf CBD, CAC groups, Bayview Neighborhood Association, Dogpatch, any kind of areas where bicyclists enter on and off the Promenade.

And I did also hear from Commissioner Woo Ho a comment about, you know, again possibly doing more of an enforcement or ban of bikes just within the Central Embarcadero area where there is a quick-build protected bikeway not necessarily all up and down the waterfront.

Commissioner Woo Ho: Yeah. I would like you to figure out how to deal with tourists. That may be something you deal with San Francisco Travel because, obviously, they know how to get information about what tourists think of San Francisco.

It could be, you know, you have the cruise ships. They also have surveys that go out on what the experience is on the cities that they visit. So there's obviously different ways to get visitor feedback. But I would imagine San Francisco Travel has more expertise in that area and to ask them, how do you reach the tourist population to get their perceptions?

And Elaine, I believe that what we're saying -- you want to collect the data. I think it's a parallel process. I think you're hearing loud and clear policy wise we believe that you should be doing something sooner and not waiting for the data to tell you whether it is or is not a good experience.

I sort of agree with Commissioner Burton's speed limit. Does the legislature ask about the speed limit, or you decide that's what you want? And we do have the circumstances where we don't have protected bike lanes up and down. So we can't have blanket.

But can we do something in the areas that we can ban it more specifically and enforce and deal with it that way? And that will be a learning experience by itself.

Director Forbes: Mm-hmm. It would be.

Commissioner Burton: May I?

President Brandon: Yes. Commissioner Burton?

Commissioner Burton: I agree with -- it's not brain surgery. It's going to be safer with these bike lanes if you allow motorcycles on the Promenade if you don't have the bike line, and there's still motorcycles on the Promenade. I mean, you don't need a study that that's going to be safer.

The basic question is, what do you do -- would it be safer if bikes were banned from the Promenade? That's the question. Then, the answer is, yeah. But that's going to cause a problem here. That's going to cause a problem here. The pressures -- it's a simple question.

Is it safer to have them or not? Now, the issue was raised by my fellow commissioner that there's kind of a cluster screw place where it's clearly people could move off of the Promenade and into the streets. And then, there's other places that maybe, even in front of [Al Falkey's] place where I almost got run over -- that they don't -- maybe you can't have the big -- you're making a very simple thing difficult.

The question is, will it be safer? Yes. What is the downside if you totally eliminate them? Well, that's when you get into your studies and into this and whatever those phrases were. But I think there would be massive agreement if, from point A, whatever that was, to point B to ban bicycles there -- is that nobody could question whether or not it's a lot safer because that's where most of the pedestrians are.

Most of the pedestrians, I guess, would be around the Ferry Building in some of these places. It may be [Fleet Week] something. But I mean, again, it ain't brain surgery. Obviously, it's better no bikes there.

Obviously, you've got to figure a way to accomplish that. But there's [part of some ways] where it's indisputable. And then, maybe you have to figure it this way -- and they have it in the city. They have it in the city in some places where, you know, you can't drive a car through a street. But if you live on that block, you can drive it through.

I mean, there's ways to deal with that. But it's just indisputable that not having bikes at least in the really busy pedestrian sections is a lot safer than not. And we don't need to ask -- I hate to beat a dead horse -- but ABAG or somebody else. That's common sense.

Now, you get into the other things. Then, maybe -- and one other commissioner talked about, well, maybe there's places you have them and you don't. Then, you reinstate them. That happens on freeways. Freeway all the way through -- all of a sudden, there's cross traffic. You have to watch to slow down.

And I think [it could be] done that way. But it seems to me like it's a reason not to do it. We don't need a survey. You need to know th -- unless you have to wonder, if we put in bike lanes all the way, speed bike lanes, will it be safer for pedestrians on the sidewalks?

I don't think you need a survey. So I mean, I think -- I like what one of my commissioners or a couple of them said. Let's deal with the real problem area now and see how it works. But I mean, some of these bicycles -- I'm being redundant. But I'm being redundant because I can't believe I have to say it more than once. So I apologize and yield back the rest of my time for the hearing.

President Brandon: Thank you, Commissioner Burton.

Commissioner Burton: Yeah.

President Brandon: So Ming and Dan, do you have enough direction? Or do you have any further questions for us?

Dan Hodapp: We appreciated the summary provided by Director Forbes and Ming Yeung and the comments by the commission. They are meaningful. They did provide valuable input. You will hear from us again.

President Brandon: Thank you. Commissioners, are there any other questions? Thank you so much. We really appreciate the presentation, very informative.

12. REAL ESTATE & DEVELOPMENT

- 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.

Kimberley Beal: Good afternoon, President Brandon, commissioners, Executive Director Forbes. My name is Kim Beal. I am a senior property manager for real estate and development. And today, I'm joined by Randy Quezada, communications for the Port, Kent Nishimura, property manager for real estate and development, as well as Emily Cohen, Dylan Schneider and Shireen McSpadden with HSH.

And today, I will be providing a quick overview of the general terms of the MOU and the exercise-of-option conditions. HSH will then provide a summary of what they did to meet those conditions, after which Randy will discuss the advisory committee's assessment of the actions taken by HSH to

comply with those conditions and whether or not they feel the conditions were met. And finally, we will conclude with next steps. Next slide, please.

So in April of 2019, the commission gave staff the approval to move forward with an MOU with HSH to enter into an agreement covering approximately 46,700 square feet of paved land at Seawall Lot 330 to construct a temporary housing facility for up to 200 beds.

The initial term of the agreement was for a 24-month operating term with one option to extend for an additional 24 months. However, the entire time to possess the property is not to exceed 56 months. So that covers construction, operations as well as demobilization of the site.

The initial base rent was approximately \$36,800 per month with annual 3 percent increases. And then, Port also provided a rent credit not to exceed \$364,500 for infrastructure improvements. And these improvements are ones that Port benefits from that will remain after the center has left, and we're in the process of developing the site.

So this was for things such as plumbing -- so it was for sewer line, electrical infrastructure and joint [trench] for domestic and fire, water and things of that nature. Next slide, please.

So in order to exercise the option, there were four key objectives that need to be met. So there was reduction in the unhoused in the outreach zone. And the outreach zone is defined as the area encompassed by Market, Fourth Street and Bay Street.

There needed to be an increase in public safety and cleaning resources within the safety zone. And the safety zone was defined as the area between Folsom, Second and then the Embarcadero to the Ferry Building.

Regular reports of program utilization, publicly available crime statistics and other community-impact measures within the safety zone were supposed to be provided to Port. And then, HSA and its operator, which was Five Keys, needed to be in compliance with the good-neighbor policy. Next slide, please.

So this slide is just showing, again, what those areas for the safety zone and the outreach zone that I referenced previously. So with that, I am going to turn it over to HSH. And we will advance to the next slide, please. Thank you.

Emily Cohen: Good afternoon, commissioners. My name is Emily Cohen. And I am a deputy director with the Department of Homelessness and

Supportive Housing. I use she and her pronouns. And I will be going through a short presentation today about our operation of the Embarcadero Safe Navigation Center.

And I'm joined as well by Captain Falvey from SFPD and Steve Good from Five Keys. So should you have questions related to any of their sort of parts of this project, they're available as well to support.

So the Embarcadero Safe Navigation Center first opened in December 2019 just before the onset of the COVID-19 pandemic. You know, we were only a couple months into operation when the pandemic struck which really changed the entire homelessness response system across San Francisco.

But the Embarcadero Navigation Center continued to operate with all of the COVID precautions in place and has been incredibly impactful in our community. Over 480 guests have stayed at the Embarcadero Safe Navigation Center.

When the pandemic first hit and we opened the shelter-in-place hotels, we actually were able to move some of the most vulnerable guests -- so guests who were older or had health conditions not only from Embarcadero but from other congregate settings into those hotels to help protect them from the spread of COVID-19.

And we moved 29 people out of the Navigation Center into the SIP hotels. And as Kimberley mentioned, these 483 guests have been served through our partnership with Five Keys and really feel very strongly that they've been an incredible partner both to the city but also to people experiencing homelessness in our community.

I did want to share a quick success story of the operations of the Embarcadero Safe Navigation Center. Carol is one of the guests there. And she entered in early 2019. And Carol is actually, through a partnership with the Goodwill, has been employed as a worker in our alternative-shelter program during the pandemic.

So not only is she receiving services but also giving back. And this job-training experience has really set her on a pathway to success. So through her support that she's getting from the site, from Five Keys, that consistency of a bed, a meal, a shower, she's well on her pathway to permanent housing and long-term stability through employment.

So next slide -- sorry. We can catch up. I'm a few slides ahead. You can go to the next one. One more, and we're caught up. Thank you.

So this image is one of the dashboards that we provide every month to the working group, to the Embarcadero advisory group as well as to the Port. And we use this opportunity to really highlight the number of guests, number of new intakes, destination of exit, the status of each guest in terms of their pathway towards housing.

And you know, as part of the agreement to the community advisory group, we provide this each month. And we review it at our regular meeting. So this is data that we are sharing very consistently with the community.

You know, as of the end of August, this program was at full capacity, which is 91 guests or 91 beds under our COVID precautions. So while the site was developed for 200, the social distancing that we have implemented has capped it currently at 91 guests. And we will continue to work with DPH on that number. We can go to the next slide.

So as Kimberley mentioned, we are requesting the two-year extension, as outlined in the MOU and, you know, really excited to continue this successful program. This option to extend is outlined in the MOU. And it gives like specific criteria that the city needed to meet in order to proceed.

And I will go very quick -- not very quickly. But I will go next into those conditions and outline how it is that we have met them. So condition A -- next slide -- is to decrease unsheltered homelessness in the area around the Navigation Center in that outreach zone, which Kimberley showed you in one of the previous slides.

And since March of 2019, which was before the site started but after we began targeted outreach to the area, we have seen a 90 percent decrease in unsheltered homelessness in that outreach zone. And since the project opened its doors, we have seen a 77 percent decrease in unsheltered individuals camping in the outreach zone.

This is incredibly significant. The homeless outreach team has done a ton of work to invite people camping in the immediate area into the site. We've worked closely with our partners to make sure that that area remains activated and that we are regularly talking to people who are unsheltered in the area.

We're conducting regular counts of people experiencing unsheltered homelessness in the area and reporting those on a quarterly basis to the working group -- or advisory group -- excuse me.

Condition B was dedicated beat officers within the safety zone. That's the smaller triangle in the map that Kimberley showed. And SFPD southern

station has assigned four officers to this beat. And they are on duty every day 11:00 a.m. to 9:00 p.m.

And as I mentioned before, Captain Falvey is here if there are specific questions about the work of the beat officers. I've heard very, very positive feedback from the community and really appreciate SFPD's partnership.

Additionally, SFPD has regularly reported to the advisory group on crime statistics in the area. Another one of the conditions outlined in B was dedicated cleaning services in the area. Five Keys has staff providing cleaning services along the perimeter and across the street three to five times a day.

So on every shift, staff is going out and providing cleaning services in the area. They've also made a public phone number available so that people in the neighborhood can text if there is an issue related specifically to the Navigation Center.

This is not a replacement for homeless outreach or police but is a way for the public to engage with the operators of the Navigation Center to be responsive. Next slide.

Condition C was the issuing of quarterly reports. HSH and SFPD have actually been submitting monthly reports since August of 2019. And these are all publicly available on the Port's website and are shared and discussed during our regular meetings of the community advisory group.

The month reports include SFPD crime-statistic dashboards, the HSH program operations dashboard that I showed you earlier as well as HSH and Five Keys providing a verbal report on how things are going at the site.

These meetings have been a great opportunity to hear additionally from the community and to work together to problem solve anything that has come up. You know, for example, one of the things that came up in the community group was that people need to better understand the dashboards. So we created a glossary of terms. And that's something that we're now able to include in our reports each time. Next slide.

Condition D is, you know, compliance with the good-neighbor policy. And the good-neighbor policy -- I won't read these all to you -- but includes nine components that Five Keys, as the operator of the program, is responsible for.

And HSH has found that Five Keys has complied with all components of the good-neighbor policy. We're really proud of the work that we've done to

comply with not only the good-neighbor policy but all of the conditions outlined in the MOU.

And we know we can always find room for improvement and learning. And we really appreciate the input of the advisory group and the community. Where concerns have come up, we've been able to mobilize very quickly to resolve them and ensure that we remain in compliance.

Just an example of that of how we've sort of pivoted and adjusted based on feedback from the community -- we did hear some concerns from a few neighbors that people were not receiving responses to their text messages to Five Keys.

As I mentioned, they set up a public text line. Five Keys initially -- excuse me -- Five Keys immediately looked at the data and confirmed that, between January 2020 and August 2021, they had received a total of 210 text messages and had responded to 95 percent of them.

So in an effort to increase that response rate above 95 percent, Five Keys updated training for their staff, upgraded the technology of their text-alert system. Now, everyone will get a text message back in terms of a confirmation and a personal response when it's appropriate within 24 hours.

Additionally, we've provided greater guidelines on how the public can use the text line during our advisory group meetings. We've also been clear with the community about when to call for other services like 311 or 911 or police non-emergency so that this responsive text line can be used more appropriately.

I really look forward to continuing this discussion and answering any questions of the commission. And we respectfully request this two-year extension because we feel very strongly that not only is the Embarcadero Navigation Center serving an incredibly critical component of our homeless response system right now but is also doing it in a way that is a good neighbor to the Port and to the community at large. Thank you very much for having me.

President Brandon: You're on mute, Randy.

Randy Quezada: My apologies for that. Next slide, please. Hi. I'm Randy Quezada, the communications director for the Port. And I will be jumping in to talk a little bit more about the advisory group and their perspective. I have been working closely with the advisory group since the inception some two years ago at this point.

But just as a quick recap -- and some of this may be review as both Kim and Emily referred to it but just so that we all are on the same page -- I wanted to flag that the advisory group is meeting quarterly virtually and as needed with the regular reports being provided on a monthly basis.

This is out of a decision that the advisory group made at the early on start of the pandemic. Back in March 2020 when we were still meeting monthly, the group thought that, because of the pandemic, we should proceed with quarterly virtual meetings with the regular reports on a regular basis and meet as needed if things were to warrant an additional virtual meeting in between.

Since then, we actually have come together for a couple of as-needed meetings. And those were recently to talk about this very topic, on whether HSH and Five Keys were in place to pursue the exercise options.

Members of the advisory group include representatives of nearby residential developments like The Watermark, the Portside, 200 Brannan and other neighborhood stakeholders like the South Beach/Rincon/Mission Bay Neighborhood Association and The East Cut Community Benefit District.

On the city, we have regular participation from Supervisor Haney's office, from HSH of course, the San Francisco Police Department and the Port. At our meetings most recently where the group was discussing the exercise conditions, there was broad consensus that HSH has indeed met the option-exercise conditions.

However, they would like to see some improvements. Emily referred to a few of the improvements that have been asked for throughout the journey that we've been on for the last two years. Namely, she talked about the glossary.

And then, she started referring to some of the requests for increased and improved reporting. And that is something that HSH has taken on with gusto. And some of their more recent reports, you can see the improvements that they've made.

For example, they've included -- and they will going forward -- new elements to the dashboard that show how Five Keys is performing with the text messages and what's going on in terms of responding to requests for cleanliness around the Navigation Center.

One of the most heartening comments I heard at one of the advisory group meetings was that Beale Street has never looked better. At the beginning of this journey, there was a lot of concern for the impact that the Nav Center would have on the neighborhood.

And I've been very pleased to see that advisory group members have been pleased. The Navigation Center has been an asset for the community.

Although, from time to time, there are issues and questions that arise, one of the great things about the advisory group is that it has become a forum for problem solving where people come together with city representatives and are able to quickly figure out how to respond and address issues. I'll stop there. And I will turn it back over to Kim. Next slide.

Kimberley Beal: Thank you, Randy. So our next steps would be returning to the Port Commission at the next meeting in October on the 26th to have the commission affirm HSH's findings that they have met the option to exercise conditions.

And therefore, we can extend their term for an additional 24 months. Next slide. And with that, we thank you and are available for any questions.

Public Comment on Item 12A:

Alice Rogers: Good afternoon, President Brandon, Director Forbes and commissioners. This is Alice Rogers, vice chair of the Embarcadero Safe Navigation Center advisory group. And I want to thank you for having this hearing on the performance thus far of the Navigation Center.

Including the performance metrics as part of the initial lease agreement has given our advisory group a useful set of markers against which to review the center.

As detailed in our letter to you, which I hope you have received, after reviewing the two years of data reports related to the center along with the comments that we've received during the course of the meetings, the consensus is that the Navigation Center has satisfied the basic metrics on all counts and that there are areas in which we can work together to see even better performance should you approve this two-year lease extension.

From the start, there has been a high level of engagement around this project on all sides. Data reports are continually being refined to be more meaningful. And communication gaps that have come to light have resulted in new and improved procedures.

As a result of evaluating the performance metrics against the markers, we have effectively set ourselves a work plan to build better communication tools and processes. As vice chair and as a neighbor, I have especially appreciated the positive and proactive spirit everyone has brought to bear on this work.

While we haven't as yet has a business-as-usual period due to the demands of the pandemic, I do feel that the team supporting the center including the neighbors is well positioned to manage a comfortable equilibrium in the months ahead as we build on the lessons learned over the past two years.

I personally appreciate the opportunity to help make this center a positive and constructive tool in the larger effort of getting all who need it shelter and services. Thank you.

Megan Phalon: Hello. My name is Megan Phalon. And I am the site director of the Embarcadero Navigation Center with Five Keys Schools and Programs. I've been at the site since the day we opened on December 30, 2019.

And I've had the incredible opportunity to be a part of this site and get to know all of the guests that make this place what it is. When we opened in December, we had no clue what was ahead of us or that we would find ourselves in the midst of a pandemic just a few months later.

Many of our guests have actually been here since the beginning too. I've watched this place turn from a shelter into a home for many who have no other option. It's been an incredible experience getting to know our guests and having our team be able to respond to different issues and learning to work together and with other city resources to help the surrounding area stay safe and clean.

I also want to thank the neighborhood on behalf of Five Keys for welcoming us with open arms, giving us feedback in areas in which we can grow and learn and always eager to drop off food, clothing or other donations.

It's been the opportunity of my life to work here and be a part of this awesome community and see lives changed every day from this place. Thanks.

[Mayanan Juevo]: Hello. Hi. My name is [Mayanan Juevo]. And I'm a resident to the Navigation here at the Embarcadero. I'm very grateful and thankful for this Navigation. In so many ways, I have -- they have provided for me the life, the safety, strength and guidance I needed when I -- since I've been homeless for about 15 to 20 years.

They provided so many services here. And without them, I don't think I could change my life. I'm trying to change my life. And they are the ones that made it possible for me to do that. Thank you.

Rick Dickerson: Hi. This is Rick Dickerson. I'm one of the co-chairs of the advisory group along with Alice. And I'll keep my comments very short

because I agree with much of what Alice said. And we put a lot of information into the letter and the recommendations that we put forward.

I'm very pleased with the fact that everyone who's come to the table as part of our advisory group has worked diligently to help solve problems that have come up, as they always do in these types of situations.

And I think that it's been an effective group in being able to allow members of the community to come in, voice concerns and have members of Five Keys, the Port, SFPD and HSH all talk and discuss how to go forward and mitigate whatever types of issues have come up and resolve them.

I think it's going to be a very useful tool going forward. All that said, you know, one of the things that was discussed quite a bit at the meetings the last few months was that we really haven't seen what the overall effect of the Navigation Center will be when it gets to full occupancy.

Everybody had assumed that it would be at full occupancy for well over a year, year and a half by the time we got to this point. And we haven't seen that yet. So I think one thing I would stress is that, just like in the initial opening of the Navigation Center, there was to be some sort of a ramp-up period where we were able to take pauses every three months or six months and then have more residents come in.

We would encourage that that take place during this time period, seeing as how, as I said, we haven't really seen it on program and operating at full capacity. But all that said, I look forward to working the next couple of years with continuing to keep the center integrated well into the community. And I think that we've been able to do so thus far. Thank you.

Joanna Shober: Yes. My name is Joanna Shober. And I was pretty much the second wave of people that came to the Navigation. Basically, I was homeless for about five years. And I have three part-time jobs including working for the Giants, which I'm totally excited about.

But the Navigation Center, I am grateful and fortunate to be here because being homeless is very, very hard when you have to work and having three part-time jobs. And I now have a safe place over my head, a shower and like three meals a day.

And basically, I have worked on my health. I've lost 38 pounds during the time that I've been here during the COVID. So I've been able to lower my blood pressure. And everybody that is here including the workers, the counselors, the case managers, the volunteers and even the people that stay here are all wonderful.

And we pretty much like are a big family here. And I'm just -- I'm very grateful for being here. That's pretty much it. I love being here. [laughs]
Thank you.

Commissioners' Discussion on Item 12A:

Commissioner Gilman: Thank you, President Brandon. Thank you, Randy and Emily and everyone, for the report. I supported the Navigation Center from day one when it came before us as a Port Commission.

I am happy to see now that the advisory committee and the neighbors are embracing it and seeing that, when we provide our unsheltered brothers and sisters with a safe, respectable place to be at night, individuals can thrive. And communities do not face any kind of degradation. So I support this item moving forward and am happy to extend. Thank you.

President Brandon: Thank you. Commissioner Woo Ho?

Commissioner Woo Ho: Yes. Thank you for this very positive report. I think it's amazing that we do not have neighbors calling in today with their concerns. And I remember we went through many, many meetings of their concerns.

So I think it's been structured extremely well. And that's kudos to everybody involved in terms of the design, not just the Navigation Center itself but just how to make the center work with the community.

I just have -- I am supportive of the extension. But I do have two questions. One, I would like to understand -- it says [we get] the monthly San Francisco Police Department crime statistics dashboard.

I would just be interested in knowing that, since the Navigation Center has been in place -- and obviously even with the COVID pandemic -- what is the trend line? Is the crime statistics the same? Down? Just the trend -- I'm more interested in just understanding because this was such a huge area of concern that crime would be going up.

So I'd like to just know that maybe we actually did tackle this. And the statistics are showing a different result, which I would like to just know what that result is, what the trend line has been.

Timothy Falvey: This is Captain Falvey of Southern Station. The trend lines have been significantly lower, of course partially due to the pandemic. We had fewer tourists in the area. But one of the things we do when we do these comparisons is we compare the crime categories in the Navigation Center to the rest of the city because one of the concerns early on was that

the neighborhood around the Nav Center would be impacted by certain types of crime that they were worried about.

And what we have found over the course of the two years of tracking this is that the crime categories as they appear in the safety zone are very consistent with the same percentages citywide. So the Navigation Center does not appear to have contributed to any kind of crime in the area.

The trend lines themselves -- we do provide a comparison over the last four years. So you can see how this year's monthly totals compare to the previous three years. But in those regards, we tend to be lower than 2019 and '18.

We're just now getting a little bit higher than 2020. That's really a function of the fact -- the beginning of this commission meeting, we spoke about all the events going on in the city. For example, the Giants games are in person now with attendance.

And we do occasionally get more auto break-ins but nothing out of line with the rest of the city or the rest of the district that Southern covers. So those are available in the report and then, again, a district comparison to citywide data.

Commissioner Woo Ho: Okay. So that's positive to hear. That's what we had hoped to hear. Kudos to all of the police department that has been keeping the area safe. And I'm glad to hear that we've met that expectation of the neighborhood and the community and, at the same time, taking care of our more unfortunate citizens here.

My other question really is for the Port. It's not really related directly to the Navigation Center. As you know, we are obviously negotiating some agreements in terms of what the long-term usage for -- could be possible.

And I would just like to understand that this extension and timeline, that they're -- because I do remember, when we put this together, that, if there was a timeline that we have to revert back to the development program that we had for the site, that that would be something that we would have to go back and talk to the Department of Homelessness and Supportive Housing in terms of not pushing us off our timeline because we do have the long-term usage.

So I'd like to get some confirmation that this two-year extension is not going to interfere or conflict with what we are planning to do with this site long term.

Kimberley Beal: Becca, I will let you take it. Thank you.

Rebecca Benassini: Hello, commissioners. Rebecca Benassini, deputy director for real estate and development. I'm happy to start, Kim. And you can chime in. Thank you for the question, Commissioner Woo Ho. We are in close contact with our development partners on the site, of course, Strada and TCC.

And this two-year extension would not interfere with the timeline that we have planned with them under their exclusive negotiating agreement. And they're informed about this process.

Commissioner Woo Ho: Okay. So given that, I hope also, I guess, that the HSH is also aware that they would have to plan for another location two years out. And hopefully, that's part of their planning process too because we have our obviously long-term plan as well.

Emily Cohen: Hi. This is Emily Cohen again from the Department of Homelessness and Supportive Housing. Yes. We're fully aware of the timeline and are planning for a demobilization in accordance with it.

Commissioner Woo Ho: Okay. Thank you. So I'm supportive of the extension. Thank you.

President Brandon: Thank you. Commissioner Burton?

Commissioner Burton: I love the work that they're doing. I spend a lot of time down there because I go to eat at Delancey Street all the time. And at first, there was kind of a concern that, when you have a place with recovering addicts going next to a place where you do have some more recovering addicts, got nervous.

But they've proven to be wonderful neighbors. And I just wish we could more centers and better centers like this to take care of the ever-increasing homeless population in the city.

President Brandon: Thank you. Again, Kimberley, Emily and Randy, thank you for the presentation. I think this has to be one of the securest and cleanest areas in the entire city. And I think that that's just a testament to how well this particular facility is being run.

I just have a couple questions regarding capacity and just wondering -- I guess my question is, if there are 483 people that have received services, what percentage of those go into permanent housing or other services? And how many go back out into the street?

Emily Cohen: Thank you very much, President Brandon, for the question. In terms of exits from the program -- so we have had a relatively small number of exits to housing because we have been really focusing our housing resources to the shelter-in-place hotels.

As I mentioned in the beginning of this presentation, the whole homeless response system really pivoted at the point of the pandemic. And we moved over 2,500 people into shelter-in-place hotels with the opening of 25 new buildings to serve them.

We, because of that, have really been focusing our housing resources on people leaving the shelter-in-place hotels so that they do not return to the street. Simultaneously, we did pause the practice of having time limits at any of our congregate shelters so that people staying in our congregate shelters would not also be returning to the streets in as high of numbers.

So seven people have been housed. And we have 9 percent of the current caseload is in the process of moving into housing. And then, we are working with the remaining guests right now to complete their assessments and to get their documents in order in order to move into housing.

So it's a little bit complicated because the system shifted as we moved through the pandemic. But as we're coming into recovery, more and more housing resources are going back to the community, which includes folks staying at our congregate shelter settings including the Navigation Center.

President Brandon: Okay. Then, to go from 179 unsheltered individuals in the outreach zone to 18, how does that happen when there are so many homeless individuals here in San Francisco?

Emily Cohen: It's a combination of factors. But we really meant it when we said we were going to outreach to people living in the area and invite them in. So the bulk of the success is that most of those people who were encamped in the area are among those 400-plus people who have been in the site.

We also have outreach teams in the area regularly talking to folks. If they are not interested in coming into the Navigation Center or there's not a bed available for them, letting them know as well about other resources in the community so that we can move them into a place that is better suited for them and off of the street.

So it is a combination of inviting people in, activating the streets, working in partnership with SFPD to address any illegal behavior that might be going on and really staying diligent in the community.

President Brandon: So the outreach zone -- only people within the outreach zone can go into this particular facility.

Emily Cohen: So that was the original intent when designed. Given the pandemic, we have centralized our placement process. So people in the outreach zone continue to have a priority. But we are also bringing in people who are discharged from hospitals or other systems related to part of that pandemic response.

So it is -- we continue to outreach to people in the area but know that all of our services are serving as part of the COVID response right now.

President Brandon: Okay. So I guess I'm really trying to figure out, if you had 179 people and 150 of those people rejected services but now they are no longer there, where are they?

Emily Cohen: Well, many of them are probably in the shelter-in-place hotels. We took 29 people out of the Embarcadero. But we also moved over 1,000 people -- probably over -- nearly 2,000 people off of the streets into shelter-in-place hotels.

President Brandon: Okay. I'm very supportive of this Navigation Center. I'm just -- it just seems that the homeless situation is increasing throughout the rest of the city. So I know that we have a site here that can take up to 200 people.

And it seems to have great numbers, you know, a great reputation, extremely safe, very low crime. And I'm just hoping that we can do this in other places in the city and really attempt to tackle this situation.

Emily Cohen: President Brandon, I completely agree. I think this is a model to be brought to other communities as we open more Navigation Centers or other services serving people experiencing homelessness because, you know, as you are aware, the capacity in our congregate shelter system has dropped due to COVID precautions.

And we're struggling to meet the needs of everybody on the streets. And the more projects we open, obviously, the more of those needs we can meet. But it needs to be done in partnership with good-neighbor policies and strong collaboration with the community. And we look forward to applying that model across the board.

President Brandon: Yeah. I think the working -- the advisory committee for this Navigation Center along with the Port, the police and everyone else engaged, Five Keys, I think that is the model. I think that needs to happen

everywhere because it takes a community. It takes a group to make it successful.

So this really is the model. And I just want to really thank the Port's advisory group, the Port staff, the officers, everyone engaged in this, HSH particularly for providing all the services and funding. But I do think this is a model.

And I do hope that, as COVID lifts or as capacity increases, we can definitely help more individuals who are homeless. So thank you. Really appreciate the presentation and look forward to seeing you on October 26th.

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)

Kelley Capone: Hi. Thank you. This is Kelley Capone. Should I go ahead and start?

Director Forbes: Yes, please.

Kelley Capone: Okay. Thanks. President Brandon, Vice President Adams, commissioners and Director Forbes, thank you very much for having me speak to you today about the Army Corps of Engineers flood study.

My name is Kelley Capone. I'm a project manager with the waterfront resilience program and the project manager for the flood study with the Army Corps of Engineers. The main intent of this presentation today is to request approval to enter into a new feasibility cost-sharing agreement.

So I'll give a little bit of an update on where we are with the study but then request approval to enter into a new agreement. You can go to the next slide.

We entered into a partnership with the Army Corps of Engineers to analyze current and future flood risks starting in 2018 with our original feasibility cost-sharing agreement. The Port is a local sponsor in this study.

It is called the San Francisco Waterfront Coastal Flood Study. And again, we're a partnership with the Army Corps of Engineers. We are analyzing the entire seven-and-a-half miles of the Port's waterfront and also Aquatic Park to look at, again, the current and the future flood risks.

The Port is leading a robust community and stakeholder outreach effort. The study is a 50-50 cost share between the Army Corps of Engineers and the Port of San Francisco. And if a federal interest is found, the federal government will fund 65 percent of the design and the construction of the project. Next slide, please.

The Port entered into the original feasibility cost-sharing agreement in 2018 for \$3 million and three years. In May of 2020, it was amended to add an additional \$3 million. But no additional time was added at that -- when we added the \$3 million. And it brought the study cost up to a total of \$6 million.

That feasibility cost-sharing agreement expired in September 2021. And again, it's a 50-50 match between the federal government and the Port of San Francisco. Next slide, please.

Under the original feasibility cost-sharing agreement, we had a few -- several accomplishments. The study is complex and challenging. It presents some technical challenges that we've had to work through. But we have made some great strides.

The Port has performed or contributed to all of this work. So in plan formulation, what we do is we have identified conceptual measures and alternatives for hydraulics and coastal engineering. It's a technical work and analysis for modeling storms and identifying flood conditions.

Under economics, we've developed an asset inventory, which is used to compare the future conditions with and without a project. Environmental planning -- we have existing conditions for sections prepared for the majority of subjects covered under NEPA and CEQA, National Environmental Policy Act and the California Environmental Quality Act.

And for stakeholder engagement, again, as I mentioned earlier, the Port is leading a robust effort and is including the Army Corps in that effort to help get input through the study -- the flood study. Next slide, please.

This is showing some of the work that we have done so far. The modeling and the analysis is identifying assets that are at risk. The assets that are shown here are showing assets that are at risk during the 2030-to-2040 time period and is a great number of assets there that are at risk.

And the conditions that we're looking at is flooding conditions that would happen if no project were built, if no flood-risk mitigation project were built, that this is what the flooding conditions would look like. And these are the assets that would be at risk.

And what's highlighted here -- and you can see in the box -- there are lots of different types of assets that are at risk. We have people, residents, commuters and workers.

We have miles of transportation assets, of roadways, railway, muni and BART and very important facilities that are located in this area of the city including fire stations, wastewater facilities, commercial buildings, businesses and many other facilities. So these are all assets that are at risk if we do not address future flooding conditions. Okay. Next slide, please.

This is the next steps for where we are in the flood study is we're continuing to work with the Army Corps of Engineers. There is a new national team that's been assigned to work on this project. We got to this point of having a new national team by meeting with -- having several meetings with different levels of the Army Corps including generals from the headquarters. We were very lucky to have President Brandon and Director Forbes participate in some of those meetings to help communicate the importance of proceeding with this flood study. We're very thankful and appreciative to have their participation and their help with this.

And it helped to get this decision by the Army Corps of Engineers to assign this new national team. And the new team has experience with mega flood study, which is actually a thing. And they also are taking a new approach to this flood study to take into account multi-hazards.

So they'll be looking at flood and seismic risk to develop a program for resiliency along our waterfront. So this is a new way for the Army Corps to address projects, especially in seismic areas. And also, it's a multi-agency approach.

So we'll be looking to coordinate with other federal agencies that may get involved or be able to get involved with portions of a resilience program. And some of those agencies could include FEMA, HUD or NOAA. But we'll continue to do that work and report back to the commission as we move forward with that. Next slide, please.

Again, what we're here for today is for approval to enter into a new feasibility cost-sharing agreement. Again, with the help of President Brandon and Director Forbes, the Army Corps of Engineers headquarters approved submitting a waiver package to the assistant secretary of the army.

So that waiver package is under review right now by the assistant secretary of the army. The waiver package includes the same information that we're requesting in the feasibility cost-sharing agreement, which is an additional

four years and two months and an additional \$10 million to complete the study.

And again, that'll bring the total study cost up to \$16 million -- and there's actually a mistake on this slide -- and a total of 86 months. And again, it's a 50-50 cost share, which is sometimes referred to as a 50-50 match by the Army Corps.

So this is the setup for the new feasibility cost-sharing agreement that we're requesting approval for. And again, it'll be a 50-50 match for a total of \$8 million from the Army Corps and \$8 million from the Port. This request is for an additional \$5 million from the Port. Next slide, please.

This feasibility cost-sharing agreement includes an accelerated fund clause. The original feasibility cost-sharing agreement also included the same clause. That clause allows the Port to fund the Army Corps to move the study forward while they're waiting for certain federal funds to be in place.

We do anticipate that, with the waiver approval and the approval of the feasibility cost-sharing agreement, that the Army Corps' funding will be in place by January 2022 at the earliest. Next slide, please.

And this is it. This is the next steps for us. There are several actions -- three actions here: the Port Commission approval of the feasibility cost-sharing agreement -- the Army Corps of Engineers has the waiver package with the assistant secretary of the army.

The assistant secretary of the army will approve that waiver package. And then, we will go to the Board of Supervisors for approval to -- for the final approval to sign off on the feasibility cost-sharing agreement.

And once all those approvals are done, then the district engineer, the Army Corps of Engineers district engineer and the Port director will sign the new feasibility cost-sharing agreement. And that's it. Next slide is -- thank you very much. And if anyone has any questions, I'd be happy to answer them.

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

No Public Comment on Item 13A.

Commissioners' Discussion on Item 13A:

Commissioner Gilman: Thank you so much for the report. I have no questions. And I support the item.

President Brandon: Thank you. Commissioner Woo Ho?

Commissioner Woo Ho: Hello. I have no questions either. It's very well presented, very clear. And I'm glad we're able to access all this funding to do this very important project. So thank you.

President Brandon: Thank you. Commissioner Burton?

Commissioner Burton: No questions. It's a wonderful report.

President Brandon: Thank you. Thank you. Kelley, this is a wonderful report. And this is incredible that we are at the point where it is on the secretary's desk to sign the waiver. I mean, this is four years in the making. I know the original request, I think, was \$20 million.

But just to get to \$8 million a piece is absolutely phenomenal. So I want to thank you, Brad, Elaine, the entire team for getting us here and finding this funding, so we can do this study and be able to really start on the improvements to our seawall. So thank you -- seawall and the entire Port.

Roll Call Vote:

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

President Brandon: The motion passes unanimously. Resolution 21-43 is adopted. Next item, please.

14. NEW BUSINESS

Director Forbes: Yes. I have tracked a couple of items, update on right-sizing the vendors and having a legal program on the waterfront with a presentation from MEDA, who is our contractor helping us with the vendors and doing outreach.

Number two, a look at businesses that are yet to reopen and the vacancies we're seeing along Port property with a specific focus on the Ferry Building. And number three, an update to understand the Port's leasing strategy related to vacancies and businesses that are behind on rent. Is there other new business?

15. ADJOURNMENT

ACTION: Commissioner Gilman moved to adjourn the meeting. Commissioner Woo Ho seconded the motion. In a roll call vote, the motion passed unanimously.

President Brandon - The meeting is adjourned at 5:34 p.m.