



# **SAN FRANCISCO PORT COMMISSION**

**November 8, 2022  
MINUTES OF THE MEETING**

**MEMBERS, PORT COMMISSION**

**HON. WILLIE ADAMS, PRESIDENT  
HON. KIMBERLY BRANDON, VICE PRESIDENT  
HON. JOHN BURTON, COMMISSIONER  
HON. GAIL GILMAN, COMMISSIONER  
HON. STEVEN LEE, COMMISSIONER**

**ELAINE FORBES, EXECUTIVE DIRECTOR  
CARL NICITA, COMMISSION AFFAIRS MANAGER**

# CITY & COUNTY OF SAN FRANCISCO PORT COMMISSION

## MINUTES OF THE MEETING November 8, 2022

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

Port Commission President Willie Adams called the meeting to order at 2:30 p.m. The following Commissioners were present: Willie Adams, Kimberly Brandon, Gail Gilman Steven Lee and John Burton.

The Commission Affairs Manager read the Ramaytush Ohlone Land Acknowledgment.

### 2. APPROVAL OF MINUTES – October 11, 2022

ACTION: Commissioner Gilman moved approval of the minutes. Vice President Brandon seconded the motion. 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 convene in closed session. Vice President Brandon seconded the motion. In a roll call vote, all commissioners were in favor.

- (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)

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 and consultant Seifel Consulting

Negotiating Parties: Arvind Patel, St. Francis Marine Center and Ramp Restaurant Company

Under Negotiation:  Price  Terms of Payment  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.

Present:                   President Willie Adams  
                              Vice President Kimberly Brandon  
                              Commissioner John Burton  
                              Commissioner Gail Gilman  
                              Commissioner Steven Lee

Also present:           Elaine Forbes, Port Director  
                              Michael Martin, Assistant Port Director  
                              Carl Nicita, Commission Affairs Manager  
                              Kimberley Beal , Assistant Deputy Director for Real Estate  
                              Jennifer Gee, Senior Property Manager  
                              Andre Coleman, Deputy Director of Maritime  
                              Michelle Sexton, General Counsel  
                              Rona Sandler, Deputy City Attorney

## **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.

**ACTION:** Vice President Brandon moved to reconvene in open session without disclosing any discussions from closed session. Commissioner Gilman seconded. In a roll call vote, all commissioners were in favor.

## **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))

### No Public Comment.

## **9. EXECUTIVE**

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

Director Forbes: Good afternoon, President Adams, Vice President Brandon, members of the commission, members of Port staff and the public. I am Elaine Forbes, the executive director. Today is election day, first and foremost. If anyone needs information on a location to vote, please go to [sselections.sfgov.org](http://sselections.sfgov.org). There are also several polling places along the waterfront. And they stay open until 8:00 p.m.

I am going to first talk about economic recovery. We are entering the holiday season, which is just a stunning time to welcome people to the waterfront. We expect to welcome more visitors for celebrations and enjoyment over this season.

We have been bringing people to the waterfront. And this is a sign of our revival and economic recovery. At the direction of the Port Commission, this summer and fall we welcomed back millions of people. And we renewed our commitment to providing a clean, safe, equitable and vibrant waterfront.

This waterfront activity continues to fuel city and Port revenues. And we're just getting started. I'm happy to report that international passenger traffic at SFO which was very slow to recover has now accelerated and is the same as pre-pandemic domestic traffic - I'm sorry -- is the same level as domestic traffic.

We're looking forward to crab season this winter and the water-to-table fresh seafood experience that San Francisco and Bay Area residents can enjoy. Happily, recreational Dungeness crab season opened as scheduled on Saturday, November 5, 2022.

The San Francisco SF Port boats have reported limits of big crab on all trips so far. The California Department of Fish and Wildlife have delayed the start of commercial crab season for four years in a row. And this is because of the migration patterns of humpback whales along the California coast.

We know that we will enjoy that delicious crab when it is time and finally arrives to the Fisherman's Wharf District. Another assessment of fishing grounds will be conducted around November 23rd. And we're all hoping that commercial fisheries will open as soon as possible.

In more waterfront activation good news, the Port has secured a new innovative partnership with Off the Grid at our cruise ship terminal plaza to give visitors great food options from 10:00 to 2:00 in a world-renowned open space with spectacular views. The scheduled Off the Grid will be in the terminal plaza November 13th on Sunday and the 27th.

And even more exciting news to share for our recovery, just last Friday, Mayor Breed announced \$9.6 million grant award to the Port and the city from President Biden, Speaker Pelosi and the United States Department of Transportation DOT Secretary Buttigieg.

And this is all to rebuild our own Amador Street. The grant was made possible by a bipartisan infrastructure law and additional congressional appropriations. As you know, Amador Street is the gateway to our maritime and industrial district, which provides sustainable local jobs for working people and diverse industries.

And this grant highlights how we are prioritizing economic inclusion and maritime industrial activities in our recovery. The roadway will be rebuilt. And this will bolster storm-water drainage, remove toxic railroad ties and improve surrounding landscape in the southern waterfront too.

We have appreciated President Adams for attending and bringing key leadership from the federal and state transportation and maritime sectors. We [toured] Chairman Daniel Maffei from the Federal Maritime Commission and CalSTA Secretary Omishakin from the state.

We have had enormous success securing state and federal funds these last two years. I would like you to learn more about our state and federal partnerships. Boris Delepine, our legislative affairs manager, will provide more of an update at this time.

Boris Delepine: Good afternoon, commissioners. Thank you, Director Forbes. I'm Boris Delepine, the Port's legislative affairs manager. I'll provide an update on some of the legislative priorities we pursued in calendar year 2022.

In the past two years, significant attention and resources have been dedicated to ports in both Sacramento and Washington D.C. Working with our federal lobbyists and industry partners like the California Association of Port Authorities and along with your support, we've been successful in getting in front of policymakers to advocate for our interests and build partnerships that result in serious investments to our waterfront.

As Director Forbes mentioned, we were notified last week about a federal grant award for Amador Street. The grant was made possible by the Biden infrastructure plan. The project was funded by the Department of Transportation's Port Infrastructure Development Program, or PIDP.

It's our first allocation from the infrastructure plan. The PIDP program is a recurring program that's fully funded for the next five years. So we'll be applying for more grants in the years to come. In 2022, we had originally submitted a \$4 million funding request for Amador Street. That attempt was denied.

Following the denial, we debriefed with DOT staff to discuss our original application's strengths and weaknesses. We incorporated their suggestions into the new application. Prior to our application submittal, we toured our facilities with Gus Hein. He is MARAD's director of the Mid-Pacific Gateway.

And then, in April, Director Forbes, Andre Coleman and I met with Polly Trottenberg, the deputy secretary of transportation under Pete Buttigieg to preview the project. Finally, Speaker Pelosi endorsed the project through a support letter. And that helped push our application over the top.

Speaker Pelosi's office has delivered vital improvements in programs for our agency, as you know. She's been an incredible advocate along with her office. We plan to repeat and grow the advocacy strategy that we developed for Amador Street applications for those future PIDP applications.

Upcoming calls for projects include the RAISE program in December and PROTECT in early 2023. Both of these are opportunities for resilience planning with support along the waterfront to complement our Army Corps of Engineer program.

We're also awaiting details from the Environmental Protection Agency on the process and schedule to award approximately \$3 billion in Port electrification funding made available through the recently passed Inflation Reduction Act.

Our power needs are expected to grow two-and-a-half times in the next 25 years. And this is a timely and key funding opportunity that we're keeping an eye on.

Now, turning to state advocacy. The fiscal year '22-'23 state budget was very good for ports in California. It includes \$1.2 billion for a one-time port-and-freight infrastructure program administered by CalSTA to help ease supply-chain congestion.

We've monitored developments and announcements around this funding pot very closely. Earlier this year, we joined other California ports to first ensure that the funding for ports remained high in the state budget but also to make sure that the rules that are established around disbursement are beneficial to the Port of San Francisco.

Along with our partners in San Diego, we made a good case for the role that small and mid-size ports like ours play in making our supply chain more resilient across the state. Last month, CalSTA announced a call for projects with applications due in early January.

We're working with maritime and the engineering divisions to target a \$40 million grant submittal to support projects in our maritime eco-industrial complex. The legislature, through the budget, also adopted \$140 million in sea-level-rise funding with priority going to urban waterfronts, ports and ecosystems.

This is significant, as it's the first time urban waterfronts and ports are identified as a sea-level-rise preference. The first tranche, \$37 million, will be issued by the state Coastal Conservancy this fiscal year. And the Port is well positioned to compete for those dollars and get those dollars to secure additional federal funding.

The Port, in the budget, also includes \$55 million from the California Energy Commission for ports to prepare for the rapid development of the offshore wind industry. AB 525 was authored by former assemblymember and current San Francisco city attorney David Chiu and laid the groundwork for California's foray into the offshore wind industry.

We met with representatives from the California Energy Commission last month to understand the process, make clear that we support the state in achieving their offshore wind goals. And then, finally, in August, the State Lands Commission allocated the Port \$2.2 million in COVID relief funding.

This was the last tranche made available from the total \$250 million that came from the state -- that came through the state from the American Rescue Plan. In total, the Port of San Francisco received over \$116 million in ARPA funding.

In terms of next steps, we're working on that \$40 million grant application for CalSTA to support projects at Pier 80, 90 and 94. The photograph on this slide was taken during a boat tour that we provided the CalSTA Secretary Toks Omishakin that Director Forbes outlined.

His team were here to view some of the projects that we'll be submitting. This took place on October 24th. Thank you, President Adams, for participating in that tour. We are continuing to monitor developments related to offshore wind.

Mike Martin, our COO, will be participating in a panel tomorrow related to Port infrastructure funding at the Floating Wind USA conference that's being held in Japantown. I participate in a biweekly offshore wind subcommittee facilitated by CAPA with ports around the state. And we feel like we're well positioned on the offshore wind front.

We're also working with our federal lobbyists to prepare for the EPA announcements around electrification. And then, I will return to the Port Commission in early 2023 to lay out our legislative priorities for the coming year.

In closing, I want to acknowledge the good work of our lobbyists, CAPA, Port staff from maritime, engineering, finance and the waterfront resilience program and you, commissioners, for helping us make these opportunities happen.

This is a collaborative effort. And we've all worked well to position the port to compete in wind finding in the past two years but also going forward. This is a promising and exciting time for ports in California. And I look forward to providing additional updates as they become available. And I'll pass it back to Director Forbes.

Director Forbes: Thank you, Boris. That was very informative and very exciting. I now would like to turn to equity. Our tenants continue to prioritize equity. And with intentional efforts, we're seeing more and more results.

Building on the success of annual Juneteenth on the Waterfront event, we have partnered with the Human Rights Commission, Dream Keepers Initiative and sponsors Foodwise, formerly CUESA, popups on the plaza. This is a series of activations to support black-owned businesses at the ferry terminal plaza.

The first event was late last month. And it was very successful. Thank you, Commissioner Brandon, for your leadership on this effort. And in our southern waterfront just this last weekend, 15 different food vendors from the Bayview were featured in an activation at Pier 70 where people ate, drank and discovered incredible artisans.



This event featured small BIPOC-owned businesses. And Supervisor Walton -- President Walton was in attendance. So we're excited that our partners are providing this kind of opportunity.

Internally, we're focusing on equity too. We are celebrating Native American Heritage Month and Indigenous Peoples Month, focusing on resilience, culture and achievements. Today, Native Americans represent less than 1 percent of the population in California.

While this population is small, representation really matters. The Port is committed to combatting native invisibility and creating a diverse and equitable organization that reflects BIPOC representation throughout the ranks of our workforce in celebrating the Native American history and culture as part of the Port's goal to create a culture of inclusion and belonging.

Also, all Port staff will participate in racial equity training before the end of this year. This training is foundational to our efforts to become an anti-racist organization.

To resilience, last month, you know we update you on the work we're doing with the Army Corps of Engineers with our sister agencies to look at those seven draft waterfront adaptation strategies.

The strategies are up for public feedback. And we have the goal of reaching a draft plan by the summer of 2023. A week ago, we hosted -- I'm sorry. Two weeks ago, we hosted a southern waterfront community mixer at Radio Africa and Kitchen in the Bayview. It was a really great event.

We can see those partnerships developing and trust building. So we're ready to engage on the draft strategies for flood protection. In-person and online events will continue through mid-December. There are ongoing digital engagements happening through story maps, interactive storytelling and surveys.

In the coming months, we will once again ramp up efforts on this flood study with the Army Corps of Engineers and key city departments and communities citywide working on a plan. The best ideas from the seven draft adaptation strategies will come together to create the plan.

As you know, while we develop our longer-term plans, we're moving ahead to advance more immediate important interventions including the early projects along the Embarcadero and the living seawall pilot.

What happens along the San Francisco waterfront impacts San Franciscans from every corner of the city. And the scale of change necessary provides a really once-in-a-generational opportunity to get our waterfront right and give it to future generations in a way that's equitable and resilient and really serves everyone.

Now, to key projects, to enhance the public experience at Cruise Terminal Plaza, the San Francisco Arts Commission is inviting artists and artist teams to submit qualifications for an art piece. Proposals may range from a single large sculpture to a series of smaller sculptures.

The art will be located in Cruise Terminal Plaza near the pedestrian entrance at Lombard Street. The RFP was released October 21. And applications will be accepted until midnight on the 16th. We're excited about seeing this work.

Once the committee has scored, we'll be bringing the art to the art commission in September of 2023. This is funded by our 2012 general obligation bond and is part of the city's art enrichment program.

So in closing -- finally, commissioners, consistent with the write-off policy adopted pursuant to Resolution 22-11, Port staff have provided a report summarizing the account to you, which accounts have 30 days to review before we process.

If you have any concerns, please contact me or Rebecca Benassini within 30 days, and we can schedule a future commission item to discuss. And in closing, don't forget Delancey Street tree lot that uses our own Piers 32, 599 The Embarcadero.

Delancey Street is the country's leading residential self-help organization for former substance disorders, incarcerated individuals and homeless and others who have hit bottom and are on the way up once they hit Delancey Street. The lot opens after Thanksgiving.

And finally, finally, in the spirit of gratitude, I'd like to offer appreciation for our Port staff and our Port Commission. We are a wonderful group of dedicated group people who intentionally serve our city and residents and visitors and meet our Port mission.

And as we approach the end of 2022, I think it's a good time to be grateful and reflect on how much we've accomplished as an organization. Thank you, commissioners, for your continued guidance and, staff, for your continued innovation and hard work. There is a lot of steadfast commitment. And we're showing lots of results. Thank you. That concludes my report.

No Public Comment on the Executive Director's Report.

Commissioners' Discussion on the Executive Director's Report:

Commissioner Lee: No. I think it's great. I'm noticing more outreach on Facebook about the tours -- public tours about the waterfront and the seawall which is great. I'm sharing it with everybody. So keep up the good work on that. That's all I have to say.

President Adams: Commissioner Burton?

Commissioner Burton: Just very good work. Very good.

President Adams: Thank you. Commissioner Gilman?

Commissioner Gilman: Thank you for the report. And congratulations again on the federal and state investments. It's foundational to get us back to where we were pre-pandemic. I'm really excited about the plaza popup and the Off the Grid and have, too, seen a rise in social media.

But I do believe we should still be as much as we can advertising those events through all of our social media channels in any way possible, so we can bring people to the waterfront. It's exciting. Thank you, Director.

President Adams: Vice President Brandon?

Vice President Brandon: Elaine, thank you so much for your report, a lot of great, exciting opportunities in front of us. And I want to thank Boris for his update and thank President Adams for continuing to bring opportunities to the Port.

I think we have all done a great job in finding funding opportunities because we have so many projects that we need to get done and so much that we need to do to get -- so everyone can continue to enjoy our waterfront.

So I thank the staff and the commission has done a phenomenal job in that area. I'm just happy that we're doing pop-ups and certain events to activate the waterfront and to continue to bring people to the waterfront. The waterfront is the place to be in the city. [laughter] Thank you.

President Adams: Director Forbes and to your staff, great job. And Boris, I think it's important that, not only statewide but nationally, people are looking at the Port of San Francisco. And when you have the secretary of transportation for the State of California to be here, Omishakin, to tour the Port of San Francisco and -- because Governor Newsom -- he's authorized to give out \$2 billion to ports in California.

That's important. California used to be the fifth-largest economy in the world. We've moved up. We're the fourth-largest economy. So we have to have the infrastructure in our ports and then also to have Chairman Dan Maffei of the Federal Maritime Commission here -- that's important.

He was here in Oakland seeing the Port of Oakland. It was amazing. He's the chairman of the Federal Maritime Commission. He didn't even know there was a port here in San Francisco. And we took him out --

Commissioner Burton: [laughs]

President Adams: -- on the water, gave him a tour of the Port of San Francisco. And the only way to understand this port is you've got to see it from the waterside in. You can't drive by the port and see the depth of what we have.

And to look waterside in,, to see that we have a floating fire station on the water and just how interactive Pier 80, Pier 96, to take him down to our cruise terminal, I think that was really something. He was -- both men were really excited by the fact of offshore wind, not only on the state level.

But on the federal level, billions of dollars are going in to offshore wind. We have to be ready and jump when the fire is hot. You know, it's funny -- and I'll just say this. I remember when everybody [hit -- canvas] came out.

Those that made their money was out front, did very well in this. Right. And this is what's going to be happening with the offshore wind. The Port of San Francisco, even though it's a boutique port, we're not L.A. Long Beach.

We are perfectly positioned to do something and to basically be like that blueprint of what we want for offshore wind for all of California. And I think that's one thing I've always said about the Port of San Francisco and the city.

San Francisco always leads. It has its own swagger. And it walks to the beat of a different drummer. So I think we've got to get out front on it. Let's get ahead on that pilot program. And let's let ports all over the country look and go, San Francisco is leading the way.

And I need to say this, a special shout out not only to our media staff in the back. But I'm on Embarcadero 5:30 every morning. I'm a road warrior running. But the maintenance department -- sometimes, they never get any credit or no recognition. They don't come to this meeting here.

I want to personally, on behalf of all the commissioners, acknowledge the men and women that work on the maintenance department that you never see, that clean up the waterfront, that make it safe. I want to acknowledge them personally.

The one thing that I know about people -- and I don't care who they are. Everybody appreciates when someone appreciates them for what they do and to be acknowledged. It's no good saying nice things about people when they're dead. They can't hear you. Don't even bring them any flowers. They can't smell them.

So I want to personally say to the maintenance department, thank you so much. This commission appreciates you, the work that you do. I mean, it's a crazy waterfront. You've got people on bicycles flying down, running, skateboards, scooters. You're ducking to get out the way to try to do it.

But I just want to personally thank you. And definitely, you are heroes of this waterfront. And we owe you a debt of gratitude on behalf of the commission. Thank you. Carl, next item, please.

Commissioner Burton: Mr. President --

President Adams: Yes. Go ahead, Commissioner Burton.

Commissioner Burton: I just want to make one comment. We should not forget -- and Boris has worked on these people. But we have, you know, Budget Chair Phil Ting, who has control of the budget. We have the state senators that push to get the money into those state budgets.

And at some point, it would be nice to recommend -- or recognize, I should say, the work they've done. I know personally, from being up in Sacramento and knowing what Phil Ting does, he's like a pickpocket. [laughter] He's like a pickpocket.

And he picks a pretty good pocket for the Port of San Francisco. We should, at some point, recognize that because, as much as public servants do it because they're public servants, as the president says, they all like a pretty good especially public pat on the back. So thank you, Mr. President.

President Adams: Thank you, Commission Burton and, definitely, Phil Ting. And we thank everyone that has helped this Port because we definitely could not do it alone whether state, city or federal. It's definitely a team effort. Thank you. Carl, next item, please.

## **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 22-51)
- B. Request approval to enter into direct negotiations on a sole source basis with Hotaling & Co., LLC for a retail use at Pier 50 Shed B. (Resolution 22-52)
- C. Request approval of 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. (Resolution 22-53)

- D. Request approval 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. (Resolution 22-54)
- E. Request for retroactive authorization to modify Construction Contract No. 2814R, Crane Cove Park Building 49 Re-bid, to extend the substantial completion date. (Resolution 22-55)
- F. Request authorization to accept and expend \$796,100 in grant funds from the San Francisco Bay Restoration Authority for the Heron's Head Park Shoreline Resilience Project and approve the grant agreement, subject to Board of Supervisors' approval. (Resolution 22-56)
- G. Request to authorize Port staff to modify Construction Contract No. 2841, Heron's Head Shoreline Resilience, to increase the authorization for the contract amount. (Resolution 22-57)
- H. Request approval of a proposed revision to the Port's operating reserve policy. (Resolution 22-58)
- I. Request approval of the Port's Sanitary Sewer Management Plan recertification. (Resolution 22-59)

ACTION: Commissioner Gilman moved approval of the consent calendar. Vice President Brandon seconded the motion.

No Public Comment on the Consent Calendar.

In a roll call vote, all commissioners were in favor.

President Adams: Opposed? Motion passes unanimously. Resolutions 22-51 through 22-59 are adopted. Carl, next item, please.

**11. MARITIME**

- A. Request Authorization to expand the Retail Sales Program to include Fish Processing Tenants at Fisherman's Wharf. (Resolution 22-60)

Dominic Moreno: Good afternoon, President Adams, Port commissioners, Director Forbes. My name is Dominic Moreno with the Port's maritime division. I'm joined today by Andre Coleman, the Port's maritime director, and Demetri Amaro, maritime business development manager.

Today, I will be providing an informational presentation on the Port's retail fish sales program at Fisherman's Wharf and respectfully request Port Commission approval on expanding the program to include San Francisco Fisherman's Wharf seafood processors.

As background, commercial fishing is a defining feature of the Port of San Francisco. The commercial fishing industry is woven into the fabric of the local community. Fisherman's Wharf continues to be home to the largest concentration of fishing-industry operations in Northern California.

Dating back to 2017, the Port's retail fish sales program has been the result of an ongoing series of public meetings seeking to address the public's demand for greater access to fresh, locally sourced seafood products and expand market opportunities for fishers.

As a result of these community efforts, the Port Commission authorized Port staff to establish a retail off-the-boat fish-sales program to permit the sale by fishers of their catch directly to the public from their berths at the wharf.

The program began with the sales limited to select species including salmon, tuna, rockfish, halibut and certain bycatch. Thanks to strong initial success, the program was expanded to allow off-the-boat sales of Dungeness crab in 2001.

To further promote local access to fresh seafood products, Port staff is now proposing to allow fish-processing tenants who currently wholesale their products at Fisherman's Wharf to also participate in the retail sales market.

As an enterprise department, the Port relies on revenue generated from use of its property to operate and maintain all seven-and-a-half miles of the waterfront. The Port typically updates its rental rates for its properties annually to keep such rental rates at market.

Such rates are compiled into the monthly rental rate scheduled for Port Commission and public review and approval. Port staff is proposing to amend the parameter rental rate schedule to allow commercial-fish-processing tenants at Fisherman's Wharf to conduct the retail sale of seafood products and food-grade flake ice directly to the public.

Since the expansion of the Port's off-the-boat retail sales program to include Dungeness crab, the port has conducted extensive outreach and received significant positive feedback from the local community and industry stakeholders requesting further expansion of the program to increase access to fresh, locally caught seafood products.

The seafood processing center on Pier 45 is the heart of San Francisco's commercial fishing industry with over 30 active seafood processing operations and supporting

businesses. Historically limited to wholesale operations, fish processors distributed over 3.5 million pounds of seafood valued at \$11.5 million in 2019 alone.

Seafood products are delivered for preparation and consumption throughout the local region, contributing to the city's long-established seafood culinary tradition. The limitation to wholesale sales is included in each tenant lease.

Authorizing fish processors the ability to sell their products directly to consumers would further support that culinary tradition, promote economic recovery from the COVID-19 pandemic and offer another reason for the public to visit the wharf.

Based on the positive experience with the retail off-the-boat sales program, Port staff recommends the Port Commission approve Port staff's proposal to remove the current prohibition against retail sales of seafood by fish-processor tenants and also allow them to sell flake ice to support those sales.

Expanding retail sales to the Port fish-processor tenants will greatly increase the local community's access to fresh, sustainable seafood for consumption and contribute to the wharf's attractiveness and economic viability.

As a material condition of the lease, all fish-processing tenants are required to comply with applicable laws and regulations associated with the processing and distribution of seafood products. Fish processors shall be required to obtain all permits and licenses issued by the California Department of Fish and Wildlife for the processing of seafood and all relevant health permits associated with retail sales of food products from the San Francisco Department of Public Health.

In line with past Port Commission practice, Port staff recommends the expansion of the retail fish-sales program be without additional rent increases or the requirement of participation rent by fish-processing tenants.

Throughout the Port's history, the Port Commission has waived or amended various standard leasing requirements for agreements concerning fishing operations to ensure a vital industrial base for the associated fishing chain of economics.

These commission policies include the: reduction of insurance requirements for fishing-gear storage leases; waiving of wharfage charges for seafood products landed at the Port of San Francisco facilities by tenants; and the expansion of standard-form fish-processing leases to 10-year terms to ensure their economic viability.

Waiving the potential revenue from retail fish sales by fish processors is strongly in line with the past Port Commission support for the fishing industry's economic health and vitality and the Port's strategic goals.



Notably, because the prohibition against retail sales is included in each fish-processor tenant's lease, Port staff recommends against a pilot program or temporary lift of the prohibition because the change will require amending each fish processor's lease.

To simplify administration and based on past retail fish-sale successes, Port staff is confident that the commission can permanently remove the prohibition against retail sales by fish processors.

Port staff will monitor retail sales by fish-processor tenants and will return to the commission with an update on all retail fish sales including both off-the-boat sales by fishers and retail sales by fish-processing tenants in one year.

The retail fish-sales program supports two key goals of the Port's strategic plan including engagement and economic vitality. Given the potential for economic opportunity and revitalization at Fisherman's Wharf, Port staff seeks authorization from the Port Commission to expand the retail fish-sales program to include fish-processing tenants at Fisherman's Wharf.

As follow up to previous approvals, Port staff have developed and will soon deploy wayfinding signage to assist the public in locating fresh seafood opportunities around the wharf. That concludes my presentation. And I'm available to answer any questions. Thank you.

President Adams: Thanks, Dominic, for your presentation. Commissioners, is there a motion?

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

No Public Comment on Item 11A.

Commissioners' Discussion on Item 11A:

Commissioner Gilman: Dominic, thank you for this report. I am so enthusiastic about this, as someone who actually thought that our tenants could do that and wandered into the fish-processing area just to realize they could not sell to the public.

I really appreciate us moving forward with this. I think fishery is such an important part of our history for San Francisco and the Port and I think such a vital thing for us to keep doing.

My only caveat is, when you come back to us a year from now to give us those updates, I just want to sort of say this more for the record a caveat that, if we see sales double, that you come back and tell us, "We've jumped from \$11.5 million to \$25 million in fish sales," I do think then we need to revisit as a commission whether we want to change our participation in that.

But I think giving a year to get this off the ground, to get people permitted and see really how much retail sales changes the bottom line for our processors I think is really important.

So I am incredibly, enthusiastically supportive of this item tied to much, much better way finding and signage so that folks can know how to get there. And I look forward to hearing when the first person is in compliance and operations. I'll be first in line to buy some fish.

Dominic Moreno: Excellent. Thank you, Commissioner.

President Adams: Thank you. Commissioner Burton?

Commissioner Burton: No comment.

President Adams: Okay. Commissioner Lee?

Commissioner Lee: Yeah. This thing is quite exciting. It's kind of like flower market kind of thing. Now, is the public able to go on the shed now? Or is it strictly like operational only?

Dominic Moreno: Public access is at Pier 45 [currently].

Commissioner Lee: So if we grant this, will you do some signage outside like fish market kind of like what they do at other ports in other cities?

Dominic Moreno: So we have developed wayfinding signage pointing the public directly to -- at this current time to the off-the-boat sales. But we'll also include signage to the processors at Pier 45 for retail sale [purp] --

Commissioner Lee: I mean a big sign like on the roof, [laughs] so you could see it. [crosstalk] Because the whole idea is to bring people who can see it, especially tourists, from across the street and say, hey, there's a fish market there.

And if we're going to be doing this without a test pilot, I mean we want the -- there's going to be some kind of investment I'm sure the health department are going to require them to do. So we have to kind of be partners to make this work.

So I'm just wondering if -- I mean, do we have budgets to do a little signage? Or is that something that we have to wait on until we see? Or --

Director Forbes: We have budget, Commissioner, for signage. I just want to clarify that these are off-the-boat sales. So there's not infrastructure like a fish market. That could be a down-the-road improvement. But I just want to clarify the vision of what this looks like.

Commissioner Lee: Okay. So basically, they have their existing shed. They could just sell to the public.

Director Forbes: Okay. For the fish processors, Dominic, can you paint that picture?

Commissioner Lee: Yeah. That's what I'm talking about.

Director Forbes: Thank you.

Dominic Moreno: Right. So the public would go to their brick-and-mortar facility --

Commissioner Lee: Right, into the shed.

Dominic Moreno: -- yeah, and engage with the processor themselves to purchase the fish directly from the processor. Yes. We have budget for signage. And I'll work with staff to develop.

Commissioner Lee: Yeah. The thing is to turn it into somewhat of a micro tourist attraction, you know, where you can walk in and actually shop in a different processor for a different kind of fish. So I think that's very good.

Dominic Moreno: Okay.

Commissioner Lee: Thank you.

Dominic Moreno: Thank you, Commissioner. [crosstalk]

President Adams: Are you done, Commissioner?

Commissioner Lee: I'm done. I'm excited about it. Let's go shopping.

President Adams: Yeah. Vice President Brandon?

Vice President Brandon: Dominic, thank you so much for this report. This is very exciting. And I am very supportive. Thank you.

Dominic Moreno: Thank you, Vice President.

President Adams: Not only am I supportive of it but, Dominic, I want to publicly say that you stepped up to be Andre's number two. And you've come on. And I really like the way -- I really heard you present today. You were very articulate. You laid everything out.

I'm totally on board and appreciate you and Andre working together as a team. This is something -- I mean, this is our history here with the fisherman. This is a no-brainer. Right. People went through -- everybody suffered a little bit through this COVID. So clearly, we're going to support that. And I'm on board with this. We have a motion and a second. All in favor, say aye. Opposed? Motion passes unanimously. Resolution 22-60 is adopted. Carl, next item, please.

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

- A. Request approval of Proposed Second Amendment to Transit Shelter Advertising Agreement with the San Francisco Municipal Transportation Agency and Clear Channel Outdoor, Inc., to exercise the option to extend for five years through December 10, 2027, and reduce the minimum annual guarantee and administrative and marketing payments for the extended term. (Resolution 22-61)

Kimberley Beal: Good afternoon, President Adams, Vice President Brandon, commissioners, Executive Director Forbes. My name is Kimberley Beal. I'm the assistant deputy director with real estate. And I'm joined today by [Kamani Lau] with the San Francisco Municipal Transportation Agency.

And we are here today seeking approval of a proposed second amendment to the transit shelter advertising agreement with Clear Channel. So in 2007, Port, SFMTA and Clear Channel entered into a three-party agreement where Clear Channel is to install and maintain transit shelters in exchange for the right to display advertising.

There are over 1,200 transit shelters citywide, of which there are approximately 20 within Port jurisdiction. The term of the agreement was 15 years. And there is one five-year option to extend at the city's sole discretion. The term will expire December 9th of this year. And both SFMTA and Port wish to exercise the option.

So under the agreement, SFMTA and Port share in the advertising revenue with Clear Channel. And Clear Channel is required to pay a minimum annual guarantee, or MAG, payment based on gross revenues in addition to maintaining the transit shelters.

The MAG payments in the contract were based on projected revenues. Since the beginning of the contract, Clear Channel has never been able to achieve the revenues anticipated. The parties agree that it's not financially feasible for Clear Channel to continue maintenance and service obligations without changes to the MAG payment payable to Port and SFMTA.

And for this reason, an amendment to the option period is being requested. So this slide shows the most recent amount of advertising revenue collected annually by Clear Channel relative to the revenue collected pre-pandemic.

The total actual advertising revenue decreased significantly from 2021-2022 compared to 2018-2019. In addition, the total projected advertising revenue, which formed the basis of the MAG even before COVID was much higher than actual revenues.

So this is showing that, in 2018-2019, projected revenues were \$41 million. Actual was \$14.1 million. After COVID, projected revenue for the 2021-2022, the same period was \$46 million. Actual revenues has only been \$7.9 million.

SFMTA has negotiated changes to the agreement for the option period with Clear Channel. The proposed second amendment aims to continue necessary services for transit riders while providing a stable source of revenue to Port and SFMTA. At this time, I would like to introduce [Kamani Lau] with SFMTA who will highlight the proposed changes to the agreement.

Kamani Lau: Good afternoon, commissioners. Kamani Lau, acting senior manager of budget, financial planning and analysis at the SFMTA. I'm going to go over what some of the key changes are to the contract for the second amendment to the transit shelter advertising agreement.

So in the development of the FY '23 and '24 SFMTA budget, we created key priority areas that we wanted to focus on. Two of those were safety and passenger experience of the transit system. And restoration of ridership is something that we've heavily focused on post-pandemic.

But that doesn't just include the ride itself. It includes getting passengers from point A to point B so the start and end of a ride. And for many passengers, that begins at a rail platform or a bus shelter.

So the platforms we're talking about today in Port jurisdiction are along the Embarcadero. And they include Ferry Plaza, Washington, Broadway, Green, Greenwich, Chestnut, Bay, Pier 39, Folsom, Brannan as well as those on Jefferson at Powell and Taylor. In those platforms, there are 44 ad spaces that are assigned specifically to the Port.

So since fall 2021, SFMTA and Clear Channel have been working together to improve the contract for both parties specifically with that focus on service. So the three elements I'm going to talk about today are the minimum annual guarantees, maintenance of the transit shelters and the creation of an asset management and shelter refresh program with Clear Channel.

So like Kimberley said, the minimum annual guarantee has not been able to be realized in the 15 years of the first contract that we have with Clear Channel. You'll see here what the new updated MAG amounts are. The total amount is \$56.4 million. And the Port's proportion of that is just about 2 percent or \$1.4 million.

I do want to say it took over seven months of strong negotiation between both parties to reach this agreement. And while it is a lower amount, as I will highlight next, the maintenance services that we will be receiving from Clear Channel are significantly higher. And going with that theme of service improvements, we will see marked improvements there.

So now, I'll talk about the maintenance of the transit shelters. SFMTA has also proactively hired a superintendent of transit shelters who will take the lead on handling complaints that we get from 311, from commissioners, from members of the public, from any parties that come through.

So we are partnering together with Clear Channel to be responsible for the over 1,200 shelters and platforms that are within our jurisdiction. So a key change in the contract is that maintenance of the shelters actually will go from two cleanings to three cleanings a week. So that's a 50 percent increase.

And actually, a correction to the slide is that platforms will be cleaned six days a week. So that's -- Monday to Saturday, they will be cleaned. Some other important information about maintenance -- Clear Channel has 48 hours to respond to any graffiti complaints that we receive.

Clear Channel is also committed to increasing their maintenance staff. Right now, there's 15 maintenance staff. And they've committed to hiring 15 additional for a total of 30. Those folks will be involved in the cleaning and graffiti removal.

Things like glass repair, structural issues or electrical issues, we work with Clear Channel's subcontractors to have those addressed as quickly as possible.

The final element I wanted to bring up today is the asset management and shelter refresh program. So at the SFMTA, we have a robust asset management program. And we worked very closely with Clear Channel to get our shelters an asset management program as well as associated capital improvement investment in those assets for shelter repair and replacement.

So right now, we have an independent contractor assessing each of our 1,200 locations, giving them a condition assessment for the physical condition of each of the shelters. Within 30 days of the completion of that report, Clear Channel must begin repairs of the highest priority shelters and platforms to bring them up to an acceptable condition.

I will note that that wasn't originally in the contract. The SFMTA board of supervisors actually changed it from six months to about two months. So it's a marked improvement that will get moving on this very quickly.

The capital investment that's going to go towards this is estimated at \$3 million for the refresh work and then \$3 million for investment in digital shelters for a total of \$6 million.

I also want to note that Clear Channel has proactively worked to procure about a million dollars of parts and glass and other infrastructure items so that, when this report is done, they can immediately begin working on it and not be affected by having to wait for supply chain or things like that to start working on these priority shelters.

So on October 4th, the SFMTA board of directors approved the second amendment and has made recommendation that the San Francisco Board of Supervisors as well as you, the Port Commission, also approve.

So summarize again, the guarantees are \$56 million in revenues no matter what to our agencies. It also includes a 50 percent increase in the daily maintenance, the creation of the asset management program and \$6 million of capital investments.

It also allows us to take full ownership of all of the assets at the end of the five-year term that we're hoping to exercise here at no cost to other of our agencies. I wanted to also highlight some other investments that SFMTA has made into this program.

Prior to our actions like hiring the superintendent for the transit shelters, the program was pretty much managed as a contract management sort of situation. And now, it's very street operation. We have somebody -- her name is Lisa Ising. She's the new superintendent.

She's out in the field every day working with staff to address these critical areas and make sure response times are significantly improved. We have also been coalition building with our sister agencies including Public Works, the police department, Department of Homelessness and Department of Public Health.

SFMTA set aside in our FY '23 and '24 budget \$160,000 for work orders with DPW for street cleaning specifically around shelters. We also set aside \$157,000 for work order with the Department of Homelessness to properly address encampments and providing the necessary supports for people who are in our shelters and close to \$300,000 for a work order with the police department to provide real-time support to make transit shelters and platforms a safer place. Thank you.

Commissioner Burton: I have a question.

President Adams: [Unintelligible], Mr. Burton --

Commissioner Burton: Thank you --

President Adams: -- we're not there yet. We're not there yet.

Kimberley Beal: Commissioner Burton, I'm just going to do a quick summary, and then we welcome your question if that's okay, sir.

Commissioner Burton: Not really, but go ahead.

Kimberley Beal: Okay. Thank you. So to be clear, this is not a new agreement. This is an existing agreement that was negotiated back in 2007. However, we do realize that there are some obvious financial challenges and therefore looking to amend the agreement.

So under the second amendment, there would be a reduction in the MAG payment to Port. So that would be reduced from an estimated \$2.9 million initially under the existing agreement to \$1.4 million. But citywide, there would be a 50 percent increase in the daily maintenance to the shelters, as was mentioned, a \$6 million capital investment.

And SFMTA would have full ownership of the assets at the end of the term where, under the existing agreement, they would be required to purchase those installed by Clear Channel.

So entering into the second amendment would meet the Port's strategic objectives: of economic recovery because it would allow the contract to continue, which is a stable source of revenue to the Port; that of equity because the shelter refresh program will replace and/or repair aging shelters and increase the level of maintenance, improving the riding experience for those dependent on public transportation; and evolution because we'll be coordinating with other regional agencies to improve access to the waterfront.

So next steps, we are recommending that the Port Commission approve the second amendment to the transit shelter advertising agreement after which SFMTA and Port staff would bring the item to the Board of Supervisors for approval. And with that, Port staff and SFMTA welcomes the Port Commission's questions and comments. Thank you.

Commissioner Burton: H --

President Adams: Commissioner Burton, you're out of order. Thank you, [Rebecca] and Kimberley, for your presentation. Commissioners, is there a motion?

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

#### Public Comment on Item 12A.

Mark Gleason: Good afternoon, commissioners. Mark Gleason with -- representing the Teamsters and specifically our sister Local 853, which represents the workers at Clear Channel performing this work now for many decades.

For so long, our members have had a very difficult time with this job. And it's, as anybody can imagine, the street behavior, the other damage that are done to these facilities and so on. And we're enthusiastically in supporting this amendment today



because it gives a chance not just to enhance the workforce and to better their conditions but also gives an opportunity to address so many of the issues that our members have faced at their worksite.

And when I say their worksite, their worksite is the bus shelter that they're cleaning and they're maintaining and so on. And this gives us a renewed opportunity to address their concerns. I would also add just as a side note that, recently, the members have just re-voted and approved their collective bargaining agreement for this unit.

And it did have some enhancements. And of course, we're looking forward to almost doubling the workforce to not only enhance the cleaning of the facilities but also to bring better wages and benefits to our members as well.

And finally -- I'll end with this -- I also believe that one of the workers of this unit is going to be here as a public speaker remotely in a moment. And we look forward to hearing from him. And he may be able to give more granular detail about what it's like to work there and what the workforce is looking forward to in the future. So thank you.

President Adams: Thanks, Mark. Is there anyone else that would like to speak on this issue? Seeing none. Now, let's open it up for public comment. Okay. Sorry about that. I already said that. Okay. At this time, Jenica will provide instructions now for remote participants.

#### Commissioners' Discussion on Item 12A:

Commissioner Burton: Well, I think there was testimony from one of the representatives, the workers -- I forego my thing until that --

President Adams: [There was nobody] --

Commissioner Burton: Okay.

President Adams: Go ahead. Nobody called in.

Commissioner Burton: Okay. I thought the last speaker said -- I guess, to somebody, how many shelters are we talking about on Port property?

Vice President Brandon: Twenty.

Kimberley Beal: Thank you for the question, Commissioner Burton. There are approximately 20 shelters on Port property.

Commissioner Burton: Twenty.

Kimberley Beal: Yes. And of which, there are 44 advertising panels total on those shelters.

Commissioner Burton: And the master agreement would talk about all the shelters, the shelters -- the Port thing is a small part of Clear Channel. Right.

Kimberley Beal: Correct. So the Port makes up about 2.5 percent of the total contract.

Commissioner Burton: Well, when I'm -- so it's really -- we're like a tail wagging the dog because the -- basically, Clear Channel contract -- the Port's like chump change talking about it. Right?

Kimberley Beal: We are, yes, a very, very small --

Commissioner Burton: Okay.

Kimberley Beal: -- small part. But we are --

Commissioner Burton: Yeah.

Kimberley Beal: -- a party to the agreement.

Commissioner Burton: Okay. I got it. The only reason I'm even taking this time is I was responsible for the first contract going gawd knows how long for the muni before the bus shelters were even there. So basically, what you appro -- and what the Board of Supervisors approved is [that]. And we're just dragging the Port along for the master contract, right, which is fine.

Kimberley Beal: Yes. Since there are shelters on Port property --

Commissioner Burton: Right.

Kimberley Beal: -- that fall under this agreement, yes.

Commissioner Burton: Right. Are there any shelters on Port property that don't follow this agreement?

Kimberley Beal: No.

Commissioner Burton: Okay. Thank you, Mr. President.

President Adams: Commissioner Burton, are you done? Anything else you want to add to this? Any more questions? Anything else you want to get out? Go ahead.

Commissioner Burton: I have so many things, Mr. President. [laughter]

President Adams: Well, at this time, now you've got the floor. So go ahead, and I want to make sure you got everything you need. So go ahead [if something else] --

Commissioner Burton: You've got me embarrassed. I'm all for it.

President Adams: Okay. Thanks. Commissioner Gilman?

Commissioner Gilman: Thank you, Kimberley, for this report. I'm very supportive of the item and do want to note again that I want to thank Clear Channel, which seems historic, for its union representation in a union town. I think that's important when we have vendors like that.

I just have one question. And this is for the SFMTA. I'm just curious -- it might also be a question for Clear Channel. It's pure curiosity. How were we so off the mark with projected revenue versus what really came in? I mean, it's pretty astounding when the contract was, I guess, first developed which was before my time.

I'm just curious because it's just a little striking in the SFMTA report.

Kamani Lau: I don't actually have a great answer to that. I'm going to hand it over to Bob Schmitt, the president of the Northern California region for Clear Channel, to answer that.

Bob Schmitt: I actually don't have an answer to that. I wasn't here when the bid was put together --

Commissioner Gilman: Okay.

Bob Schmitt: -- on that. I came in in 2012. So good question.

Commissioner Gilman: Yeah.

Bob Schmitt: It was overly optimistic by all parties is all I can say.

Commissioner Gilman: Okay.

Bob Schmitt: And Mr. Burton alluded to his thoughts.

Commissioner Gilman: No. I was cur -- pure curiosity. I support us moving forward with the item.

President Adams: Are you done, Commissioner Gilman?

Commissioner Gilman: Yes.

President Adams: Commissioner Lee?

Commissioner Burton: You know what they did? [crosstalk]

Commissioner Lee: I'm definitely supportive of keeping it clean. I'm just curious. I see on here that, after the term is over, SFMTA owns all assets. But some are on Port property. How come we don't get a cut of some of it -- some of those assets? Is that something that was part of the original agreement?

Rebecca Benassini: Commissioners, Rebecca Benassini. [We've counseled]. So they will keep the transit shelters because they're the transit agency. We think that makes good sense. We were just discussing it. If there were a future advertising contract, of course we'd participate together. And advertising revenues would be under discussion.

Commissioner Lee: Okay. So basically, it's kind of r -- being on our property, we'll still get a cut even though we don't take care of the actual structure.

Rebecca Benassini: For advertising, we'd discuss. But they would keep the property if it were just for signage and showing the time that the bus is coming. That would be their property.

Commissioner Lee: And I'm just also curious. I know that, because of the pandemic and current situation, has it really been that extreme maintenance where we're bringing in double workforce? I'm all for it because small business and everything. We need clean shelters. We need good transportation.

But I'm just -- for my own information, because I don't see any data exactly how much more damage -- you know, I think the public would like to know exactly what -- how much more maintenance is involved here.

Rebecca Benassini: Really good question. I'll turn it over to the Clear Channel representatives who do the work.

Bob Schmitt: As Kamani mentioned, we spent a lot of time with staff working through this. So if you would take the 311 hotline numbers for the city, you would see that graffiti increased by 3000 percent. Homeless encampments increased by 1500 percent.

Homeless activity in the shelters was up equivalent. The feces and things like that was up about 2000 percent so big increases in terms of what happened. So you had revenue devastation because of the pandemic.

Commissioner Burton: [crosstalk] -- toilets -- [crosstalk]

Bob Schmitt: And then, you had a significant increase based on the city's own 311. So that's part of what we're doing. And what this did was create a lot of flexibility in terms of the increase in cleanings, the increasing from five days to six days, the asset condition

report to immediately refresh in where we refresh the shelters with new roofs, new structures, new glass panels, new seats.

There's equity built into that. So in terms of equity, I heard you all talk about that. So in terms of where we're doing that, we're investing \$3 million in new digital to drive revenue. So if revenues go up, the SFMTA and the Port will enjoy that. So there's a lot of things that went into this. I hope that answers your question.

Commissioner Lee: Yes. Thank you.

President Adams: Are you done, Commissioner Lee?

Commissioner Lee: Yes. I am.

President Adams: Commissioner Burton, you had another question? Commissioner Burton needs somebody to answer his question. Go ahead, Commissioner Burton.

Commissioner Gilman: Did you have another question?

Commissioner Burton: No questions, Mr. President.

President Adams: You wanted to know about the bathrooms.

Vice President Brandon: No. [crosstalk]

Commissioner Burton: Yeah. Just -- thank you. So none of the Port shelters also have the toilets, for want of a better word?

Kamani Lau: We don't have any public toilets at any of the platforms.

Commissioner Burton: We have none.

Kamani Lau: We do not have any public toilets. No. There might be transit operator restrooms. But there are no public restrooms.

Commissioner Burton: So in other words, they have eliminated that part of the transit advertising piece that provided public toilets.

Kamani Lau: I don't believe that's part of the agreement.

Vice President Brandon: That's [J Decaux].

Kimberley Beal: I believe those are through JCDecaux and Public Works as opposed to the transit shelters --

Commissioner Burton: Okay.

Kimberley Beal: -- with MTA.

Commissioner Burton: Yeah. They're good on the toilets. Right. Thank you, Mr. President.

President Adams: Are you done, Commissioner Burton? Okay. Commissioner --

Commissioner Burton: [Well, that got] -- [crosstalk] [laughter]

President Adams: Commissioner Gilman, you have another question? Go ahead.

Commissioner Gilman: Yeah. I'm sorry. I have a question for -- my gawd. I'm having like a senior moment -- SFMTA. I would like you at a later date to come back and give us a report back. None of our unsheltered residents should have to seek shelter in a transit terminal or in a bus shelter because they don't have a safe place to go. And I know we're not your commission. We don't oversee your budget.

Commissioner Burton: [We should.]

Commissioner Gilman: But I'd like to understand -- [laughs] thank you, Commissioner Burton. I'd like to understand, if there's encampments happening in our bus shelters along the waterfront particularly because we are more tourist sensitive.

And I'd like to have the homeless department come and explain, with the work order you put in your budget of \$157,000, what they're doing for encampment resolution and outreach to those who are unsheltered on the waterfront.

Kamani Lau: Yeah. We can absolutely do that.

President Adams: You done, Commissioner Gilman?

Commissioner Gilman: Yes. Thank you.

President Adams: Okay. Vice President Brandon?

Vice President Brandon: Kimberley, thank you so much for the report. I think a lot of my questions have been answered.

Commissioner Burton: That homeless -- I don't know the n -- they're the worst department ever. [laughter]

President Adams: Commissioner Burton --

Commissioner Burton: I'm sorry.

President Adams: -- I'm going to have to rule you out of order. Excuse me. You've got the floor --

Vice President Brandon: Okay.

President Adams: -- Vice President Brandon.

Vice President Brandon: Okay. But he's right. But he's right. [laughter] But Kimberley, thank you so much for the report. I think Commissioner Gilman asked great questions regarding the projections and who was doing the projecting at the time to be so off over the whole entire contract and with the homeless situation. It's like, okay, what are you g -- you have a contract to clean it up. But what do you do? I mean, where do they go?

Kamani Lau: I don't actually have the answers to that because we partner with the Department of Homelessness to do the next steps once somebody might be removed from a transit shelter. Bob, do you have something to add?

Bob Schmitt: Kamani mentioned that there is a contract administrator, Lisa Ising, who -- she is not here today. But two things -- one, our instructions to our employees are to be very respectful of the situation, not to try to remove anybody, not to accelerate any type of problem, to note it.

Since Lisa has come on board, what she has done is, when there is a situation, we call her. And then, she calls the appropriate services. And then, what they do is work through the city's guidelines to alleviate the situation. And then, we go in and clean. So we're very conscious of being appropriately behaved and compassionate with that situation. So that's how we handle it.

Vice President Brandon: Thank you.

Commissioner Gilman: Yeah. Thank you so much.

Vice President Brandon: You know, this contract -- it's a hard one because it's such a small percentage of the overall contract. So there's not a lot that we can really say or do. I just know that, if this were before the Port Commission, we would have a very hard time approving it.

And it's not because -- we understand that revenues are down. And we understand that, you know, costs have gone up. It's that -- just the overall projections, the lack of revenue. And now, we are paying for all of this extra security and work orders.

But again, there's not a lot we can do for 2.5 percent of the project. But I'm very happy that you're increasing employment and bringing on new workers and hopefully helping to keep the city beautiful at the transit shelters. Thank you.

President Adams: Thank you, Vice President Brandon. I guess it would be to Bob and Mark -- it's good to see management and labor sitting next to each other, and you have a working relationship. And I think that sends a different message instead of one person sitting there, sitting there. So I really like that.

And I appreciate the efforts of the brothers and sisters of the brotherhood of teamsters, the wages and benefits. I will say things have changed. When it's time to bring on more workers, you have to do that.

Sometimes, workers are working understaffed and stuff like that. And they're the frontline workers that have been out there. I c -- myself, being the president of the ILWU, I understand that. So I appreciate the work.

It's dangerous at times in the things that you do. So thank you. I support it. And I support and salute your membership. Tell them thank you.

Commissioner Burton: Mr. President?

President Adams: Yes, sir. Go ahead.

Commissioner Burton: Idle curiosity -- which local is it?

Mark Gleason: 853.

President Adams: Mark, you want to come up and say it to the mic? Everything's got to be on the record. Sorry about that.

Mark Gleason: Actually, I will make a point of privilege too. The teamster local is Teamsters 853. It's one of the largest teamster locals we have.

Commissioner Burton: [I remember] 853.

Mark Gleason: Yeah. I think I'm okay to say here in a public hearing the former officer was a dear friend -- is a dear friend of mine. So the head of that local was Rome Aloise. And I appreciate the comments that you made --

Commissioner Burton: Wonderful human being.

Mark Gleason: -- Commissioner -- so anyway -- earlier at another meeting. So anyway, but now, he's not there anymore. And we have new leadership there. But thank you. That's where our members are out of that local. Thank you.

President Adams: And we wish you well, Mark, in your endeavors. Give [us your best].

Commissioner Burton: [He was the best role].



President Adams: Okay. Okay. We have a motion and a second. All in favor, say aye.

Commissioner Burton: Aye.

Commissioner Gilman: Aye.

Vice President Brandon: Aye.

Commissioner Lee: Aye.

President Adams: Opposed? Motion passes unanimously. Resolution 22-61 is adopted. Carl, next item, please. Good luck. Thank you.

- B. Informational Presentation regarding 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.

Kimberley Beal: Good afternoon, commissioners. Kimberley Beal, assistant deputy director with real estate and development. And I'm here today with an informational presentation concerning a proposed new memorandum of understanding for space at Seawall Lot 344.

And I'm joined today by Eden Brukman, senior green building coordinator, and Alexa Kielty, senior zero waste coordinator, with the San Francisco Environment Department. So DOE has been a tenant at Seawall Lot 344, specifically 701 Amador Street, for over two decades.

They occupy approximately 37,000 square feet consisting of paved land, unpaved land and shed space. And the current MOU expired March 31st of 2015. So the current tenancy is month to month.

At the site through its operator, San Francisco Community Recyclers, DOE operates building resources, a reuse facility for salvaged building materials, a key goal being to reduce the quantity of material being disposed of at landfill through active recycling.

The property is vital to the city, achieving its climate goals. So DOE is seeking a new MOU to ensure control of the site for continued operations. And it is also looking to issue an RFP for a new site operator.

The new MOU would be for five years. The rent was recently increased. But the rent would increase again upon commencement of the new agreement with annual 3

percent bumps thereafter. The rent over the term will exceed \$1 million which is one of the reasons why this is being brought before the Port Commission.

The MOU is subject to the southern waterfront community benefits and beautification policy. So 6.5 percent of the revenues, or approximately \$80,000 over the term, would be set aside for community benefits and beautification. And in addition, DOE, through its operator, would also focus on beautification at the site.

So in developing the RFP, DOE consulted with Port staff on items of concern which could be addressed through the RFP such as improving screening around the facility.

Examples of questions staff requested be incorporated into the RFP include: how will the business support the Bayview community values and priorities; can classes be offered to the public on how to utilize reusable building materials; and explain plans to incorporate diversity, equity and inclusion goals into the business plan.

As part of the RFP, DOE has also agreed to include a Port staff member on the selection panel. And they're also looking at considering a SAC member provided they meet contracting and expertise requirements. And they have also agreed to come back to the Port Commission and provide results of the RFP.

By entering into the MOU, we believe this will meet the Port's strategic objectives of stability by managing the real estate portfolio to maximize value and income to the Port and retain a tenant that can perform through economic cycles and sustainability because it will advance the concept of environmental stewardship through recycling and reuse efforts.

And at this time, I would like to introduce Eden Brukman, senior green building coordinator with the San Francisco Environment Department to discuss citywide goals and how this site helps to meet those goals.

Eden Brukman: Thank you, Kim. Good afternoon, commissioners. Thank you for this opportunity to provide some additional context on the request for proposals related to the building product reuse center at 701 Amador Street and Islais Creek.

As mentioned, I'm Eden Brukman, senior green building coordinator for San Francisco Environment Department. And I'm joined today by my colleague, Alexa Kielty, senior zero waste coordinator.

Currently and for quite some time, the primary function of this site has been reuse retail, the temporary storage and redistribution of reclaimed building products to keep these items in use instead of being prematurely disposed to landfill.

Building product reuse is a form of climate action. Not only does it reduce demand on regional landfills, it also displaces the emissions that are associated with purchasing

something new. There are several citywide goals and key commitments that directly correlate with this activity.

As a city, we updated our goal to be carbon neutral by 2040 without the purchase of carbon offsets. San Francisco also co-led the development of the advancing-toward-zero-waste declaration in 2018 which targets reduction of disposal to landfill 50 percent by 2030 using a 2015 baseline and a material-generation reduction by 15 percent in that same time period.

This speaks to changing our consumption patterns and introducing fewer items into the use space in the first place, so they don't have to be a burden on the system. It nicely complements the clean-construction declaration that we signed onto at COP26 last year, which includes lifecycle impact reductions of building products and construction processes as well as reuse themes.

In December, San Francisco updated our climate action plan to capture our priorities to advance these and other critical areas. [Work] items related to building product reuse fall under the category of responsible production and consumption with several program and policy goals identified for implementation by 2025.

In addition to the environmental benefits of building product reuse, there are also economic and social benefits. By way of example, here is an excerpt from a recent report completed for the environment department that documents one comparative benefit -- the comparative benefits for three different product categories using the module of one pallet, which is a typical unit for storage.

You can see that each product has a retail value that would stay in the local economy. Products coming out of existing buildings must be deconstructed and organized to be preserved. And this expands the local workforce by adding labor hours compared with demolition. So determining the balance of product types to reuse will also improve San Francisco's triple-bottom-line accounting.

701 Amador is already known as the go-to place for reuse retail in San Francisco. Thousands of people such as small contractors, artists and home-improvement do-it-yourselfers throughout the Bay Area think of it as an institution.

Building Resources has been operated by San Francisco Community Recyclers since 1980, which is more than four decades. And they've been rescuing more than 1,000 tons of building products each year at this location.

This is why 701 Amador is so important and why the Environment Department wants to elevate its operations and optimize the space. We also want to leverage this opportunity to improve inventory management and beautification efforts too.

So what does this mean for the building product reuse center itself? Here are some next steps. The Environment Department will continue to work in coordination with SF Port. We plan to issue the request for proposals in the near future.

The RFP has already been reviewed by SF Port. And we have incorporated the Port's beautification standards and workforce development expectations. Port staff will be on the review panel that is slated for spring of next year.

And the goal is to issue an agreement to an onsite operator in summer 2023. We appreciate your time. And I'll return it back to Kim. Thank you.

Kimberley Beal: So Port staff is recommending that the commission direct staff to notify the SAC of this item and that we bring an MOU back for DOE's continued use at this site for approval to an upcoming Port Commission meeting. And with that, we welcome the Port Commission's questions and comments. Thank you.

President Adams: Thanks, Kimberley, Rebecca and Eden, for your presentation. Now, let's open it up for public comment. Is there any public comment in the room? Seeing none. At this time, Jenica will provide instructions now for remote participants.

No Public Comment on Item 12B.

Commissioners' Discussion on Item 12B:

Commissioner Lee: So question -- so does -- the operator now wants to extend or is actually retiring? Is that why we're going out to find a new tenant for this? Or are we expanding on this? Because, you know, I really like this because I have a ton of material I wanted to donate. And I couldn't find a place.

So I don't know where the outreach is. At the same time, my wife is an artist. And she looks for stuff like this. So I'm hoping it continues. But are we looking for a new tenant? Is this what's happening in the future?

Kimberley Beal: I will have Alexa answer your question.

Commissioner Lee: Okay.

Alexa Kielty: Good afternoon, commissioners. I'm Alexa Kielty. I'm the zero-waste coordinator at Department of the Environment. I'm happy to answer your question. Yeah. We are at a time of transition at Department of the Environment.

There's a couple of things that have happened. The mayor has issued our climate action plan, which helps us really focus in on deconstruction and our building material reuse and how that impacts the climate, as Eden pointed out.

So we're at a point where we're reevaluating many of our programs. And we see an opportunity to optimize and make the space better in terms of the beautification, also the inventory management. And as you pointed out, you know, advertising -- we should be marketing this more, so folks throughout the community know this opportunity exists.

So the current operator has the right to, of course, apply to the RFP. So they may be in the running. But our hope is that there will be other players that may come to the table to really improve the space and help us achieve our goals.

Commissioner Lee: So what happens in the meantime? He continues to operate until the RFP is ready to go out?

Alexa Kielty: That is the plan.

Commissioner Lee: I see. Okay. Thank you.

President Adams: You good, Commissioner Lee?

Commissioner Lee: Yes.

President Adams: All your questions? Okay. Commissioner Burton?

Commissioner Burton: No questions.

President Adams: No questions. Okay. Commissioner Gilman?

Commissioner Gilman: I have no questions. I just want to say it's very impressive. And I'm very supportive of us recycling building materials.

President Adams: Thank you. Vice President Brandon?

Vice President Brandon: Kimberley, Eden, thank you so much for the presentation. I think this is a great cause. And I think it has a lot of environmental benefits. And I think it's something that the city needs. And I'm glad that this RFP will be focused on inventory management and beautification because that site has been an eyesore in the southern waterfront for many, many years.

I would like to recommend, since our MOU will be with DOE, that they are responsible for the maintenance and upkeep and inventory management with the new selected person because, you know, I think it's absolutely phenomenal what -- the uses and what we're doing out there.

But just because you have those type of uses doesn't mean that you can bring blight and an eyesore to a community. So I really hope that it's expressed in the RFP that that is a major concern. And hopefully, there will be an investment in beautification around the facility along with the inventory management.

But I do think it is much needed here in San Francisco. And I'm happy that we continue to choose it to be on Port property. But there is a responsible way we can do that. So I look forward to you guys coming back with the results of the RFP. And one other question is, when will you decide if you're going to put an SAC member on the panel?

Alexa Kielty: We have agreed to put an SAC person on the panel for sure. So that will happen. The timing is a little up in the air because we're working with our city attorney right now to figure out how to draft this document that we need to put together. But once that's through, we have the RFP issued, we will definitely work with the Port on the review process.

Vice President Brandon: The Port and the SAC [member].

Alexa Kielty: And the SAC -- excuse me. Yes.

Vice President Brandon: [laughs] Thank you.

President Adams: Kimberley and Eden -- Kimberley, why don't you come up and address Vice President Brandon's concerns and her comments and any -- should be dealt -- talked about now.

Kimberley Beal: Thank you. So with regard to your concerns about DOE being responsible, that's one of the reasons why the MOU is with DO -- or will be with DOE as opposed to their operator because they will be the ones responsible for making certain that the items in the MOU are carried out, be it through them or their operator.

Vice President Brandon: Thank you.

Commissioner Lee: I've got one question.

President Adams: Go ahead, Commissioner Lee.

Commissioner Lee: Will nonprofits be able to apply to be maybe a participant in this? And then, people that donate building materials -- they get actually some kind of tax deduction? Or does it --

Alexa Kielty: Yes. So is your question, can nonprofits apply to the RFP?

Commissioner Lee: Yes.

Alexa Kielty: Yes, both. Right now, it's being drafted, so for-profits and nonprofits could apply.

Commissioner Lee: So both. Okay.

Alexa Kielty: And then, in terms of donating material, private entities can get tax write-offs for their donations if it's a nonprofit running the facility.

Commissioner Lee: How about right now?

Alexa Kielty: Right now, yes.

Commissioner Lee: Even now. Okay.

Alexa Kielty: Correct.

Commissioner Lee: Thank you.

President Adams: Any other commissioner comments? Once again, great presentation. And I'm looking forward to when you come back. Thanks again for this collective effort. Carl, next item, please.

### **13. FINANCE & ADMINISTRATION**

- A. Informational presentation on Local Business Enterprise Contracting Activity for Fiscal Year (July 1, 2021 through June 30, 2022) and Contracting Recommendations.

Stephanie Tang: Hello. My name is Stephanie Tang. I'm the contracts and procurement manager. And I'm here to share some information about contracting in fiscal year 2021 and 2022. I'll be covering two areas today. First is reporting the numbers, all the charts in terms of contracts awarded, the payments and all of that.

And then, the second part of the presentation will be sharing some of the improvements we're making in our contracting practices especially as it relates to outreach, equity and our operations.

This slide shows you information about the local business enterprise program. At the start of the fiscal year, there were 1,041 small and micro LBEs in San Francisco. The general mix of minority business enterprises, MBEs, WBEs, women-owner firms, and OBEs is pretty stable as well as the mix shows that currently there are 99 African-American owned firms at the time -- at the start of the fiscal year and 169 Asian-owned firms.

The general trends in LBE availability, while this was up from the previous year, is pretty mixed. I checked the numbers yesterday. And unfortunately, the numbers are down from 1,041 as of yesterday to 910.

This slide shows you the contracts awarded in the fiscal year. And I don't need to bury the lead here. We did pretty well. There were 11 contracts that were awarded, 10 which are subject to the LBE program. Of the 10 contracts, six were awarded to LBEs.

The largest contract of the year was awarded to a black-owned firm. And three MBEs were awarded contracts. Sixty percent of contracts subject to the program were awarded to LBEs, and 88 percent of the dollars were awarded to LBEs. This is pretty much unheard of in a city department.

I also want to note that even the non-LBE contract, the one at the bottom which is not subject to the LBE program, was awarded to a non-LBE firm outside of San Francisco. But it actually is a woman-owned firm.

On this slide, you're going to see payments for the year. In total, there was about 15 -- close to \$15 million in payments with \$7.4 million going to LBEs overall. All of our areas in contracting are doing pretty much on trend with as-needed contracts of 43 percent, construction contracts of 58 percent and professional services contracts of 53 percent.

When you look at the overall trends in terms of how we're doing over the five years, we are in line of how we were doing. The top chart shows contracts awarded. And the bottom chart looks at the dollars that were paid. And you can see, you know, it kind of fluctuates a little bit. But we are still doing very well.

In terms of some of the private developments to report on, the -- both Pier 70 and Mission Rock, the project at Pier 70 has \$62.2 million, which has been awarded to small, micro and SBA LBEs. Mission Rock is at \$124 million. And if we look at it in total, \$77 million has been awarded to MBEs over the life of these projects with \$34.5 million awarded to black-owned firms.

For the balance of the presentation -- I'm getting to the fun part which is to tell you about some of the improvements and changes we've made in terms of how we're using contracting as a tool for racial diversity and economic equality.

A huge thank you to Tiffany Tatum on the team who has been really instrumental these past few years to do our most important strategic objective, which has been to embed the work of contracting into the Port's activities and integrate contracting with the racial equity action plan, the REAP.

And I'm going to share four kind of different examples of improvements we've been making that we believe are removing barriers and increasing opportunities to the community. For outreach, one of our REAP items has been to develop more robust outreach lists: ethnic chambers, professional groups.

And we've been hosting office hours to make ourselves accessible. It's also been really fun for Tiffany to have other departments call her and say, "Hey, how do you do the office hours? How do you make yourself accessible?" and that they want to do this at other departments.



So we've been developing these lists, which has been great. So now, what do we do with them? So one consideration that staff have is that we must communicate all opportunities equally. And we can't confer a competitive advantage.

So the largest firms know about the opportunities because they read the staff commission agendas. And they say -- on Fridays, they go online. And they look to see. So what we realized is that we could use the publication of the staff reports on Friday as basically a pre-announcement for advertisement.

And what this is doing is this is basically giving at minimum five days more advance notice of an opportunity because, whenever one is responding to an RFP, they always say there's not enough time. So five days at a minimum is very nice.

For the most recent as-needed engineering services RFQ, we knew there was going to be a lag from the time we came to commission until we advertised. We then sent the staff report to our over-400-firm outreach list. And we essentially gave people a two-and-a-half-week jump on forming teams, getting to read the scope of work in the staff report, everything in the public domain that anyone could access.

And I don't know if this is the reason why. But when we had our preproposal meeting, there was 120-plus firms who were in this meeting. This is unheard of. Even the developers don't get over 100 firms there.

I had staff from other departments texting me during the meeting saying, "Where are all these people from?" And I think it's, in part, because people had so much notice. They could plan. They could get ahead.

The next one I want to talk about is the checkmark, which is that we know that racial equity and advancing DEI principles is something the Port and the city have been working to advance. We've been sharing these values with contractors. And you're already familiar with the maintenance dredging, which is not a diverse industry.

And we put an unscored question in the proposal in preparation for a best-value contract. So we're slowly letting the community know these are our expectations. We've then taken this one step further with our as-needed engineering proposals where we actually included a scored criteria to basically say, "Hey, do you have a DEI plan?"

We know it's only a point. We know this is only a start. But we think this is going to expand the influence about -- for firms to know that they need DEI plans and REAP thinking and that this is not just going to impact the city but also our contracting partners.

And I've been working with Toni and Tiffany to be reviewing these DEI plans so that, in the future, we might be able to score them. And we have a sense about what goes into a good plan. And we didn't want to start from that position. We wanted to start by just asking the question.

Finally, the last two changes on the right are what I would call operational and kind of bureaucratic fixes. We know a lot of respondents say -- they look at our documents. That's a lot. And we tell them and we require them to answer every single one of our questions.

And what we do is that -- typically, the city puts the responsibility on organizing the response on the respondent. So then, they submit 100-plus pages. And then, we give it to our wonderful volunteers. And then, we ask them to sift through it and make sense of these proposals.

So what we did was that the team moved our RFP responses to be form based. This means that all proposals are organized in the exact same way. It is crystal clear where there's a narrative question. It's also crystal clear where there's a table, and you just have to add your information for both primes and subs.

Look, it's still not easy. But firms are not spending time and money on graphic design and layout. And they can focus on the narrative and what really matters, the content that really matters. We actually had interviews last week.

And a few respondents just in passing already gave us positive feedback on this new format. But there's two things I want to share. One is that a panel member said that scoring this type of form-based proposal probably saved him -- he said -- he estimated at least 25 percent of his time just being able to find everything to score it.

But I was most delighted to hear from an LBE who said that this time around there was far less back and forth in terms of getting on a team because they knew exactly what information the form required. So he just had to complete the form, submit it to the prime.

But then, the thing I hadn't anticipated was that, because the LBE knew what was required, they then could shop themselves to the other teams much more easily. They didn't have to create their entire package. They could just say, "Hey, these are my qualifications. These are the experiences that you want. If I'm a good fit, put me on the team."

And that was a way to increase the opportunity for teaming. To be clear, this approach is more work for me and my staff. Staff have to do this preparation in advance to really think through to make sure our documents are really good.

But the benefits and the tradeoff are that the respondents and our volunteer panel members are being able to participate in our processes more expeditiously. And that, to us, is kind of the public service that we think the Port should be providing to our community as well as to the contracting world.

Finally, the last change that we were making is using prequalified pools. If you ask firms about working for the city, they'll tell you that responding to our competitions takes a lot of time. We ask a lot of questions. And I, as staff, am bound to follow the code.

And as I explained in my earlier example, we're doing what we can to make responding easier. But after a selection process, all the firms that didn't win just spent their most precious resource, time and labor, for something that resulted in nothing.

So what the Port are doing is that, when we're running RFP processes, we would like to -- and we're starting to -- create qualified -- take everyone who had a qualified proposal and put them in a prequalified pool.

And what this means is that, if there's a similar need in the future, we don't have to all start from zero. Instead of everybody starting from zero, we can start from looking at people who previously responded to something similar. And of course, we're going to follow the administrative-code requirements for additional contracts.

But for respondents, the contracting community and staff, this means less time with my processes of competing for work and more time in the process of getting the services that we need and letting people work, do their business.

This concludes my presentation on reporting the outcomes of contracting and strategy and our fixes to make contracting more equitable and all-around better, we hope. I welcome your questions and dialogue on what I presented. Thanks.

President Adams: Thanks, Stephanie, for your presentation. Now, let's open up for public comment. Is there any public comment in the room? Seeing none. Jenica will provide instructions now for remote participants.

#### No Public Comment on Item 13A.

#### Commissioners' Discussion on Item 13A:

Commissioner Burton: I think it's terrific. I only have one question. Why was there nobody in the room that wanted to comment and why nobody on the phone wanted to comment? I mean, I know you can't answer. But it's kind of weird. But I mean, if there be bureaucracy operated the way you did laying it out, make life easier for the bureaucrats and make life easier for the citizens, so I just want to congratulate you.

President Adams: Are you done, Commissioner? Are you good?

Commissioner Burton: I am done.

President Adams: Okay. Thank you, Commissioner. Commissioner Gilman?

Commissioner Gilman: Stephanie, I just want to say your enthusiasm for this project -- it's so obvious. I just really want to congratulate you and your team for your efforts to really center equity in your work for something that is incredibly complex.

I'm very supportive. As someone who, in a previous role, has answered hundreds of RFPs not for the Port but for other city departments, I just really want to commend you on thinking this through, on the commitment.

It is unheard of. And really, the qualifying pool, RFIs, anything we can do to simplify it and really hope that other departments are listening -- even though I no longer respond to those RFPs, many of my colleagues, friends and community do.

Having standardized lists and tables, etcetera, makes a huge amount of difference. We should be requiring no graphic design unless we have to for large development projects for any RFP in my opinion. It's a waste of trees, time and money. So just really want to commend you for your creativity. This is very, very, very impressive.

And the only thing I'd say is, for future updates and reports, you know, professional services is still sort of our largest tranche where we're seeing this kind of participation. I know, in the past particularly on -- from an architectural perspective, we heard that many of our LBEs and minority-owned businesses get the modeling work or sort of the less lucrative work.

I would love just, as an informational or update -- it could be a staff report in writing, not necessarily a commission -- just understand if we're seeing more kind of substantial work being done within the professional services pool for LBEs.

But I really appreciate everything you're putting towards this, and your enthusiasm really, really comes through. So thank you for your dedication and hard work.

President Adams: Commissioner Lee?

Commissioner Lee: No real questions other than, can I hire you for my next video documentary voiceover? [laughter] Because you're great. I usually fall asleep for some of this. But you're really good, you know. So congratulations. And thank you so much.

President Adams: Thanks, Commissioner Lee. Vice President Brandon?

Vice President Brandon: Stephanie, thank you so much for your presentation. I think you and your team need to go on a roadshow throughout the city departments to just show them all that you have done and all the great ideas that you've come up with.

I mean, your team has just done such an amazing job over the last couple years in just being so innovative and creative and making it easier for our LBEs and our minority vendors to want to do business with the Port.

And your outreach and community engagement has just been phenomenal. Everybody out there talks about what a star you are, Stephanie. [laughter] So I just really want to thank you and let you know how much I appreciate all the work that you're putting in to all of it.

I read the entire report. And I have to say I went through it and had no questions. It was very clear for the first time ever. [laughs] So thank you, Stephanie. You should be really proud of all you and your team are accomplishing. And please keep up the great work.

President Adams: Stephanie, I think my fellow commissioners said it. But this work is very meticulous. And I just want to say you're very humble and very measured. And just the work that you and your team have been doing -- and I want to personally also want to thank Vice President Brandon, who I know is constantly, constantly, for 20-some years have been on this. Right. And her fingerprints is all over this too.

She's been an inspiration in working. And you're listening and taking all that. And for Vice President Brandon to say she don't have a question -- because she always says -- Mike Martin knows this -- I really like it. But -- [laughter] you know you're in trouble. Right, Mike? It's just that but.

But anyway, Steph, great, great, great job. I always like the way, when you come and you present and your enthusiasm. Truthfully, what you have and this work here, the rest of the city could use this as a blueprint. And we're blessed to have you at the Port of San Francisco. So thank you. Carl, next item, please.

## **14. ENGINEERING**

### **A. Informational presentation on amendments to the 2022 Port of San Francisco Building Code.**

Rod Iwashita: Good afternoon, President Adams, Vice President Brandon, commissioners, Director Forbes. I'm Rod Iwashita, chief harbor engineer for the Port. And I'm here to present an informational item on the 2022 Port building code amendments.

But before I start, I want to -- as the prime beneficiary of Stephanie's actions, I really do echo your appreciation of her as well. She is great. So thanks for the appreciation.

Okay. So every three years, the California building code is updated and allows for local jurisdictions to add amendments to the state code. The combination of the California building code and the Port amendments make up the Port building code.

And historically, this process of adding the Port amendments to the building code has been a two-step process with an informational presentation at one Port Commission meeting and then an action item to approve the Port amendments at the next commission meeting.

So today's informational presentation will summarize the notable Port amendments to the 2022 California building code. There are other Port amendments. But they are mostly editorial in nature. As the slide says, the local amendments must be adopted by the end of 2022. So we'll be back with an action item next month hopefully on the consent calendar.

The Port amendments address these two Port strategic objectives. I had a whole bunch of text here. But I think, you know, given the time, I can skip this. I will say there is a typo in the slide. I apologize. It's -- we are incorporating the 2022 green building code amendments -- or the green building codes into the Port building code.

Okay. So down to the amendments of note, the first amendment of note is including requirements for floating marine structures not regulated by the U.S. Coast Guard. This amendment clarifies the jurisdiction of the Port to include floating marine vessels that are not regulated by the Coast Guard so non-self-powered vessels. We've run into this in a few locations along the waterfront in the past couple of years.

The second item is the expansion of the site permit regulations and timelines. This amendment clarifies the Port use of site permits and aligns the process with the same process that's used by the Department of Building Inspection.

And it allows the permit process to move forward when certain disciplines such as site electrical, mechanical, piping, design lag behind the overall site design process.

And the third item is the insertion of special inspection requirements during aluminum welding fabrication. This amendment clarifies the requirements for special inspections during the fabrication of aluminum elements.

The California building code is ambiguous in its requirements for inspections for fabrications using aluminum. Along the waterfront, this construction material is commonly used for gangways and ramps and other fabrications due to its light weight and resistance to marine-based corrosion.

That concludes my presentation. Chief Building Inspector Neil Friedman and I are available to answer any questions. And thank you for your time today.

No Public Comment on Item 14A.

Commissioners' Discussion on Item 14A:

Commissioner Lee: I have no questions.

President Adams: Commissioner Burton?

Commissioner Burton: No questions, sir.

President Adams: Okay. Vice President Brandon?

Vice President Brandon: Rod, thank you so much for the report. And I have no questions. I'm very supportive of the amendment. Thank you.

President Adams: Commissioner Gilman?

Commissioner Gilman: Thank you so much for the update. And I have no questions.

President Adams: Thanks, Rod, for the presentation. I don't have any questions, very well laid out. Appreciate it. Thank you very much.

Rod Iwashita: Thank you.

## **15. PLANNING & ENVIRONMENT**

- A. Informational presentation and update on recent Central Embarcadero Quick-Build traffic safety and other changes, 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.

Dan Hodapp: Good afternoon, commissioners, President Adams, fellow commissioners. Dan Hodapp with the Port's planning and environment division. Thank you for having us back yet again. It's been about a year since we've been back.

We are here to provide an update on the progress that's been made, complete with evaluation studies, and some further tests are going to be coming. The bulk of the presentation will be by Casey Hildreth of the San Francisco Municipal Transportation Authority.

And then, I will come back and talk about the Embarcadero promenade, some of the things we've done there and some of the improvements on it to conclude the presentation. Thank you.

Casey Hildreth: Thank you, Dan, for the introduction. Director Forbes, President Adams, Vice President Brandon, esteemed commissioners, it's great to be back in person with you all. Casey Hildreth, team leader and principal planner with the SFMTA, to talk to you about the results of our evaluation of the Central Embarcadero quick-build project.

The Central Embarcadero quick-build project comes on the heels of some smaller quick-build safety projects and is part of our overall Embarcadero enhancement

program focused on improving safety along the full extent of the Embarcadero for all users.

So while we are focused in the central portion, we always keep in mind the full extent of the waterfront since everything is so connected. A couple things I want to point out just for context, you know, the same team, myself and others that are working on the enhancement program have also been working with Port staff on the waterfront resiliency program.

I know you got a wonderful update a couple weeks ago -- so just making sure that we're thinking about the long-term and short-term and doing what we can to provide a pathway from one to the other. And then, while my team does not regulate the shared-scooters program, my colleagues do.

So as issues arise around shared mobility, we certainly do share information and communicate and so work together on that. [crosstalk]

The Central Embarcadero project was substantially completed earlier this year in February. As part of celebrating that milestone as well as getting out some of the messaging that we knew was important around using the bikeway properly but also introducing the regulations around no e-bikes or e-scooters along the waterfront, we did release a couple of videos.

We're not going to show them tonight because I'm understanding it won't come through. But we did, again, promote that messaging ahead of more signs along the waterfront and then just celebrated the project. So I do encourage folks to visit that link if you can on our YouTube page.

So the project was open and open for use in February but by no means were we done. Throughout this year, we've been tidying up and adding to this project. So since February, we added curb ramps to make sure that our loading zones were accessible at the request of folks from the farmer's market and others.

Really beefed up our bikeway design early on -- actually, like during implementation, we decided to add more green, add more posts. Then, of course, finally, once our vendor delivered signs, we installed promenade safety signs encouraging proper bikeway usage as well as reinforcing the regulation of e-bikes and e-scooters along the promenade.

We're still not done. We have some bike parking proposals to work with staff and implement. My colleagues in traffic operations will be conducting a full assessment of signal timing along the corridor this coming year. And we do plan on implementing a field test at Broadway, which we'll talk about more extensively in a moment.



To the evaluation -- so our quick-build program, vision-zero program evaluates a lot of our projects so that we're consistently understanding where we can do better and what's working and what's not.

So this slide is just pointing out that we do have a solid framework to work from. A lot of our projects will look at a couple of metrics. Our project looked at 13. So we tried to be as exhaustive as we could. I have a number of slides going through those metrics.

I will be selective and quick for the sake of time. But certainly, we can come back to anything that you have questions on. But to get to, I think, our main goal, did this project do what we said it was intended to do, which was really provide a safe facility for those that are biking and scootering but also relieve some of the pressure off of the promenade and get those wheeled devices into that bikeway.

We looked at from before and after the project and even after the promenade safety signs went in. We saw rapid increases in the utilization of the bikeway. So this slide is showing that, at the end of the day, of all the people that are on a wheeled device, we're seeing between 78 percent and 94 percent usage of that bikeway, which means we are confident and are excited about the results that we're seeing from our project.

In terms of the overall number -- not just the overall number of wheeled-device users but the speed at which they're traveling, what we also found was those that are choosing to remain on the promenade are those that are traveling the most slowly, also a very encouraging sign.

And overall, while we know that traffic volumes are depressed still due to COVID, we're seeing pre-COVID-level bike and scooter numbers. So we do see this as a sign that this facility is attracting new uses and new trips along the corridor for recreation and other uses.

Other metrics looked at behavior within the bikeway, yielding to pedestrians at intersections and loading-zone crosswalks -- no real concerns there. But we do see some opportunities to make modest improvements with our follow-up capital project in this area and similarly conclude that drivers trying to get into pier driveways and crossing the bikeway -- we also didn't see too many issues but potential room for improvement with upgrades.

In terms of loading, are people able to access the load zones properly? Are they staying out of the bike lane? The answer is clearly yes. Then, in terms of providing flexibility for the farmer's market at the Ferry Building in particular, we think that is working well.

We do want to acknowledge that food wise, the operator at the farmer's market does require them to do a little bit of extra lifting to place some cones out and sort of shift the bikeway when needed so that their vendors can easily access the promenade and load and unload their goods.

Again, a lot of this will be information that we're feeding into our plans for the larger capital project. We didn't see any trends related to speeds that we could -- vehicle speeds that we could point to. And in terms of travel time, you know, we did take away one northbound lane to repurpose for the bikeway.

We did expect some increase in travel time along the segment. We saw less than we were expecting in large part due to the depressed volumes overall. I think, to get to perhaps the one metric that we did not see positive indications was the performance of the Broadway intersection. This is where we have a pinch point.

So we did have to make a tradeoff and had a lengthy exchange last year about how to best do that. We decided to leave two northbound through lanes, reduce the left-turn lanes from two to one. And that has resulted in significant additional -- you know, consistent and substantial delay for that northbound left-turn movement onto Broadway.

We do see this as problematic but acceptable if this has to be the result. But we did additional analysis looking at what would happen if we maintained one northbound lane and added back that second turn lane. What we think is that we could really move more people through that intersection overall including drivers.

We think we can get more people through that intersection turning left while still really minimizing the delay for northbound travel. And the reason we think that's possible is that, essentially, there's just so much more green time given to that northbound direction as opposed to the left turn.

So while we would expect backups to occur, we think each and every cycle for the most part, those backups are going to clear the intersection so that, for the most part, northbound travel should not see a substantial change from current conditions.

But we'd be essentially doubling the capacity of that left turn onto Broadway and believe that's important to, again, move the most people through the intersection safely. Again, here's some slides with more details. But I will skip those details and come back to it during Q&A if necessary.

Again, context for this is that we are picking up the design for -- well, one, I think the evaluation points to this is a really good investment. We should try and do more of this if we can. So while we have run out of quick-build opportunities for the most part to extend this two-way bikeway, we are focused on extending it southward towards the ballpark.

Here, we aren't talking about travel-lane reductions. It's mostly about the combination of civil changes, narrowing the median, absorbing the northbound bike lane and then adjusting the curb of the promenade to achieve the desired cross-section that we need to extend that protected bikeway south.

But just giving you some examples of the conditions at Harrison, in particular, we know that there's an early seawall project. This is a very constrained location as well. So we have a lot of work to do on the capital side to understand the details here. But we're really bolstered by the results of the evaluation of the quick-build.

So the evaluation results that we've shared today were shared with our ad-hoc advisory groups -- stakeholder advisory group in September as well as the Port's NAC. We do, again, hope to feed the feedback that we get from stakeholders as well as our evaluation into our capital project design.

We are proposing to test the condition at Broadway early next year again picking a moment of the calendar year that's least disruptive to tourism and Port tenants. And then, we do think, come the springtime, we'd be able to really understand, is this a viable design? Do we want to continue to monitor it? Or is it something that doesn't work, and we can kind of close the book on that question?

To finish up in terms of the Embarcadero enhancement program, just want to point out that, with our recent changes and with the successful grant application for our capital project, we represent about \$10 million of investment in safety just within Central Embarcadero.

So hopefully, we are delivering positive impacts and value to the Port. And that's just one of three segments that we hope to tackle in the years ahead to improve safety along the Embarcadero. So with that, I will, I believe, turn it over to Dan to finish up the presentation.

Dan Hodapp: Thank you, Casey. Again, Dan Hodapp, with the Port's planning and environment division here. Previously, the Port Commission expressed concern over safety on the Embarcadero promenade and requested Port staff return with suggestions on how conflicts on the promenade could be further reduced between pedestrians, cyclists and people riding scooters and other electric wheeled devices.

As described here today, SFMTA has found that a significant amount of bicycle and scooter riders are moving off of the promenade and into the new bikeway particularly during times of heavier use and that the majority of people still using wheeled devices on the promenade tend to ride more slowly than those in the protected bikeway.

These improvements in behavior could be credited to the new bikeway, the promenade signage and public messaging and the efforts of SFMTA. Further compliance will likely occur when other sections of the Embarcadero also receive a protected bikeway in these other associated improvements and when requirements for technology to detect and prohibit promenade riding for scooters is implemented.

As you see in this slide, some of the signage that's been put up on the promenade st -- reminding people that e-bikes and e-scooters are not permitted, and that is by the Port park code, no motorized vehicles on there.

The code specifically does allow bicycles to use the promenade at this time. And the commission looked at -- we presented previously options for the commission to pursue regarding this, changes in the Port code, which would require changes in the city code. And there are some other ways this could be implemented.

It may very well involve action by the Board of Supervisors as well. We would be doing public outreach on it, of course. And in doing so, some of the ideas brought forward were to bring it more in line with what city sidewalks are, which, if you are 13 or older, you're not allowed to ride a bicycle on city sidewalks.

The promenade is a little different than a city sidewalk. It's also a recreation space, an uninterrupted two-mile-long recreation facility that we've worked -- that the commission and staff have worked hard to keep clear of crossing vehicles or minimize the impacts on them.

So we have families riding together. So a comment that's come up a few times in the public meetings and even internally in staff is, how do we allow families to ride with kids under 12 if you change the code? So just an interesting piece to put into the equation.

Public complaints about scooters riding on city sidewalks recently led SFMTA to consider increasing the fine for sidewalk riding from \$150 to \$500 and to require sidewalk detection on scooters that slow the devices to a walking speed when they are on the promenade. Sidewalk detection technology is currently in development and could be deployed within the coming year.

On October 18th, the Board of Supervisors passed a resolution urging SFMTA to increase fines as described for illegal parking of scooters and for riding on city sidewalks and promenades, increase those to \$500.

The resolution also urged SFMTA to immediately require anti-sidewalk-riding technology on all scooters. On October 25th, SFMTA submitted a letter to the three scooter companies contracted by the city saying they must create geofencing restrictions that would prohibit users from leaving scooters parked on the Embarcadero's waterfront sidewalks or waterfront promenade, as we know it.

And this was specifically from Piers 14 to 45. Riders are also restricted from parking e-scooters on sidewalks along the entire five-block stretch of Jefferson Street. The three companies which operate e-scooters will be required to keep the geofencing restrictions in place for at least the month of November. And SFMTA could extend the date.

The new restrictions won't apply to private e-scooters, only to the contracted companies. With all this, regarding where we go next with this, SFMTA and the Port staff recommend: continuing the quick-build public outreach described by Casey a few minutes ago, and that will reach an awareness campaign; the project evaluation and the research for project modifications that are ongoing through 2023; and to perform a field

test at Broadway with two left-turn lanes and one through lane for the reasons that were outlined there, which is estimated to reduce overall vehicle delay through that intersection.

Regarding the promenade, given the increase of motorized scooter and cyclist use of the new protected bikeway adjacent to the roadway and actions by the SFMTA to restrict parking and speed on the Embarcadero promenade -- on the Embarcadero and Jefferson Street, Port staff recommended continuing to observe and evaluate whether the improvements and actions adequately resolve conflicts on the promenade or whether other changes or regulations should be pursued.

I don't believe we -- I don't think we believe we'll ever get 100 percent compliance. But the compliance numbers have gone significantly up. Further changes could include constructing other sections of the protected bike lane along the Embarcadero and changes to Port and/or city codes.

Port staff will provide options for further actions if the Port Commission deems necessary. And that concludes our presentation. Thank you very much.

Public Comment on Item 15A:

Mark Gleason: Good evening, commissioners. Mark Gleason here again with the teamsters. We do want to weigh in. We have members that work at the Pier 39 garage. And there are other organized unions on Pier 39 as well.

And we've partnered with management on their concern about the [plan for] bike lanes to be estimated now. We're just coming out of the pandemic, bringing the economy back. We support the position to have this study done further into the summertime when a real estimation of how this is going to affect business [can be taken] place. So our position is to have it studied in the summer. Thank you for your time. Appreciate your support.

President Adams: All right. Thanks, Mark. Next?

Jenica Liu: Opening the next line.

President Adams: Thank you.

[Alejandro Renato]: Hi there. Thank you for the opportunity to comment. My name is [Alejandro Renato]. I'm the manager for Sausalito Accessories. We're a small retail business. We have two different storefronts located on Pier 39 and another one further up north on Jefferson Street.

Yeah. We simply wanted to call and, I guess, echo the opinion of now the previous speaker and, I guess, express our concern with the proposed removal of the northbound lane on the Embarcadero. You know, we think the uncertainty in the

impacts of the proposal and the logistic ramifications that a measure like this can have are pretty big.

And ultimately, we feel that a decision like this needs further analysis and more studies before any actions are taken. Now, obviously, I can only speak for our business. But I'm sure the same goes for other merchants on Pier 39.

You know, we're only just recovering from the pandemic, right, which has been one of the worst business [streaks] in decades. And we're already facing a bunch of different transport issues with our staff complaining to us on a constant basis about how hard they find it to get to work because the streetcar and the bus services still haven't been restored by muni yet.

So taking all this into consideration and that -- I guess the Embarcadero is really one of the only city's major north-south artery for visitors to get to the wharf. It doesn't seem like the best time to make traffic worse or to make the decision quickly.

So removing a lane is inevitably going to increase congestion. All we're saying is that we should dig deeper to fully understand the economic threat that this poses to the multitude of businesses that work on the northern waterfront.

[Unintelligible] [acting without further data] could be severely detrimental to the operations of countless restaurants and storefronts. Thank you.

President Adams: Thank you. Next?

Jenica Liu: Opening the next line now.

David Berbey: Good afternoon, commissioners. My name is David Berbey. I'm with Cioppino's restaurant on Fisherman's Wharf and five other retail stores. We've been operating for 35 years [in all] locations. Everyone knows the last three years have been very, very challenging.

I keep hearing staff talking about configuring the Broadway pinch points and making it more efficient and this way and that way. Then, it could be or it should be -- well, we all know what it does. It backs up traffic. It chokes up our businesses.

We're barely making it as it is. We need [tra -- those two] lanes open all the time. This proposal keeps coming up like some killer weed. And we can't continue to pursue these kind of actions where we don't know [what's going on -- and the] last nail in the coffin for our businesses.

So my proposal is that we start thinking about essentially disavowing this [piece] of lanes and deletions of northbound lanes to the last remaining businesses on Fisherman's Wharf. Thank you.

President Adams: Thank you. Next?

Jenica Liu: Opening the next line.

John Cannizzaro: Hi. My name is John Cannizzaro. And I am a property owner down in Fisherman's Wharf. And we've talked with all of our tenants as well as other merchants in the area. As you guys know, the Embarcadero is the main way that people from the East Bay, the Peninsula and the South Bay access Fisherman's Wharf.

And the wharf simply cannot survive if another lane of traffic is removed from northbound Embarcadero. We're still far below our 2019 sales, traffic counts, visitor counts. And 2019 was not a good year for us.

Currently, the large majority of the visitors that are visiting us are coming from the Bay Area. We're still way, way below international, even domestic from around the country visitor counts. The latest removal of a lane has increased the time it takes to get to the wharf.

And again, this is with us nowhere near pre-pandemic traffic counts. We've lost countless restaurants and retailers because of the pandemic. And we just can't afford to pinch our main artery because this would obviously increase the amount of time it takes to get to the wharf and would be a detriment to people returning.

We need to make it easier for people to get to the wharf, not more difficult. There is no shortage of bicycle lanes around the city. And I'm not aware of any issues of congestion in those bicycle lanes. The wharf is a huge economic driver for the city. And cutting off another lane of traffic to us would be basically the definition of kicking us while we're down.

So just to summarize, the wharf needs all the help we can get to bounce back from the pandemic. And I don't feel there's additional need for more bike lanes. We should be looking at how to increase lanes of traffic along the Embarcadero, so people can -- easier access the wharf.

So I urge the commission, at the very least, to keep the Embarcadero as it is and to personally consult with the businesses in the wharf in the northern front on how you can help us bounce back from the pandemic. Thank you.

President Adams: Thank you. Next speaker, please?

Jenica Liu: Okay. We have seven more callers on the line, and I'll open the next line.

[Dawn Smith]: Hi. My name is Dawn Smith. I'm also an owner of a small business at Pier 39. I'm very concerned about the negative effect closing a lane of traffic would do to the freedom of movement across the Embarcadero for automobile traffic.

This is our main access use to get to our property in Fisherman's Wharf and North Beach and also to the marina. I'll just share with you from experience two experiences that I had. On Wednesday, October 19th between 11:00 a.m. and [12:50] p.m., one hour, 675 cars passed through the intersection of Broadway and Embarcadero compared to 65 bikes.

The current reality at the intersection -- that is our current reality. This is not a lot of bikes. This is a lot of cars. On Sunday, October 23 between 12:30 p.m. and 1:00 p.m., just one half-hour, 271 cars to 40 bikes went through this current -- went through that intersection -- again, not a lot of bikes and a lot of cars.

We need accessibility. Cars need accessibility to this area of San Francisco. People coming from the bridge use it to get to the Golden Gate Bridge. They use it to get to all different kinds of spots in the city including the Presidio. It's just not a Pier 39 situation.

I believe that we need to have more accessibility to cars so that people can have freedom of movement. People need to have their freedom to choose the transportation that they want to have. And rather than feed access to a small group of people, we need to address the people who are actually using the most transportation choices which are autos at the moment. Thank you.

President Adams: Thank you. Next speaker, please.

Jenica Liu: Opening the next line.

Randall Scott: Good evening, President Adams, Vice President Brandon, esteemed commissioners, Director Forbes and Port staff, thank you for the opportunity to speak today. My name is Randall Scott. And I'm the executive director of the Fisherman's Wharf Community Benefit District representing over 400 properties and businesses generally speaking from Bay Street north to the waterfront.

The City and County of San Francisco's largest industry and source of revenue is tourism. Fisherman's Wharf hosts about 65 percent of those tourists, making us the number-one tourist destination in one of the top tourist cities in the world.

The vast majority of these tourists arrive here via car. That's just the nature of our market. Taking away 50 percent of the vehicular lanes on the Embarcadero that lead to the number-one revenue-producing district to accommodate alternative modes of transportation is shortsighted and ignores common sense.

Yes, it is important for the wharf to be accessible to the locals and is part of the fabric of San Francisco. But let's face it. Tourism pays the bills. We can't lose sight of that. Vice President Brandon, at the last hearing that this came up before you, best said it when she said, "People in cars have rights too and need to be represented as well."



We ask that you direct SFMTA to continue to put forth plans that only have the two existing northbound lanes. And by the way, customers for the newly proposed retail fish sales will be arriving by car. Thank you for your time.

President Adams: Thank you. Next speaker, please.

Jenica Liu: Opening the next line.

Paul Miller: Hi, commissioners. This is Paul Miller, vice president of operations for Boudin Bakery.

Commissioner Burton: Ha.

Paul Miller: Last year --

Commissioner Burton: Excuse me.

President Adams: Sorry. Go ahead, Paul.

Commissioner Burton: [Unintelligible].

Paul Miller: Last year, the SFMTA proposed taking away one lane of northbound traffic to create the two bike lanes. While we opposed that, we understood the necessity for the bike lanes for the safety of bike riders and easing up the traffic on the promenade.

Now, they're coming back, and they're suggesting to take one more northbound lane away, so we only have one northbound lane. This is unacceptable to us even on a trial basis. The Broadway field test of having two left-turn lanes has been tried for 15 years when we had two left-turn lanes and two northbound lanes.

If you were driving northbound on the Embarcadero on the left-hand lane, you automatically got stuck in the right left turn lane. Most people didn't intend to be there. So they would merge into the left northbound lane, which caused a traffic jam at the Broadway intersection.

But back then, we still had the right northbound lane where traffic can get through. So if they put in two left turn lanes now, the same situation is going to happen. People coming up the Embarcadero in the left northbound lane are going to get stuck in that right left turn lane. And they're going to merge into what now will be only one northbound lane.

So that is going to completely clog the traffic at the Broadway intersection. And traffic will not get through period. Every time we tested having one lane northbound on the Embarcadero for America's Cup, for construction, for ship loading, it's a traffic jam. And I think you've all been through it.

Even as of yesterday, I came down 280, got onto the Embarcadero at 10:30 in the morning. And traffic stopped at the Ferry Building. I thought, well, it always stops here. I'll get through this in a couple minutes. Well, it did not ease up.

And there was a cruise ship at Pier 23. They were loading. And they blocked off about 50 feet of the right-hand northbound lane at Pier 23. There were police there directing traffic. It was very well controlled. It took 55 minutes to get from the Ferry Building past Pier 23 yesterday.

And that was with one lane open, police control there. So they were getting people through. It still took the better part of an hour because one lane was closed. We recommend that we do not ever have one northbound lane.

The Embarcadero has way too much traffic that one lane will support the traffic to the northern waterfront. Thank you for listening to me.

President Adams: Thank you. Next speaker, please.

Jenica Liu: Okay. We have four more callers. I will unmute the next line.

Taylor Safford: Good evening, Executive Director Forbes, President Adams, Vice President Brandon and commissioners. This is Taylor Safford, president and CEO of Pier 39. As you consider how best to reconfigure the Embarcadero to accommodate the protected bike lane, I'd like to share the following information with you.

At Pier 39, the Port's largest and busiest attraction, 50 percent of the 6.5 million people who came to the property in the past 12 months arrived by car. These 6.5 million guests represent just 54 percent of our pre-COVID [visitation]. So obviously, we have a long way to go before we fully recover.

Pier 39 and its 100 tenants continue to struggle from the devastation of the pandemic. The Embarcadero is the major artery for visitors driving up from the airport, using peninsula freeways or the Bay Bridge to get to the northern waterfront.

Any traffic test that you undertake before the wharf is again hosting its pre-COVID 16 million visitors a year is going to significantly understate what the long-term impacts will be to businesses in the northern waterfront.

Please carefully consider what the downstream impact removing one lane from the Embarcadero will have on hundreds of businesses in the wharf, the tens of thousands of employees who work there and the many millions of visitors who come to the wharf every year.

Commissioners, my ask of you is this. First, please consider holding off any further lane changes on the Embarcadero until the northern waterfront's visitation has fully

recovered. Second, please require that muni reestablish 100 percent of its pre-COVID bus and rail service to the wharf as a precondition of any further roadway changes.

Third, please investigate and preferably quantify what the economic impact will be on the northern waterfront from eliminating one of the two northbound lanes on the Embarcadero before you make any final decision. Thank you.

President Adams: Thank you. Next speaker, please.

Jenica Liu: Opening the next line.

Ray Connolly: Good evening, everyone. Thank you very much for allowing us to have public comment this evening. My name is Ray Connolly. I own a business in Fisherman's Wharf along with another business across town. And I'm also a property owner.

And I think we need to pause here for a second with this study because of the fact that, with the magnitude of individuals that drive to Fisherman's Wharf, they access the city through the bridges and all the major freeways.

And if they were to hit the Embarcadero and sit in traffic for an hour to get to the pier or to get into the wharf, that adds a high level of frustration to those families that are trying to have a nice day of enjoyment.

So not only are you reducing the access to the pier and to the wharf, but you're adding individual frustration when they sit in traffic. So how does that impact the businesses, the impression of those individuals when they're frustrated?

That takes away the amount of time that they have allocated to spend visiting the restaurants, touring around the pier, walking around the wharf. And if they've got limited time, that means that they're going to limit the time that they spend in restaurants.

It's going to limit the time that they have going shopping. And if they don't have a lot of time, they're not going to spend a lot of money. Then, they're going to leave, and they're going to say we're not coming back here because it's too hard to get to the Port. It's too hard to get to the pier. It's too hard to get into the heart of Fisherman's Wharf.

I think you need to really reevaluate this study. And during the evaluation portion of the presentation, I heard a lot about the accessibility. But there was no study of the access and how it impacts the individuals that are actually going to try and get there.

So I think you might want to take another layer of this evaluation and think about the individuals' frustrations where they're sitting in deadlock traffic. So I ask that you pause this evaluation through the summer.

There are a lot of businesses that are still coping trying to rebuild their businesses after COVID. You know, the mass transportation -- it's not back up to 100 percent. There's a lot of frustration. And this is only going to add more.

So if we want our crown jewel to be the leader for other ports across the country, this isn't going to help it. So thank you. And have a nice evening.

President Adams: Thank you. You too. Next speaker?

Jenica Liu: Unmuting the next line.

[Steve Abrams]: Good evening, Port commissioners and President Adams. My name is Steve Abrams. By way of background, I'm a licensed traffic engineer with over 27 years' experience. Based on my review of this proposal, I'd strongly recommend that further study be conducted on the significant economic impact that would result from reducing the northbound Embarcadero to only one lane.

And this evaluation should be included in the SFMTA's future evaluations also. The current proposal seems to ignore the Embarcadero's critical role in the economic vitality of the northern waterfront and its unique location along the perimeter of the city.

There are no state and city policies related to climate change that strongly discourage the expansion of roadways. So if this is reduced -- you know, the Central Embarcadero is a unique corridor. But the likelihood of a lane ever being restored after this field test is highly questionable.

The temporary field test to eliminate a northbound lane will officially limit and/or cap the number of visitors that can reach the northern waterfront on a daily basis. And it could become permanent.

This would be forecast to result in a reduction in the number of inbound visitors during peak times of about 750 people per hour which could then equate over the four-hour peak period of a reduction of over 3,000 people per day getting to the wharf to spend their money.

A substantial portion of these people are visitors who simply aren't capable of riding a bike to visit the northern waterfront. And there are alternatives to removing a northbound lane to make room for the protected bikeway, which everyone agrees is a good idea.

But the other alternatives -- you know, they're entirely feasible. The main problem is they would just be more expensive. So they'd like to just take out a lane. Recent traffic signal timings at the Ferry Building pedestrian crossing have essentially created the large queues you now see every morning extending back over a half mile on a regular basis.

Our analysis indicates this major traffic congestion was intentionally created by simply reducing the amount of green time available for northbound traffic at the Embarcadero crossing at the Ferry Building.

So now, the peak queues regularly back up all the way down to underneath the Bay Bridge. So you'll have to decide for yourself. But as a traffic engineer, it's painfully clear to me that these changes were quietly implemented to constrain traffic as part of the efforts to justify changing the Embarcadero to a one-lane road for the bikeway.

Businesses on the wharf are struggling to recover from the pandemic. And they are rightfully concerned about the elimination of a northbound traffic lane that could be a 50 percent reduction in traffic coming during peak periods.

Basically, it could become possibly permanent with the proposal to take the lane. And we strongly encourage you to research this further before making any decision. Thank you for your time.

President Adams: Thank you. Next speaker, please?

Jenica Liu: Okay. We have three more callers.

President Adams: Okay. Let's take them.

PNhut deLeon-Cacal: Hello. Good evening, President Adams and commissioners. My name is PNhut deLeon-Cacal. I'm the property manager for the wax museum building located at 145 Jefferson in the heart of Fisherman's Wharf.

The visitors for Fisherman's Wharf still have not reached pre-COVID numbers. We have very minimal out-of-state and international visitors. Our current Fisherman's Wharf visitors consist of Bay Area families driving to the wharf.

The families visiting the wharf are from the surrounding Bay Area communities including Sacramento, Alameda, Marin, San Mateo, Santa Clara, Santa Cruz. And these neighboring community visitors are driving to Fisherman's Wharf with their families. They're not riding their bicycles from their home to the wharf.

The Embarcadero traffic leading to and from Fisherman's Wharf has always been besieged with traffic. Removing the one southbound lane to create a bike lane has already added to the enormous traffic on Embarcadero.

With the proposed removal of one northbound lane to create another bike lane will only exacerbate the traffic on Embarcadero especially on weekends, holidays and during the summer season. The Embarcadero is the only major north-south vehicle thoroughfare for visitors to the wharf.

Closing any current lanes on Embarcadero will only make the traffic worse than ever. I urge you to please not allow this to happen. Thank you for your attention to this matter.

President Adams: Thank you. Next speaker, please?

Jenica Liu: Opening the next line.

[Tom Chou]: Hi. My name is Tom Chou and represent the Crepe Café. We have two stores in the northern waterfront. And I don't think there's much that I can bring up that hasn't been brought up by the previous callers already.

But there was one couple of things. One is economic impact. In addition to the impact on the merchants, there is also an adverse impact for city. It's a loss-loss situation both for the merchant as well as for the city.

And secondly, the visitors that we see come in now are primarily from the local Bay Area. But people -- visitors who fly in internationally and out of state also need to use the Embarcadero because they fly into the airport. So when they start coming in, it's even going to be -- the situation is even going to be worse.

You know, my personal experience is that [commuting toward something] using the Embarcadero is that, without any traffic, it only takes 20 minutes. Okay. Pre-pandemic traffic, about 30 to 35 minutes. And with the closing of the left turn lane on Broadway, that adds another 10 to 15 minutes.

Now, you're going to close another northbound lane. I don't know how much longer is going to be. It's going to take forever for me to get to work. It's very discouraging and also very difficult for us to hire employees. Thank you for the opportunity to speak.

President Adams: Thank you. Next speaker, please?

Jenica Liu: Opening the next line.

[Brian Hayes]: Yes. Good evening, commissioners and staff. My name is Brian Hayes, born and raised in San Francisco, avid biker here in San Francisco. I'm on the Embarcadero about 300 days of the year. And it's a really -- you guys have done a beautiful job in the [unintelligible] of the Embarcadero.

And I remember, when [we were younger, used to go down by] -- underneath the Bay Bridge. We used to steal hubcaps underneath there. Right. I hope they don't come after me. But anyway, you guys have done a great job transforming the Embarcadero.

Now, I am on the Embarcadero. I'm on the Embarcadero about 300 days a year. And I must say the biking is great. I feel very safe. But I don't -- I think these double bike lanes where they have head-on bikes coming at each other, you know, the forces of that, it could be very dangerous.

I feel more unsafe because, in those bike lanes heading at each other and those [forces that] -- so it's very dangerous. But what I do see on the Embarcadero at all different times is traffic jams. You've been in it. We can't deny it. I'm at work. I'm watching it all the time.

And the Ferry Building -- trucks try to pull into the Ferry Building. They're halfway sticking out blocking the lane. This guy is not moving as fast as the other guy wanted it too. That creates a one-lane situation. And the traffic is always backed up to the Bay Bridge.

So it's very unfortunate. I can see why the merchants are very upset about this. I would propose as a biker -- I feel fine as it is right now. We don't have to do any more for the bikers. The bikers have had enough. The Embarcadero was designed for horses and buggies when it first came in.

So we're getting too much in the situation. I feel safe. My biking friends feel safe. I think we just leave it like it is. We have to live with the cars. They're not going to go away anytime soon. So leave the two northbound lanes. Keep them open. Keep them going.

And I heard the engineer talk earlier. He said, well, if the northbound lanes have more time and the Broadway lane has limited time, well, give the Broadway lane a little bit more time to get through. [And it'll flush it through].

And he also said it's not really problematic. Well, if it's not problematic, then let's go ahead and not make it a problem. I've seen so many times that Embarcadero -- [because that] -- ideally, it goes -- it goes as far as the realization of people and how they move and how they think. They don't move and think ideally.

So the Embarcadero is a beautiful place to ride your bike. But as far as cars, it's very sad for the car situation. I feel really bad about the cars. They're stuck in traffic jams all the time. So I urge to keep those northbound lanes open.

The bikers will be fine We have a bike lane. If you're worried about congestion, there's another bike lane on the opposite side of the Embarcadero. You can go down -- [crosstalk]

President Adams: Thank you.

Brian Hayes: -- down the --

President Adams: Thank you. Your time is up. Thank you so much.

Brian Hayes: Thank you very much.

President Adams: Okay. Thank you very much.

## Commissioners' Discussion on Item 15A

Commissioner Gilman: Thank you, President Adams. Dan and Casey, I have a couple of questions. But before I get those questions, I just want to -- actually, I'll do the questions first. And then, I have some observations. So --

Commissioner Burton: I've got to go meet my daughter. She's back from Ireland. [crosstalk] Who should I have [Sal] call? You?

Commissioner Gilman: So gentlemen come up and particularly Casey. So I just want to make sure first of all -- you know, we entered this project, in my opinion, with three goals in mind dating back to when you were here a year ago.

One was how do we create a protected bike lane? A, because we had bicycle fatalities along our stretch of Embarcadero. Secondly, we wanted to get bicycles off the promenade because, while we had not had any fatalities with them riding on the promenade, we had had collisions between pedestrians and bikes.

Casey Hildreth: Yes.

Commissioner Gilman: And we wanted to create more movement through the corridor. So my understanding is, once you do your study -- which I will actually be urging that you do during different peak times -- but that the end result would either be -- just because there was, I feel like, some confusion with public comment.

It would either be maintaining two turn lanes onto Broadway with one northbound lane to Pier 39. Or it would be having one turn lane onto Broadway and two northbound traffic lanes. Can y --

Casey Hildreth: Which is what it's like today. Correct.

Commissioner Gilman: Correct.

Casey Hildreth: Yes.

Commissioner Gilman: So currently today, right now, we have one lane turning onto Broadway.

Casey Hildreth: Yes.

Commissioner Gilman: And we have two lanes going towards Pier 39.

Casey Hildreth: Correct.

Commissioner Gilman: And we have a protected bike lane --



Casey Hildreth: Correct.

Commissioner Gilman: -- through the quick-build.

Casey Hildreth: Yes.

Commissioner Gilman: Okay. So I just want to baseline that because I think there was some -- some callers were concerned that it was going to be one lane only. And I just wanted to baseline that assumption. Is it true that we do not have full muni service to the wharf and to that corridor? Because several callers stated in public comment that we don't have full muni service right now through the corridor.

Casey Hildreth: My understanding is that the shoulders of the F-line service periods have been truncated somewhat. I believe we are at similar headways. The time between the trains may be slightly longer than it was pre-COVID.

I mean, we've had a lot of transit-system changes over the last two-and-a-half years. But I believe it's essentially slightly reduced with slightly shorter per -- overall period of time.

Commissioner Gilman: Okay. So with that, I guess the rest I have is -- are observations. I apologize to staff and to the Port that I unfortunately have to leave relatively soon. My observation is I do think we need to -- when we do the study, we need to be making our decisions based on data.

I did appreciate the observational data of many of the people who called in for public comment. For me as a commissioner, this isn't vehicles versus bicycles. We have environmental reasons and other reasons we need to -- we do need to be encouraging people, whether they want to take that encouragement or not, to use public transportation, other modes of transportation overall as a society.

But I do think we need to really look at our data. And we need to look at how it does have an economic impact on one of the gems of the waterfront especially with us promoting fish sales and other things. We're going to be having more and more people travel through that corridor.

So I will be making my decision based on data. But I do want to urge the SFMTA for a couple of things. One is that we can't change traffic flows through this corridor if we then diminish public transportation services.

So I think, to me, it's coupled with, if we're going to make these changes, either what enhancements to public transportation are we going to provide to mitigate for that? And how are we going to help protect both our tourist traffic both locally -- and how are we going to help our workers get to work in a timely fashion?

I think that's incredibly important. My other observation is that, with the protected bike lanes and the signage, that there appears to be less bicycles and electronic scooters on the promenade which I think is an important aspect for us. And I appreciate that.

I would like us to maybe look at some of the -- for the protected bike lanes some of the mitigations around traffic stopping that we see on the Valencia Street corridor. I have not noticed any little -- I don't know what you call them. But on the Valencia Street corridor, the bike lane has its own little signals for stopping and going.

I have seen still a lot of running of lights and running through intersections to hit pedestrians while they're crossing. So I just wanted to offer you that observation as well.

And while it said in your report that there is -- absolutely been a detriment to turning onto Broadway, I just want to note that we received no phone calls today from public comment of people concerned about the turn onto Broadway.

You can turn onto Front Street. You can turn at Bay Street. There are many other ways that vehicles can get to North Beach and Chinatown. And I would hope that we would check in with those merchants too to see if they've seen a difference with the one lane because we've heard really loud and clearly from our merchants and our constituents that diminishing the northbound lane to Fisherman's Wharf is a high concern for them.

So I just think we need to really take public feedback seriously along with data before we make this decision. And I want to assure the public this is an informational item. We're taking no action today.

And Dan, I would really love to see -- if we end up with a protected bike lane, I think the signage is great. We just need so much more of it. And I know the geofencing is out of our hands. It's a Board of Supervisors/SFMTA issue.

But I also don't know if there's a way that we could paint or look at maybe -- similar to the way it is sort of on the Marina Green, having like a little stripe for bicycles to ride with families. I don't want to discourage recreation on the waterfront.

But it's just -- especially around the Ferry Building in particular, there's such congestion of bicycles and people particularly on the weekend. So I'd hope we could look at some other ways to mitigate that as well.

Dan Hodapp: We can continue to look at all those ideas. Thank you very much for those observations.

Commissioner Gilman: That concludes my observations and my questions.

President Adams: Thank you, Commissioner Gilman. Commissioner Lee?

Commissioner Lee: Well, you know, I'm not a fan of SFMTA when it comes to supporting small business. And to listen to all the Pier 39 merchants and the northern merchants, I kind of feel for them because, unfortunately, it happened to a number of my businesses in the past too where SFMTA took away parking meters and stuff to put express lanes without having any kind of feedback from the merchants.

You know, for me to make any further improvements -- so-called improvements, to expand further to what's happening right now, I'm all about like let's fix the problems that we have, you know, before we over expand because, as they say when there was -- coming down -- I use the Embarcadero a lot coming from SoMa.

And there was some maintenance being done in front of the Ferry Building. They blocked off one street. We were stuck there for at least 45 minutes. And we couldn't get out. If you were in the wrong lane, you couldn't even turn left to get out. So we were stuck.

So I understand the situation for those people up there on the north side. As I'm coming here -- and I was late because the lights are all, you know -- I must have hit every red light coming here. At the same time, I see so many bikes still using the sidewalk on the promenade.

Nobody is using the bike lanes. So we spent so much money on it. And I'm looking. I see the beautiful sign. It's great. But it's kind of high up there. I don't know if there's a height situation where you have to bring it down where they could see it.

Also, I saw on your scooters. It says, "Don't ride on the sidewalk." Well, how about you put on there, "You ride on the sidewalk, you're going to get fined \$500"? These are the little things that need to be fixed before you can expand further, I mean, not just knocking out a lane.

But how about like Commissioner Gilman said? There's got to be some kind of pedestrian zone on the promenade saying that, hey, at least don't ride your bike in this area. And let the pedestrian with their little kids walk by.

I don't know how many times I've seen near collisions with little kids because they weren't looking. Or they ran away from their mom. And they're running right in front of somebody with a bike. Regardless if you're going one mile an hour or two, you know, a bike's going to hit a little kid. He's going to get hurt.

So for me anyway, you know, unless SFMTA has more passion for us small business, I'm not going to vote for anything that's going to go beyond that especially if we have issues right now that we can't take care of of all the stuff that's been spent on.

So I mean, unless something new comes up -- I mean, I've got a bunch of things I -- you know, like your evaluations, you know, tourist season traditionally is usually June, July, August. And it dies after Labor Day when everybody goes back to school.

Why are we doing evaluations in September when it's going to be low? We should be -- especially up in the northern side, there's a lot of foot traffic there. So future evaluations should be changed to more when the tourist -- especially now, we don't get any international tourists.

You know, I just got back from Las Vegas. They're not getting any. You know, we're going to take at least a couple more years for recovery. And we only got the locals to participate. I don't know if you guys know that I'm kind of a muscle car, cruising kind of guy.

We used to cruise Fisherman's Wharf along the Embarcadero going all the way. And we used to stay at Pier 23 and have lunch where I would park my car just to have people take pictures of my car in front of the fishing boats.

But when you guys put the muni line in there, I couldn't park there anymore. But it was okay. Traffic was still flowing. So now, you're talking about taking another lane of traffic out. So I don't know. You guys have to do more for the small business in this town and be a little bit more sensible.

I mean, I hate to say -- do you have to call a town hall with these people? You're not going to get much results from that. But I don't feel comfortable if -- anything new unless we fix what you've got now. That's my comment.

President Adams: Thanks, Commissioner Lee. Vice President Brandon?

Vice President Brandon: Thank you both for the report. From the public comment, it seems like we still have work to do. And I think, when I heard we were doing a study, I didn't know we were just studying peak hours. So for me, it's -- you know, why are we going to make this change for two hours per day versus the other 22 hours when we need more flow going to the northern waterfront?

I mean, next year, we're going to have record cruise calls. There is going to be so much traffic along the northern waterfront. And to just have one lane -- and you know, the tenants from Fisherman's Wharf, from Pier 39, we have to do all we can to help them recover and get through this period.

And I don't know if it's the right or wrong thing to do. I think the timing is off right now. And I think we just need to do more outreach. We need to have more conversations with those that are going to be impacted.

And I think that was a great idea to do an economic impact report to see how all of those businesses along the northern waterfront will be affected by this one little change.

Casey Hildreth: If I may -- so I think, one, in terms of the outreach to merchants and considering Fisherman's Wharf and Pier 39, I've been having conversations for

eight years. I take all of those very seriously. I've talked with numerous callers who've called in today.

I take -- there's clearly a lot of emotion behind the last couple of years. We take that very seriously which is why we moved ahead and listened to them last year with moving forward with their recommended two-northbound-lane design.

I think, when you mentioned the cruise calls -- so one, this change that we're proposing to test, right, I think actually echoes -- it's about tactic. I actually agree with a lot of those callers. We do need to be doing more study particularly at Broadway to understand the impacts.

We're just in our -- desk jockeys with our white hats unless we test it out in real time. What we're proposing is to do it at the least costly time of the year as it ramps up towards April which is a heavy cruise-call time for the Embarcadero.

So before the peak of the season, we think we can understand, does this have any legs or not? And if it doesn't, if we see significant impacts, we can kind of put a -- we can close the book on this idea. But the reason why we think it's important -- it's actually not a bike/vehicle debate. Right.

This proposal is actually meant to move more vehicles through the intersection to just make it easier for everybody. And I think, to one of the callers' points, when you do have a cruise call in and Pier 23 is backed up, one possible way to get around that is to get off the corridor and take Sansome and get around that congestion.

So the idea of offering a choice, the idea of giving people options -- that's why we're here today to talk about the plan to test and to come back with more data later on and understand those impacts in real time. So I just want to -- I really take those comments to heart.

Vice President Brandon: But if you do it in an off season, you're not taking the real impact real time because you're not seeing how the corridor will really be affected if there is heavy traffic.

Casey Hildreth: Well, I think April is a good month to understand. It's really close actually to August/September travel time. So there's definitely a rhythm to the calendar year. And April was actually a pretty good month to test. That's based on data that we have. We know the trips that are [taking] along the corridor.

But we want to implement it. We want to get people adjusted to it. And we want to do that and have least harm on businesses. So we think doing that early in the year leading up to a spring evaluation -- it's just a way to test it, to understand the impacts, to address a lot of the questions and concerns that a lot of the callers had.

And we do do a lot of outreach to other stakeholders that are off the waterfront in Chinatown, North Beach, Telegraph Hill. We have heard complaints from some of those residents and constituents. So you know, as we're trying to look at what's an equitable solution across the city, we think this is a valuable test.

But by no means are we -- we hear a lot of the emotion and the concerns and the skepticism that we've heard for frankly a number of years. We just think this is a way to - everyone can see the same thing. We're not just based on emotion. It's based on data. And it's based on ongoing conversations with those people as well as with the commission.

Vice President Brandon: But during those eight years, have you done an economic impact report?

Casey Hildreth: I mean, most economic impact studies around complete streets and safer streets actually point to increased sales for food establishments. I think it's really difficult to scope that study given the nuances of what we're talking about.

I mean, we're very much -- you know, we're not talking about creating a whole new district or a whole new road or a trail that doesn't exist. Right. So it's very difficult for us to go and do a study --

Vice President Brandon: No. You're talking about deleting it. You're talking about deleting access.

Casey Hildreth: I'm sorry?

Vice President Brandon: You're talking about deleting access to those points.

Casey Hildreth: I think what we're saying is that we think we're not -- we're going to improve access overall. And if we're wrong, we'll know that right away. And the best - the only way we're going to know that is through real-time testing.

President Adams: Go ahead, Commissioner.

Commissioner Gilman: I just want to a -- like to your point about what you just said -- and I'm just extrapolating here. I'm not a big driver along that stretch because I live near it. So I can walk there. If you don't have -- so other parts of our freeway system, there is a sign. It says 25 minutes to the Bay Bridge, 15 minutes here, or use this alternative route.

I just really want to caution you. I think signs would give people more -- not to be negative, we give people more credit. If you're a San Franciscan, I know I can turn onto Sansome Street. Or I know I can exit Third, take that through. It turns into Kearny. I'm in Chinatown. Boom.

But if we don't have signage, if we don't have wait times, if we don't have more electronic displays, folks coming in from Napa do not understand that. Their childhood dreams is that their parents drove them along the Embarcadero. And that's how you get to Pier 39.

So I just want to caution us that, when we're going to do these studies, if we're not going to make other improvements of signage, wayfinding, muni service, etcetera, the impact is just going to be detrimental.

So I really want to encourage that we give people more choice. But we have to educate them and provide tools the way we tell people when parking lots are filled.

Casey Hildreth: Yes.

Commissioner Gilman: If we can tell people that, we can tell them to turn onto Sansome, turn onto Front, turn on here, etcetera, to get where they need to go because Google is not going to tell me that.

Casey Hildreth: Right. And we have prioritized one of those real-time message signs as part of the capital project. So that's feedback that we've heard prior and have incorporated into the larger capital project. Regardless of what happens at Broadway design wise, that will be part of the larger capital project.

Commissioner Lee: Mr. President?

President Adams: Go ahead.

Commissioner Lee: I just want to -- Commissioner Brandon's thoughts about economic impact studies -- so when Scott Wiener ordered one for the nightclub industry and everybody thought we were underground and illegal, and they found out with the economic impact study that the nightlife business brought \$8 billion to the economy.

So it wasn't that we were creating a district. It was an understanding that -- how much a district like Fisherman's Wharf brings to this community. And if you cut off its leg, at least one of them, how much would we lose? I mean, it's the data that's very important.

So I'm very supportive of this kind of study, not that we're creating a district but at least what the economic impact is. And it's a trickle-down effect because, if they can't pay, look at how much rent we've been giving away.

Every meeting since I've been here, we've been giving millions of dollars away because of COVID. And now, we're going to give millions of dollars away because they can't pay their rent. I mean, we should be helping them, not being negative and cutting off their leg.

So I think more study needs to be done. I think public safety is number one for me. I don't want people to get hurt. But I want the bicycles and scooters to live together. We already built something that's there. Let's go zero vision on the sidewalk.

You want to go zero vision on everything else. Get to zero vision on the sidewalk. And then, I'll support anything you guys have. But for now, I can't support anything right now especially in I -- my brothers in small business up on the north side are already -- they're barely coming back. And we're working very hard to be there. So -- I'm done.

President Adams: Thank you. You got anything else?

Vice President Brandon: Yeah. So I'm just wondering -- so for today -- I know this is an informational presentation. But what are you looking for from us? Or do you need anything from us to do whatever your next step is?

Director Forbes: I think I can respond to that. So the key question -- and this is for Commissioner Lee as well -- is are cars backing up because they should be turning on Broadway and, instead, going down and creating traffic northbound on the Embarcadero or not?

I mean, that is really the question the SFMTA is trying to ask, if the thoroughfare that way will keep more traffic off the Embarcadero. That's what the study is involved with. So per our prior conversation about the quick-build, we were to come back with data after the signs were installed.

We have a lot of signage actually. And we got pretty good data about folks getting off of the Embarcadero promenade into the protected bike lane. And then, we were going to move forward on the study, the study to move to two Broadway turns, one northbound different from what it is today, two northbound lanes, one turn onto Broadway.

SFMTA designed it not on peak season to see if there were impacts off peak season. That would be a very strong indicator that it was the wrong move. And they have agreed to pull back the study if we see bad impacts.

I agree with Vice President Brandon completely that there is upset and conversation that needs to happen. I am concerned about the small businesses. I'm concerned about our wharf. As you know, a major part of our economic strategy is to return to wharf to wellbeing.

But I also want the traffic to flow in the best way possible. And that's what I think we're all looking for here. So based on what I heard tonight, you know, I think -- let me see if there's any recommendation from the floor.

I would say that we should continue talking with our constituents at Pier 39 and the wharf. I know the director of the SFMTA really wants to try the study and see what's



best for traffic flow. I think we should have conversations and come back again when the time is right.

I do think that one thing I've asked be studied is the signalization. So signalization does appear to be a traffic causer along the Embarcadero. So I know that the traffic engineers are looking at that.

So what I would suggest is that we come back again after we've had a couple more con -- more conversation and are prepared to make a recommendation. It may not be popular to ever study this even though the data may show that the traffic engineers are definitely onto something here.

So we may have a challenge. And I would urge the commission and our team to get folks comfortable with the idea of testing. Right. But I agree. I don't think we're here tonight. I think there are major concerns from constituents and -- very important in our portfolio. So that would be my suggested next step.

Vice President Brandon: And then, regarding the promenade and the scooters and the bikes, was there something on that that --

Director Forbes: Well, we could have a policy change to recommend to you which is to treat our Embarcadero promenade more like a city sidewalk than a multiuse pad. At this point, staff and I do not recommend that. We think there has been a lot of diversion from the promenade into the bike facility.

We think the signage is beginning to work. And the SFMTA has magically made scooters not work on the promenade. So that has been like an immediate positive change. I think we want to continue to look at this. At this point, we would not make an enforcement recommendation related to bicycles on the Embarcadero promenade. Is that summary - so we're --

Vice President Brandon: So when will you make the decision [on it]?

Director Forbes: Well, if we continue to see good diversion and good harmony between the walkers and the bikes, we will recommend that it stays status quo. That will be your decision. And we'll talk about the various policy tradeoffs.

I mean, this is -- we want harmony between the walkers and the cyclists. And this way appears to have gotten much more harmony for us. And we also want cyclists who are with small children who are going very slow who are really visiting -- bicycling but in a promenade-type speed to be able to still enjoy the promenade at this point.

So that's where we are. We'll continue to monitor. But at this point, we would not recommend further changes.

President Adams: Okay. Anybody else? I haven't spoke yet.

Vice President Brandon: [Go for it. Go for it.]

President Adams: Thank you. Appreciate it.

Commissioner Lee: Your turn.

President Adams: Casey and Dan, man, wow. As a person that's down on the Embarcadero every day, I agree with Commissioner Lee. I have -- not all the time, but some of those bicyclists and some of those scooters are flying by.

And I've almost been hit. Right. They're kind of all out there on there. So sometimes, you get some maniacs down there. I'm serious. And there's got to be some kind of -- you know, they've got to -- because you've got small kids and stuff like that down there.

I haven't seen anybody get ran over. But I know Senator Burton almost got ran over down there. You've got a lot of mixture of people. So there's got to be rules -- if there's rules for walkers and runners, there have got to be rules for -- my opinion, for the bicycles and the scooters.

Now on this other issue here, you know, this is a situation that we can't rush to judgment. I was listening today. And just from what I heard from the commission, sometimes it's just better to listen than to talk. I don't think we're there.

I don't think the commission is there right now. I don't think they're convinced. A couple questions -- because Vice President Brandon asked about why are we doing it at a certain time. Sometimes, people have a thought pattern that they think that's right. Right.

Maybe we have to do more than one test here. Maybe we have to do two or three tests here at different times and compare them. Right. You might do one there. But you might have to do one in the middle. I think sometimes you've got to do more than one.

That's my thought. And this is a painful conversation. I did hear the one guy at the end, the bicyclist who thought, don't change anything. So there's a mixture. And it kind of reminded me when we decided to put the homeless shelter down on the Embarcadero.

That was like an eight-hour Port Commission meeting. And it was very, very heated. But I like this because this commission is built to last. And this commission can handle that type of criticism. Whatever we do, somebody is not going to be happy.

That's just life. And sometimes, leadership is making those decisions and living with those decisions. I'd like to have more conversation, more to come back to this commission. And I don't think we have to rush.

I want those people -- some of those, I want to call -- to feel comfortable. And we have more dialogue. And I want to hear more from you. I appreciate what you're doing. Don't get me wrong because you're in a bad situation. But I'd like to know what's best.

And one thing we also have to look at -- it may take years for us -- we need to be realistic -- for us -- we may never get back to what we used to be as far as tourism. Right. It can happen. Right. You see right now over in China. They're talking about Shanghai might not even open back up to tourists till 2025.

The world has changed as we know it. And you know what? We remember the good old days of San Francisco. But this city has changed a lot. And sometimes, you never go back. It's like an athlete. You don't sometimes go back to where you were in your prime when you get older.

You remember -- you'll say, I remember Steph when he was wheel and deal. But one day, he'll be 45 or 50. He ain't going to be the same guy as he is now.

[Casey Hildreth]: He's still going to be great though.

President Adams: Well, he'll still be great. [laughter] But what I'm saying is what we're trying to do, right -- because --

[Casey Hildreth]: Forty-something points last night.

President Adams: Yeah. I know. I know. He's good now. Right. But the day comes. Right. So I think there's a lot more things that we have to talk about. We're talking about doing a hotel down on the waterfront, right --

Commissioner Lee: Yeah. [crosstalk]

President Adams: -- and entertainment and stuff like that. We haven't talked about that.

Commissioner Lee: Yeah.

President Adams: We're talking about a hotel down there, right, more cruise ship --

Commissioner Lee: Fish market.

President Adams: -- fish market. You know, we're talking more things. So I think it's more -- there might even be a possibility that we might also even have cruises not only down here at Pier 27 but over there at Pier 80 too. Right.

I mean, so it's a lot that we're doing. And when we talk about water taxis and ferries and stuff like this, this is all a part of transportation because what I thought we had always said -- and I know Commissioner Woo Ho used to always say that.

I thought we wanted to make the Embarcadero as seamless as possible, so people could flow in and out. And we're encouraging more people to take water taxis, you know, and ferries. Twenty percent of the people that go to the Giants game come by ferry.

How do we get it where it's not such an artery that's so clogged up down there and things like that? We've got to look at that. But I agree with Vice President Brandon that I'd like maybe two studies at different times to compare them, right, what's best because I know that's what you're trying to do, right, and everything.

I would like to [safe on it] -- because I would hate to see somebody get ran over on the promenade down there by a scooter because some people just down there. And we've got a mixture of people. They say we've got a lot of home -- we've got a mixture of everybody down there now.

It's crazy. Right. I mean, it's just -- you know, so anyway, that's just my thoughts on it. But I want to thank you both. I appreciate your efforts. I know we'll get there. But this is some painful conversations.

It's going to take a while. My favorite song is by Michael McDonald. He says, "What a fool believes, he sees. But a wise man has the power to reason away." And I think we'll get there. So thank you.

Casey Hildreth: Thank you.

President Adams: Carl, next item, please.

## **16. NEW BUSINESS**

Director Forbes: I recorded two items of new business, Mr. President, one to come back on the services provided to homeless individuals on the median related to the transit shelters that Commissioner Gilman asked for through the Department of Homelessness and the SFMTA. And the other item, of course, is to return on the Broadway turn and the quick-build project. And that concludes the new business I have recorded.

## **17. ADJOURNMENT**

**ACTION:** Vice President Brandon moved to adjourn the meeting. Commissioner Gilman seconded.

President Adams: Okay. Before we do that, I just want to say to everyone in the back, thank you to staff, everyone that stayed. This has been a long day. You know, we're doing our job. We're doing our due diligence. I really appreciate it.

I know you all have families. You've got to get home. Thank you for being patient with this commission, and thank you for staying to the end and supporting our director and everybody. So thank you.

Meeting adjourned at 6:15 p.m.