

# SAN FRANCISCO PORT COMMISSION

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

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

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

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

**TUESDAY, MARCH 8, 2022**  
**2:00 P.M. CLOSED SESSION**  
**3:15 P.M. OPEN SESSION**

**PORT COMMISSION HEARING ROOM**  
**FERRY BUILDING, SECOND FLOOR**  
**SAN FRANCISCO, CA 94111**

This meeting will be held in person at the location listed above. As authorized by California Government Code Section 54953(e) and Mayor Breed's 45th Supplement to her February 25, 2020 emergency proclamation, it is possible that some members of Port Commission may attend this meeting remotely. In that event, those members will participate and vote by video. Members of the public may attend the meeting to observe and provide public comment at the physical meeting location listed above or online at <https://sfgovtv.org/sfgovtv-live-events>. Instructions for providing remote public comment are below.

<p><b>TO STREAM THE LIVE MEETING:</b></p> <p><a href="https://sfgovtv.org/sfgovtv-live-events">https://sfgovtv.org/sfgovtv-live-events</a></p> <p><b>TO LISTEN TO THE LIVE MEETING AND MAKE PUBLIC COMMENT REMOTELY:</b></p> <p>Dial 415-655-0001 Participant Code: 2492-314-9197#</p> <p>When prompted, dial *3 to be added to the public comment queue.</p>	<p>If you are in the public comment queue, an audio prompt will indicate when it is your turn to speak.</p> <p>Public comment is limited to 3:00 minutes and must be in respect to the current agenda item.</p> <p>When making public comment, please:</p> <ul style="list-style-type: none"><li>• Ensure you are in a quiet location</li><li>• Turn off any TV's or radios around you</li><li>• Speak Clearly</li></ul>
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*The Port Commission Agenda as well as Staff Reports and other Explanatory Documents provided to the Port Commission are available for public inspection at the Pier 1 Reception Desk and posted on the Port's website at <https://sfport.com/meetings>.*

**1. CALL TO ORDER / ROLL CALL / RAMAYTUSH OHLONE LAND ACKNOWLEDGEMENT**

**2. APPROVAL OF MINUTES – February 22, 2022**

**3. PUBLIC COMMENT ON EXECUTIVE SESSION**

**4. EXECUTIVE SESSION**

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

(1) PUBLIC EMPLOYEE APPOINTMENT/HIRING

Title/Description of position to be filled: Deputy Director of Planning & Environment. Discussion and possible action pursuant to California Government Code Section 54957(b) and San Francisco Administrative Code Section 67.10(d).

(2) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Elaine Forbes, Port Executive Director. Discussion of Performance Evaluation pursuant to Section 54957(b) of the California Government Code and Section 67.10(b) of the Administrative Code.

**5. RECONVENE IN OPEN SESSION**

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

**6. PLEDGE OF ALLEGIANCE**

**7. ANNOUNCEMENTS**

- A. Announcement of Prohibition of Sound Producing Electronic Devices during the Meeting: Please be advised that the ringing of and use of cell phones and similar sound-producing electronic devices are prohibited at this meeting. The Chair may order the removal from the meeting room of any person responsible for the ringing of or use of a cell phone or other similar sound-producing electronic device.
- B. Announcement of Time Allotment for Public Comments: Please be advised that a member of the public has up to three minutes to make public comments

on each agenda item unless the Port Commission adopts a shorter period on any item. Public comment must be in respect to the current agenda item. For in-person public comment, please fill out a speaker card and hand it to the Port Commission Affairs Manager. For remote public comment, instructions are on the first page of this agenda. During public comment, the moderator will instruct you to dial \*3 to be added to the queue. An audio prompt will signal when it is your turn to speak.

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

Public comment is permitted on any matter within Port jurisdiction that is not an agenda item. No Commission action can be taken on any matter raised other than to schedule the matter for a future agenda, refer the matter to staff for investigation or respond briefly to statements made or questions posed by members of the public. (Government Code Section 54954.2(a))

## **9. EXECUTIVE**

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

## **10. CONSENT**

- A. Request approval of Executive Director's nominations of E.B. Min, Joe Igber, Noelle Yuen, Meng-Hsiu Chen, and Ken Lindberg for appointment to the five-member Port Building Code Review Board. (Resolutions 22-12)
- B. Request approval of a Settlement Agreement for Lease L-15017 with Paul Furman d/b/a Bay Natives (Tenant) under which: (i) Port and Tenant will enter into Lease L-16658 ("New Lease") for a reduced premises of 5,000 square feet of outdoor paved land at Pier 94; (ii) payment to be comprised of the New Lease base rent at \$0.45 per square foot and back rent for Lease L-15017 in the amount of \$1,500 per month to reduce the outstanding balance; (iii) Port to waive all late fees and interest that would have otherwise accrued on the outstanding balance through the end of the 5-year term of the New Lease; and (iv) provided Tenant is not in default under the New Lease, Port to forgive the remaining outstanding balance for Lease L-15017 at the end of the New Lease 5-year term. (Resolution 22-13)
- C. Request approval of a resolution adopting findings under new State urgency legislation to allow certain members of this body to attend meetings remotely during the COVID-19 emergency; continuing to allow certain members to attend remotely for the next 30 days; and directing the Commission Affairs

Manager to agendize a similar resolution at a Commission meeting within 30 days. (Resolution 22-14)

- D. Request adoption of new procedures for public comment at Port Commission meetings, providing members of the public an opportunity to comment in-person or via teleconferencing. (Resolution 22-15)

**11. REAL ESTATE & DEVELOPMENT**

- A. Informational presentation on Mission Rock Project updates and intent for Port to enter into agreement for the purchase of non-potable water from Mission Rock Utilities at Seawall Lot 337, bound by China Basin Channel, Third Street, Mission Rock Street, and San Francisco Bay.

**12. EXTERNAL AFFAIRS**

- A. Informational presentation to review the Port's Proposed 2022 Federal and State Legislative Priorities.

**13. NEW BUSINESS**

**14. ADJOURNMENT**

**PROPOSED AGENDA  
SUBJECT TO CHANGE**

**APRIL 12, 2022**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Pier 14	Action	Proposed sculpture by Denise de la Rue to be located in the plaza in front of Pier 14 on the Embarcadero near Mission Street
2	Crane Cove Park Building 49	Action	Request to authorize Port staff to modify Construction Contract No. 2814R, Crane Cove Park Building 49 Re-bid, to increase the authorization not to exceed an additional 116 days duration and the contract amount not to exceed an additional \$180,000
3	Portwide	Informational	Presentation on Living Seawall pilot
4	Pier 70	Informational	Informational presentation on an amendment to the Design for Development of the Pier 70 Special Use District to clarify the definitions of Office Use and Retail use, which will <u>not</u> alter building height maximums, parcel designations, or development capacity of the project
5	SFFD Training Facility 1236 Carrol Avenue	Action	Approval of Memorandum of Understanding between the Port and the SF Real Estate Division regarding the proposed transfer from Port to RED of approx. 26,000 sf of Port property in exchange for FMV
6	Ferry Plaza East Building and Pier 33 ½ Restaurant Space	Informational	Informational presentation on a competitive solicitation strategy to lease two currently vacant spaces - the Ferry Plaza East Building behind the Ferry Building and the space for restaurant at the East-End of Pier 33 ½ Building
7	SWL 337, Mission Rock	Action	Request authorization to execute Recycled Water Services Agreement

**APRIL 26, 2022**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Heron's Head Park	Action	Request Authorization to award Construction Contract No. 2841, Heron's Head Shoreline Resilience Project
2	Building 49 at Crane Cove Park	Informational	Presentation on potential lease with the YMCA of San Francisco for Building 49 located at Crane Cove Park
3	Pier 70	Action	Request approval of an amendment to the Design for Development of the Pier 70 Special Use District to clarify the definitions of Office Use and Retail use, which will <u>not</u> alter

			building height maximums, parcel designations, or development capacity of the project.
4	Portwide	Informational	Report on Local Business Enterprise Contracting Activity for Quarters 1 and 2 (July 1, 2021 through December 2021) for Fiscal Years 2021-2022.
5	Pier 70 and Mission Rock	Action	Request authorization to Award As-Needed Technical Services for Pier 70 and Mission Rock Development Projects

**MAY 10, 2022**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Pier 70 Shipyard	Action	Request Authorization to award Construction Contract No. 2843, Pier 70 Shipyard Grading and Abatement Project
2	Central Embarcadero	Informational	Presentation by the San Francisco Municipal Transportation Authority of the recent Embarcadero Enhancement Quick-Build Project and proposals to improve safety on the Embarcadero Promenade, located in the Central Embarcadero area between Mission and Broadway Streets
3	Piers 30-32 & SWL 330	Informational	Presentation on the project status with Strada Trammel Crow Companies Partnership LLC for the Piers 30-32 & SWL 330 the generally located along the Embarcadero between Bryant and Beale Streets

**DATE TO BE DETERMINED**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Building 49 at Crane Cove Park	Informational	Presentation on Lease with the YMCA of SF for Building 49 located at Crane Cove Park
2	Pier 70, 28-acre site Special Use District area	Informational	Presentation on an amendment to the Pier 70 Special Use District Design for Development to clarify the definition of Office Uses
3	Ferry Plaza East and Pier 33 ½	Informational	Informational presentation on solicitations for vacant restaurant locations at Ferry Plaza East Building (formerly called Ferry Plaza Limited Partnership-FPLP building) and Pier 33 ½
4	SFFD Training Facility 1236 Carrol Avenue	Action	Approval of Memorandum of Understanding between the Port and the SF Real Estate Division (RED) regarding the proposed transfer from Port to RED of approx. 26,000 sf of Port property in exchange for FMV
5	SWL 337, Mission Rock	Action	Request authorization to execute Recycled Water Services Agreement

6	Pier 14	Action	Proposed sculpture by Denise de la Rue to be located in the plaza in front of Pier 14 on the Embarcadero near Mission Street
7	Central Embarcadero	Informational	Presentation by the San Francisco Municipal Transportation Authority of the recent Embarcadero Enhancement Quick-Build Project and proposals to improve safety on the Embarcadero Promenade, located in the Central Embarcadero area between Mission and Broadway Streets
8	Portwide	Informational	Informational update on the Port's Racial Equity Action Plan (REAP) Phase I actions
9	Piers 39-43.5	Informational	PG&E Pier 39-43.5 Offshore Remediation Project and Use of Pier 96 Terminal for Marine Construction Staging and Material Handling Facility
10	Portwide	Informational	Presentation on proposed Guidelines for Recognition or Commemoration at the Port of San Francisco
11	Piers 30-32 & SWL 330	Informational	Presentation on the project status with Strada Trammel Crow Companies Partnership LLC for the Piers 30-32 & SWL 330 the generally located along the Embarcadero between Bryant and Beale Streets
12	Pier 80	Informational	Update on PASHA Operations and Local Hire Performance at Pier 80
13	Pier 70, Parcel K North Plaza	Informational	Presentation of the Schematic Design of the Parcel K North plaza located at the southeast corner of 20th and Illinois Streets
14	Portwide	Action	Approval of amendments to Port of San Francisco Tariff No. 5 (Rules, Regulations, Rates, and Charges)
15	Mission Bay Ferry Landing	Informational	Presentation on proposed lease with Water Emergency Transportation Authority Transportation to lease and operate the Mission Bay Ferry Landing for ferry service
16	Mission Bay Ferry Landing	Action	Authorization to accept and expend \$25 million from WETA and from private contributions for the Mission Bay Ferry Landing, subject to the Board of Supervisors' approval, and authorization to enter into a Memorandum of Understanding with WETA governing expenditure of the \$25 million
17	Portwide	Informational	Presentation on competitive solicitation for operation of Port's parking lots, located throughout the waterfront.
18	Portwide	Information	Presentation on proposed updates to Port's parameter rental rates, special events rates, and leasing incentives.

**APRIL 2022**  
**CALENDAR OF UPCOMING PORT MEETINGS – OPEN TO THE PUBLIC**

<b>DATE</b>	<b>TIME</b>	<b>GROUP</b>	<b>LOCATION</b>
APR. 12	2:00 PM Closed Session 3:15 PM Open Session	Port Commission	Port Commission Hearing Room (Ferry Building) and Virtual
APR. 26	2:00 PM Closed Session 3:15 PM Open Session	Port Commission	Port Commission Hearing Room (Ferry Building) and Virtual

**COMPETITIVE SELECTION PROCESS COMMUNICATIONS  
RESTRICTED COMMUNICATIONS PERIOD REPORT**

**Date of Report: March 4, 2022**

The following competitive solicitations are published and are within or will soon be within the Restricted Communications Period under the forthcoming Port Commission Competitive Selection Process Communications Policy.

<b>DIVISION</b>	<b>TITLE</b>	<b>PUBLICATION DATE</b>	<b>CONTRACT MANAGER</b>
Engineering	As-Needed Technical Services for Pier 70 and Mission Rock Development Projects	January 18, 2022	Stephanie Tang
Maritime & Engineering	Maintenance Dredging Program, Construction Contract No. 2842	Upcoming	Ken Chu & Shannon Alford
Engineering	Pier 70 Shipyard Grading and Abatement, Construction Contract No. 2843	Upcoming	Erica Petersen
Engineering	Heron's Head Shoreline Resilience, Construction Contract No. 2841	Upcoming	Erica Petersen

**NOTES:**

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

Full Commission meetings are replayed on San Francisco cable via SFGovTV2 and streamed on the Internet. Broadband service is recommended for access. The Port Commission is generally broadcast on SFGovTV2, cable channel 78 on the 2nd & 4th Thursday of the month at 9 p.m. SFGovTV archives include a recording of each meeting, an agenda with links to the specific portion of the meeting, a file containing all closed captions for the deaf from the meeting and an MP3 recording of the meeting. The Port Commission



meetings can be viewed online at [http://sanfrancisco.granicus.com/ViewPublisher.php?view\\_id=92](http://sanfrancisco.granicus.com/ViewPublisher.php?view_id=92)

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

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

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

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

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

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

### **ACCESSIBLE MEETING INFORMATION POLICY**

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

### **DISABILITY ACCOMMODATIONS**

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

### **LANGUAGE ASSISTANCE**

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

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

### **SPANISH:**

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

### **CHINESE:**

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

請在聽證會舉行之前的至少48個小時提出要求。

### **TAGALOG:**

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

### **RUSSIAN:**

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

## **NOTICES**

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

Government's duty is to serve the public, reaching its decisions in full view of the  
public. Commissions, boards, councils and other agencies of the City and County exist to  
conduct the people's business. This ordinance assures that deliberations are conducted before  
the people and that City operations are open to the people's review. For more information on  
your rights under the Sunshine Ordinance (Sections 67.1 et seq. of the San Francisco  
Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance  
Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by

phone at (415) 554-7724; by fax at (415) 554-7854 or by email at [soft@sfgov.org](mailto:soft@sfgov.org). Citizens can obtain a free copy of the Sunshine Ordinance by printing Sections 67.1 et seq. of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>.

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

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

**Lobbyist Registration and Reporting Requirements:**

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

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

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

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

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