

# SAN FRANCISCO PORT COMMISSION

**Willie Adams, President**  
**Kimberly Brandon, Vice President**  
**John Burton, Commissioner**  
**Gail Gilman, Commissioner**  
**Steven Lee, Commissioner**

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

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

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

**TUESDAY, OCTOBER 11, 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<br/>Participant Code: 2496-775-9091#</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> |
|---|--|

*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 – September 13, 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) CONFERENCE WITH REAL PROPERTY NEGOTIATOR – This is specifically authorized under California Government Code Section 54956.8. \*This session is closed to any non-City/Port representative: (Discussion Item)

(a) Property: Pier 50 Shed B Bulkhead  
Person Negotiating: Port: Rebecca Benassini, Deputy Director of Real Estate and Development  
Negotiating Parties: Eric Gilliland, Vice President of Operations, Hotaling & Co.  
Under Negotiation: \_\_\_ Price \_\_\_ Terms of Payment X Both  
In this executive session, the Port's negotiators seek direction from the Port Commission on factors affecting the price and terms of payment for a proposed new retail lease at the abovementioned property. The executive session discussions will enhance the capacity of the Port Commission during the public deliberations and actions to set the price and payment terms that are most likely to maximize the benefits to the Port, the City, and the People of the State of California.

(b) Property: Lease No. L- 16141 for Seawall lots 301, 314, 321, 323-324 and Piers 19½ and 29½  
Person Negotiating: Port: Rebecca Benassini, Deputy Director of Real Estate and Development  
Negotiating Parties: Timothy Downey, Senior Vice President, SP Plus Corporation, representing SP Plus-Hyde Parking Joint Venture.  
Under Negotiation: \_\_\_ Price \_\_\_ Terms of Payment X Both  
In this executive session, the Port's negotiators seek direction from the Port Commission on factors affecting the price and terms of payment in an amended lease for the abovementioned property. The executive session discussions will enhance the capacity of the Port Commission during the public deliberations and actions to set the price and payment terms that are most likely to maximize the benefits to the Port, the City, and the People of the State of California.

- (c) Property: Seawall Lot 345, located on Terry A. Francois Boulevard at Mariposa Street  
Person Negotiating: Port: Rebecca Benassini, Deputy Director of Real Estate and Development  
Negotiating Parties: Arvind Patel, St. Francis Marine Center and Ramp Restaurant Company  
Under Negotiation: \_\_\_ Price \_\_\_ Terms of Payment X Both  
In this executive session, the Port's negotiators seek direction from the Port Commission on factors affecting the price and terms of payment for rent in a new or amended lease for the abovementioned property. The executive session discussions will enhance the capacity of the Port Commission during the public deliberations and actions to set the price and payment terms that are most likely to maximize the benefits to the Port, the City, and the People of the State of California.

## **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
  - Resilience
  - Key Project Updates

## **10. CONSENT**

- A. Request approval of a resolution adopting findings under 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 22-48)
- B. Request authorization to award Construction Contract No. 2842, Maintenance Dredging 2022-2024, to The Dutra Group, in the amount of \$7,238,750, and authorization for a contract contingency fund of 10% of the contract amount (or \$723,875) for unanticipated conditions, for a total authorization not to exceed \$7,962,625. (Resolution 22-49)
- C. Request approval of a proposed retroactive license with San Francisco Community Fishing Association, a California Non-Profit Corporation, for 2,424 Square Feet of Shed Space and 1,602 Square Feet of non-Exclusive Apron Space at Pier 45 Shed D on a month-to-month basis. (Resolution 22-50)

## **11. WATERFRONT RESILIENCE PROGRAM**

- A. Informational presentation on the Draft Waterfront Adaptation Strategies.

## **12. REAL ESTATE & DEVELOPMENT**

- A. Informational presentation providing an update on the Lease Disposition and Development Agreement with TZK Broadway, LLC, for the proposed mixed-use development that includes a 192-room hotel, a dinner-theater space for Teatro ZinZanni, and 14,000-square-foot public open space and ancillary uses at Seawall Lots 323/324 and portions of unimproved Vallejo and Davis Street right-of-ways on the west side of The Embarcadero.

- B. Informational presentation regarding a proposed new lease with Autodesk, Inc., a Delaware corporation (“Autodesk”), for approximately 30,590 square feet of office space and unimproved shed space located at Pier 9 for a term of 12-months with one 12-month option to extend, subject to Board of Supervisor’s approval.
- C. Informational presentation on the proposed development and multi-use lease of Building 49 located within Crane Cove Park by the YMCA of San Francisco.
- D. Informational Presentation for Port to Enter into Agreement to Purchase Non-Potable Water from Mission Rock Utilities for China Basin Park and other Port-accepted Areas of the Mission Rock Site at Seawall Lot 337, Bound by China Basin Channel, Third Street, Mission Rock Street, and San Francisco Bay.

**13. FINANCE & ADMINISTRATION**

- A. Informational presentation on financial matters including a proposed amendment to the Port’s operating reserve policy.

**14. NEW BUSINESS**

**15. ADJOURNMENT**

**PROPOSED FUTURE AGENDA  
SUBJECT TO CHANGE**

**NOVEMBER 8, 2022**

| <b>FACILITY/POLICY</b> |                     | <b>ITEM</b>   | <b>TITLE</b>   |
|------------------------|---------------------|---------------|--|
| 1                      | Portwide            | Consent       | Request approval of the Port's Sanitary Sewer Management Plan recertification.   |
| 2                      | Portwide            | Consent       | Request approval of Operating Agreement for new Menziez Aviation Subzone   |
| 3                      | Portwide            | Consent       | Request approval of assignment of Subzone Operating Agreement from Agility to DSV Air & Sea  |
| 4                      | Pier 9              | Action        | Request approval for a new lease with existing tenant, Autodesk, at Pier 9   |
| 5                      | Portwide            | Action        | Amend Parameter Schedule to allow Processors to conduct Retail Sales   |
| 6                      | Central Embarcadero | Informational | Updates on recently installed 'Quick-Build' traffic and curb management changes and efforts to address conflicts on the Embarcadero Promenade in the Central Embarcadero between Mission Street and Broadway, per the San Francisco Municipal Transportation Agency's Embarcadero Enhancement Program in support of the City's Vision Zero traffic safety goals. |
| 7                      | Portwide            | Informational | Presentation to review the Port's Proposed 2022 Federal and State Legislative Priorities   |
| 8                      | Portwide            | Informational | Year End Contracting Report for Fiscal Year 2021-2022  |
| 9                      | SWL 344             | Informational | Presentation on the San Francisco Department of Environment's RFP for SWL 344  |

**DECEMBER 13, 2022**

| <b>FACILITY/POLICY</b> |         | <b>ITEM</b> | <b>TITLE</b>  |
|------------------------|---------|-------------|---|
| 1                      | Pier 35 | Action      | Request approval of lease with the National Liberty Ship Memorial |

**DATE TO BE DETERMINED**

| <b>FACILITY/POLICY</b> |          | <b>ITEM</b> | <b>TITLE</b>  |
|------------------------|----------|-------------|---|
| 1                      | Portwide | Action      | Request adoption of an updated Policy for allocation of Abandoned Personal Property Portwide                    |
| 2                      | SWL 344  | Action      | Request approval of a proposed new Memorandum of Understanding ("MOU") with the San Francisco Department of the |

|   |                               |               |   |
|---|-------------------------------|---------------|---|
|   |                               |               | Environment (“DOE”) for approximately 27,502 square feet of paved land, approximately 5,766 square feet of unpaved land, and approximately 3,615 square feet of shed space at Seawall Lot 344 for a term of five years. |
| 3 | 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   |
| 4 | Portwide                      | Informational | Presentation on competitive solicitation for operation of Port’s parking lots, located throughout the waterfront  |
| 5 | 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                        |

**NOVEMBER & DECEMBER 2022  
CALENDAR OF UPCOMING PORT MEETINGS – OPEN TO THE PUBLIC**

| <b>DATE</b> | <b>TIME</b>                                    | <b>GROUP</b>    | <b>LOCATION</b>   |
|-------------|--|-----------------|---|
| NOV. 8      | 2:00 PM Closed Session<br>3:15 PM Open Session | Port Commission | Port Commission Hearing Room (Ferry Building) and Virtual |
| DEC. 13     | 2:00 PM Closed Session<br>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:     October 7, 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 Engineering and Related Services                         | July 5, 2022            | Stephanie Tang & Alysabeth Alexander-Tut  |
| Maritime & Engineering    | Maintenance Dredging Program, Award Construction Contract No. 2842 | Upcoming                | Ken Chu & Shannon Alford                  |
| Real Estate & Development | Restaurant Spaces Solicitations - Ferry Plaza East Building        | Upcoming                | Ricky Tijani through Real Estate Division |

|                           |   |          |   |
|---------------------------|---|----------|---|
| Real Estate & Development | Restaurant Spaces Solicitations - Piers<br>33 1/2 | Upcoming | Sandra Oberle<br>through Real Estate Division |
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**NOTES:**

The San Francisco Port Commission meets regularly on the second Tuesday of every month, plus the fourth Tuesday of February and April, 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).





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

## **NOTICES**

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

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

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

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

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

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

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

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

correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

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

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