



SAN FRANCISCO PORT COMMISSION

**JANUARY 24, 2023
MINUTES OF THE MEETING**

MEMBERS, PORT COMMISSION

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

**ELAINE FORBES, EXECUTIVE DIRECTOR
JENICA LIU, ACTING COMMISSION AFFAIRS MANAGER**

CITY & COUNTY OF SAN FRANCISCO PORT COMMISSION

MINUTES OF THE MEETING January 24, 2023

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, John Burton, Gail Gilman and Steven Lee.

The Commission Affairs Manager read the Ramaytush Ohlone Land Acknowledgment.

2. APPROVAL OF MINUTES – December 13, 2022

ACTION: Vice President Brandon moved approval of the minutes. Commissioner Gilman 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 go into closed session. Vice President Brandon seconded the motion. The motion passed unanimously.

A. CONFERENCE WITH LEGAL COUNSEL AND 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)

- (1) Property: Pier 31 (Lease L-16274)
 - Person Negotiation: Port: Rebecca Benassini, Deputy Director of Real Estate and Development
 - Negotiating Parties: Claire Mooney, Vice President, Golden Gate National Parks Conservancy (Conservancy)
 - Under Negotiations: Price Terms of Payment Both

The Port and Conservancy are negotiating a potential amendment to the subject lease to address rent obligations of the Conservancy. In this executive session, the Port's negotiators seek direction from the Port Commission on factors affecting the price and terms of payment, including price structure and other factors affecting the form, manner and timing of payment of the consideration for the potential amendment. 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 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
 Jenica Liu, Acting Commission Affairs Manager
 Rebecca Benassini, Deputy Director for Real Estate
 Kimberley Beal , Assistant Deputy Director for Real Estate
 Sandra Oberle, Senior Property Manager
 Don Kavanaugh, Senior Property Manager
 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: Commissioner Gilman moved to reconvene in open session without disclosing closed session discussions. Vice President Brandon seconded the motion. The motion passed unanimously.

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))

Public Comment on Items Not Listed on the Agenda:

Robert Estrada: Good afternoon, President Adams, commissioners, Director Forbes. My name is Robert Estrada. I am the regional director for the Inlandboatmen's Union of the Pacific. And in September, we had an election. And we won an election to represent Alcatraz Cruise's workers.

And I'm basically here today with a small contingent of those workers to my left here just to sort of formally announce and introduce our efforts to get a collective bargaining agreement with the company.

To date, despite having the election in September, we've only managed to have one negotiating session. We do have another scheduled for the end of this month. But it was hard to get that one. And honestly, we really are optimists in this.

And we're looking for a cordial and cooperative conclusion to these negotiations. We hope that they're going to be done well. But we also recognize that, as the

summer season comes up, that things -- the landscape could change if we don't get more negotiation dates under our belt.

One of the problems that we see as potentially looming is the fact that there's a disagreement on the status of the captains. NLRB made specific ruling that we should negotiate over unit placement of the captains, as highlighted in the document that I handed you.

At our one meeting that we've had so far, it was indicated to us that the company intended to fight us on that, possibly try to drag it out through an election and subsequent appeals and such. We just want to say on the public record that that is something that we do not see ourselves giving up on with the captains and the maintenance supervisor because they were both very enthusiastically in favor of the union.

In fact, the captains were the first classification to come to us en masse and ask for our representation. So we couldn't walk away from them lightly. This should also be taken in context of the fact that Golden Gate Ferries, Blue and Gold, Red and White, Tideline Marine, Prop SF -- all those captains are unionized.

And the specious stance of the company to date is that they are deeming them supervisors and therefore ineligible. And yet, not only is it not ineligible, it's the norm on the bay. So we just wanted to make sure -- have that on the record, make sure that you know where we're at with that.

Finally, I would say that, you know, I've been trying to reach out to the company all day today. So I'm afraid I'm getting ahead of myself a little bit. But I'm going to say it anyway.

The day after we had our one negotiation, one of those negotiating team members that was on our side of the table was terminated the next day. I don't exactly all the details. I've been trying to get a hold of the manager all day.

But I will say, from what I understand, this negotiating team member was terminated for having left drips in the coffee drip tray under the thermos pot as a snack bar attendant. I'm trying to get more information. But that's -- I don't need to say out loud, but I will -- that's a bad look.

We just want to make sure that everything is out in the open. And we look forward to keeping you apprised. One last sentence -- Senator Burton, I want to say thank you for all of your years for outstanding support of labor and for the [iview]. Thank you. And congratulations on your retirement.

President Adams: We want to thank Brother Robert Estrada, regional director from the IBU, coming here today and giving us an update. Is there anyone else here that want to speak on public comment? Hit the mic, please.

Robert Hedrick: Ladies and gentlemen, Mr. President, thank you very much for allowing me to speak. My name is [Robert Hedrick]. And I've been working as a snack bar attendant for Alcatraz City Cruises since June of 2021.

And as you might know, we recently formed a union with IBU/ILWU to win better conditions. And we decided to organize because we're dealing with extremely difficult working conditions. And we even have some workers who are trying to survive here in San Francisco only making \$19 an hour. May I say that includes me as well.

And that's not even close to making ends meet here in the city. People have no idea what their days off are going to be like since there is no stability in scheduling. And even higher-paid folks, it goes the same for them.

So we can't plan out our lives and spend time with our families and, as said, make no plans in general. We're not asking for a whole lot. We just want to be able to make ends meet and have an actual good work-life balance.

That pretty much sums it up what I have to say. I want to thank you very much for your time and listening to me. I do hope we find your support. It's much appreciated. Thank you.

President Adams: Thank you. Is there a Jack [Calvin]? Jack, are you planning to speak on this issue also? And then, after that, it'd be [Tristen]. Okay. Jack, you have the mic.

Jack Calvin: Good afternoon. My name is Jack Calvin. I'm a deckhand at Alcatraz City Cruises. And I've been working there for about eight months. This past September, my coworkers and I voted 82 percent to form a union with the Inlandboatmen's Union.

In those four months since we won our vote, we've only had that one negotiating session, as Robert Estrada spoke on earlier. We had to push the company very, very, very hard to even get that one negotiation date.

We know how important it is to the City of San Francisco and to the Port that our rights to collectively bargain our contract are respected. So far, we've been the ones ready to meet in good faith with the company. And the company has been the ones dragging their heels making it difficult to meet with them and negotiate that contract.

We want to ask the Port of San Francisco to help us and make sure that our rights to negotiate a fair contract are respected by Alcatraz City Cruises. It's not right for them to try and make this take as long as possible and drag out this process. I want to thank President Adams and the rest of the commissioners for having me here today. Thank you.

President Adams: Thanks, Jack. Tristen, you've got the mic.

Tristen Sinep: Good afternoon, ladies and gentlemen of the commission. My name is Tristen [Sinep]. I've been with Alcatraz Cruises as a deckhand for almost three years, as a senior deckhand for about the last two months. We organized our union. We did it with all of us working together.

This effort was actually started by the captains last year though. They were the ones taking the lead, talking to us, talking to us about how we could push for better working conditions and a better working relationship with the company.

In response during negotiations, the company has stated, as Robert stated before, that the captains are not considered eligible for the union, that they're considered supervisors/managers. Therefore, they don't get the benefits of the work they've been putting in.

I don't think that's right. I don't think it's right that the company is trying to divide us against each other. We're all looking to work together to win better working conditions. There's nothing wrong with that.

The NLRB has said that we need to sit down and negotiate over having the captains included with the contract. We want the Port to support us in making sure that we're united going forward and not divided against each other. Thank you for your time, commission. Thank you, President Adams.

9. EXECUTIVE

A. Election of Port Commission President and Vice President

President Adams: I call for nominations of Port Commission president. And at this time, I would like to nominate Kimberly Brandon for Port Commission president. Are there any other nominations for Port Commission president?

Commissioner Burton: Does she have any experience? [laughter]

President Adams: About 25 years. [laughter] Are there any other nominations for Port Commission president? Are there any other nominations for Port Commission president? Hearing no other nominations, nominations are now closed.

We will take public comment on commission president nominations. Is there any public comment in the room? Seeing none. At this time, Corey will provide instructions now for remote participants.

No Public Comment on Election of Port Commission President.

President Adams: Thanks, Corey. Seeing no more callers on the phone, public comment is now closed. All in favor of Kimberly Brandon for Port Commission president 2023, say aye.

Commissioner Burton: Aye.

Commissioner Gilman: Aye.

Commissioner Lee: Aye.

President Adams: Opposed? Kimberly Brandon is the Port Commission president for 2023. Congratulations, Kimberly Brandon. [applause]

President Brandon: Thank you.

Commissioner Adams: At this time, I call for nominations of Port Commission vice president.

Commissioner Gilman: I nominate for Port Commission vice president former president Willie Adams.

Commissioner Adams: Are there any other nominations? Going once, going twice. Hearing no other nominations, the name of Willie Adams for vice president is in. Nominations are now closed. At this time, we will take public comment.

Is there any comment on commission vice president nominations? Is there any public comment in the room? Seeing none. Corey will provide instructions now for remote participants.

No Public Comment on Election of Port Commission Vice President.

President Brandon: I would like to congratulate Vice President Adams on becoming vice president. [applause] I would just like to say that --

Commissioner Adams: [We haven't voted].

President Brandon: Hmm?

Commissioner Adams: [We haven't voted].

Commissioner Adams: All in favor?

Commissioner Burton: Aye.

Commissioner Gilman: Aye.

Commissioner Lee: Aye. [laughter]

President Brandon: Okay. Now, he's officially vice president. I would just like to say that, you know, it has been a pleasure working with President Adams over this past year. And I know that his touch goes way beyond the Port of San Francisco.

It reaches every waterfront around the world. And he has just been doing such a phenomenal job this past year in representing all of you, all of us. And he has big shoes to fill. So I am looking forward to continuing to work with him to move forward the Port of San Francisco and all that we have in front of us and on one of the best commissions in the city.

Vice President Adams: I also want to say congratulations, President Brandon. It was a long year in 2022 with -- I had a lot going on. And I appreciate you stepping up and taking the lead. We've got a lot of work -- the Port -- going into 2023.

I think we had a great year in 2022. And I think we're going to have a greater year in 2023. We have the best commission in the city, pound for pound, I feel. So we've got a lot of work to do. So let's get going. Madam President, I will move out of the chair and --

President Brandon: No. You stay right there. [laughter]

Vice President Adams: You have the gavel now.

President Brandon: Thank you. Thank you. Thank you. Jenica, next item, please.

B. Executive Director's Report

- Economic Recovery
- Equity
- Key Project Updates
- Commendation for Commissioner John Burton on his retirement from the Port Commission

Director Forbes: Good afternoon, Madam President Brandon, Vice President Adams, commissioners, Port staff, members of the public. I am Elaine Forbes, the executive director. And happy '23, and happy Lunar New Year.

We've had some serious storms that started our new year, really relentless atmospheric rivers that tested our city infrastructure and caused flooding and damage and loss of life through the state.

I want to let you all know that our Port team very swiftly responded to the emergency. And they kept our people and our streets and our property safe. The team deployed sand bags, cleared drains and made sure our floating assets were secured before the storms hit.

They pumped our areas and triaged multiple power outages, which were very serious, and kept buildings warm and life-safety systems working across our jurisdiction. We continued to step up for the city in a big way too.

There was emergency management deployments to the EOC which our staff met. And time and time again, we've stood up for our own disasters and for the city's disasters. And I always get very excellent feedback on Port deployment folks. Sometimes city departments try to take them from us. They're that good.

I want to thank our exceptional Port staff that were hitting the ground during the storm. I want to thank Mike Martin. He was serving as Port director during this time. I want to thank Tim Felton, who dealt with a lot of challenges. And your entire team -- you were really, really phenomenal in the storm response. So congratulations to all.

For our tenants, the city has put forward some allocation of resources for small businesses. So we're busy letting our tenants know this is available in case they may be eligible. So we showed our spirit with great resolve, resilience.

And we demonstrated that we're part of a community that really organizes itself around response, around community and caring for our neighbors. And the atmospheric river response was definitely a reminder of the spirit.

And we're harnessing the spirit as we go into 2023. As the officers said, we have a big mission to deliver this coming year. So I'm excited to work with you both, officers. Congratulations on your elections and to all of the commission. We're excited to get moving.

So this year to economic recovery, we will continue to nurture what I consider to be an incredible waterfront resurgence. We have so many people coming to our waterfront now. We're supporting our tenants to thrive. And we're also implementing waterfront activation strategies that will continue to bring people back again and again to this vibrant and beautiful place.

One strategy I want to talk about which has been very successful is upscaling resident and visitor experience with access to fishing. We have very positive news on the commercial crabbing program. December 31st marked the official opening of Dungeness crab season.

And our local fishers have been bringing back fresh crab to local merchants. Our off-the-boat sales is a wonderful opportunity for this connection. We show that we're doing great in that we have lines and fishers ready to sell.

We also have been learning on the ground on the program. We got some feedback from the public and from our commissioners. And we've installed new

way-finding signage. And we're promoting the program very heavily on social media.

So we continue to watch and learn and see the strategy bring more and more people to enjoy the wharf. And the wharf has so much to offer. And fishing is really what ties it together.

We continue also to deploy waterfront activation strategies throughout this year. I'm excited to see the innovation staff will create for your and the community's consideration around the new leases and the partnerships that we will be working on to welcome diverse communities to the safe, clean and vibrant waterfront.

I'm also very excited that we will be welcoming even more cruise calls this year. We're expecting a banner year for cruise. And that is great for our business and great for our economic recovery and great for the city.

And our waterfront revival strategy did show impacts through our financial statements this last year. I don't want to get anyone's hopes up too high. But we actually had a profit statement of \$15.7 million. Last year, we lost \$47.9 million.

So we are balanced in our operating expenses to revenues. Our capital program has a \$1.7 billion problem. So we're not out of the woods. But we are seeing balance in our balance sheet. And that's really, really good news for us.

So we're beginning 2023 economically strong. And all signs point to a very promising year ahead. This staff with our partners has created a safe, equitable and vibrant waterfront. And people are on this waterfront now and seeing how amazing it is.

And we can see them enjoying it. And we do feel the come back up and down our jurisdiction. We know it's happening economic recovery here on our waterfront and for the city. So I want to thank everyone so much for your leadership this last year to make this happen. And I have all hopes that we will continue to thrive along our waterfront.

Now, turning to equity, we have exciting things happening in our southern waterfront, Heron's Head Park and EcoCenter. We've been partnering with the Rec and Park Department and a Bayview-based community organization contractor called En2Action to host a variety of events at the Heron's Head and EcoCenter including bee-keeping events.

We've had several people attend these really great educational opportunities. And we've had outreach to over 500 people. These events are intentionally connecting our Bayview community to our wonderful public land, so we can ensure everybody has equal access to our parks and open space, which are such wonderful resources.

Happy Year of the Rabbit to everybody. San Francisco and the waterfront is a rich API history and culture here. We proudly celebrate all the contributions that the API community has made to our incredible city and waterfront.

I would like to note that this year the Port's tenant, Chinese Chamber of Commerce, and subtenant, Parade Guys, are preparing their incredible floats for the Chinese New Year parade that will happen Saturday, February 4th.

With the unprecedented rains and potential damage to the floating art pieces, the chamber reached out to us for additional space indoor. I am proud our team, along with our attorneys, were able to get them into a space ensuring the floats will be dry and ready for thousands of people to enjoy.

I hope everyone can celebrate this important time with family, friends and neighbors, have a safe, healthy and prosperous new year, gong hei fat choy.

Now to resilience -- this will be also a very exciting year for our resilience efforts at the Port. We did have a very exciting youth-focused engagement event. It was developed over last year. And it happened this past Friday, January 20th.

We cohosted a field trip for students from Abraham Lincoln High School and the academy. The day included a morning walking tour of the Embarcadero followed by an afternoon of specialty-designed activities and workshops to prepare for sea-level rise.

Organization of the field trip was a collaboration between us, the Unified School District and the Exploratorium. They represent the Port's commitment to engaging with young people who will really carry this challenge into their future.

It's very important that they're educated now and getting prepared and ready to rise to the occasion. And we're very grateful that we were able to partner with the San Francisco Unified School District. We think this is a very promising partnership. And it's an equitable partnership.

In looking ahead to the rest of 2023, major initiatives for the year will be coming to you. We'll be doing an ongoing review of community and stakeholder feedback to the draft waterfront adaptation strategies.

This was publicly released in October. We've had 24 engagements. And we've connected with 450 community members. Here's what we're learning. At a very high level, we're hearing that flooding around people, where they live and work and impacts to community safety is certainly the top priority of our program and related directly to sea-level-rise concerns.

Community members also voiced that strategies at recommended lower intervention or used a lower rate of sea-level rise really doesn't sufficiently protect us. And we need to be considering the higher levels.

And this winter's extreme storm event really drives home what's going to be happening to us in the next 100 years. And it underscores the importance of collaborating with city partners who have responsibility for effectively managing the stormwater system upland, PUC and the Department of Public Works.

We continue to work with them. We have big work ahead. And we know what the work is. And these storms are showing us our future. So onward to more good strategies and things we can implement.

Also, the early projects are moving along for us. So we'll be learning more as we work through those six Embarcadero early projects. We also have completed an application for \$50 million in FEMA funding through a national competition of one of those early Embarcadero projects, the downtown coastal resilient project.

And hopefully, we'll be successful. We expect to hear in this year -- late this year. I'm excited on the upcoming resilience work. We're in a very strong position to continue to be a city leader on this topic. We've done quite a bit of work. We're way out ahead.

We're bringing our city partners along. The community is with us. And I'm excited to see what we will figure out in terms of our line of defense and how to protect our future waterfront.

Now, turning to key projects, we announced a bid for the construction of Roundhouse 2. It's the roof and the window replacement. Bids are due February 8. It's a really good opportunity for LBE contractors.

We've done a big equity-focused outreach. So I'm saying this because I'm encouraging our partners, our BIPOC-owned businesses to apply. We anticipate construction will start in May of this year.

Write-off policy -- commissioners, consistent with the write-off policy adopted pursuant to Resolution 22-11, Port staff provided a report summarizing one recommended write-off for you. You have 30 days to review before we process. If anyone has a concern, please contact me within 30 days. And we'll schedule a commission item on that write-off.

So finally, in closing, today is a sad and happy day. We are recognizing our esteemed Port commissioner, Senator Burton. This is his last day on commission. He has chosen to step down as commissioner.

And we just want to take this opportunity to thank him for everything he's done for the Port. Senator Burton, you came to the Port in a great time of financial distress in the organization, I think the worst we've seen certainly in decades.

We were suffering so badly from the economic recession and the impacts of COVID. And we had spent at least half of our savings and really didn't know what we were doing in our future. And you worked so closely with our legislative affairs manager, Boris Delepine.

And somehow, almost by miracle, we secured an unprecedented \$117 million, which really righted our ship at a time we needed it most for our recovery. You've been a wonderful guide to us. You're a fantastic person. And we've learned a lot from you, Senator.

Staff that have worked [from] you have considered it a great honor, as have I, as has the organization. So we'll be forever grateful to you. It's not just the Burton Act that set us up. But it's the Burton -- Senator Burton commissioner that we've gotten to enjoy.

So thank you for your dedication and support for our organization and the city. I wish you very well in your well-deserved retirement. And that concludes my report.

President Brandon: Thank you, Elaine. That was a great report, a lot of great stuff happening here at the Port.

Commissioner Burton: Mr. President -- Madam President -- [laughter] they switched so quick. If I might, as Director said, this is my last meeting. My partner here, Gail, can attest the fact my hearing is not that good even with this -- mics.

My reading is totally impossible due to strokes and things. And it's impossible to keep up and do the work as necessary. It's been a pleasure and an honor with me to serve with Willie Adams of the ILWU. I've been an ILWU fan since I was a little boy. My father was doctor to a lot of the ILWU people going back many, many years.

Kimberly -- I knew her mom and dad I assume possibly before you were born, Kimberly, [laughter] but certainly shortly thereafter. Steven, we don't know each other. We just met. But we have a lot in common in the community, a lot of friends in the community.

And I can't say enough about Boris. One of my other weaknesses was when we had to go to Zoom. I didn't know what it was. I didn't know how to do it. And the Port generously set me up with Boris and to do -- when we're doing all the meetings in Zoom, I was able to at least participate.

And I would like to say to the Inlandboatmen that I won't be with you on the commission. But I'm sure you'll have the support. But if worse comes to worse and you have to hit the bricks, I'll be with you because, to me, it's unfair that one company out of all the others that do business on the Port going to Alcatraz, going

other places and can beat the price by not electing their -- allowing their workers to bargain collectively which says more about that ownership than anything else.

I just pledge to be with you as best I can. If you've got to walk the bricks, I'll walk there with my cane -- not every day, but I'll be there. And I'll be there with my check to help in the strike fund because I was brought up to believe one thing. In unity, there's strength, in the ILWU's statement, an injury to one is an injury to all.

And if they start screwing with the IBU, they'll start screwing with the other companies too to try to beat the price. I'm sad that I won't be here to help you on this thing. But I'm sure that all the commissioners will. And I just wish you the best of luck.

And I thank you for bringing the situation to our attention because a lot of people don't -- I didn't really know about it till today. I had lunch with Gunnar Lundeberg. And he told me about the problems the IBU was having. So God speed to you.

I thank all my colleagues here. I thank the staff at the Port. It really was a pleasure and an honor. And I only wish I was like maybe 15 years younger, so I could really participate. So again, thank you all very much. [applause]

President Brandon: Thank you, Senator Burton. We will definitely miss you. Is there any public comment in the room?

Public Comment on the Executive Director's Report:

Marina Secchitano: President Brandon, Vice President Willie Adams and commissioners, Senator Burton -- Commissioner Burton, I just want to say a couple words. You know, we have such a long history. I just wanted to top some of that off.

You know, it's fitting that you serve as a Port commissioner, having passed the 1968 Burton Act. You've done so much for maritime and so much for marine unions. And not everybody knows that. So let me tell you a little bit about Senator Burton because he was very close with Jimmy Herman and Don Watson and LeRoy King and all these people that I kind of grew up with in the ILWU.

So it made it so wonderful when you were in the legislative body that we could use your office when we were up in Sacramento. It was like a family. And I think you've treated us like a family. And I hope that you feel the same love from the ILWU that you've shown us.

Some of the other things you did for us is that, after the 1989 oil spill on the Valdez, you know, we pushed tirelessly to get an escort regulation so that our bay would be protected with tugs escorting these tankers in. Thank you, Senator Burton, for all your help on that.

Also, in 2000, we passed a legislation for the San Francisco Bay Water Emergency Transportation Authority. And if it hadn't been for Senator Bur -- I was up there [laughs] midnight, 1:00 a.m. where he holds open the session so that we could get that thing passed. And we did.

It took a few times. But because of him, we got that passed. And all these beautiful ferries you see today -- thank you, Senator Burton. You know, his history, knowledge of history, of seafarers and the longshoremen is as deep as he is old. And it's so amazing to have somebody like you in our world.

So I just wanted to say thank you for all you've done, you know, for working people, for the Port, for the labor movement, with passage of healthcare and making that your priority. Nobody has done the things you have done.

And I just want you to know that we love you now. We always will. And thank you for all your public service. And I want to give you this. I'm going to leave it up with our Port director. But your t-shirt from us with the hook -- I don't know if you can see it.

Commissioner Burton: I can't accept that till I'm off the commission. [laughter]

Vice President Adams: That's right.

Commissioner Burton: Thanks, Marina.

Vice President Adams: That's right.

Marina Secchitano: Thank you so much. [laughter]

Vice President Adams: That's right.

President Brandon: Thank you. Is there any other public in the room?

Commissioner Burton: Please, no.

Dominic Moreno: President Brandon, Vice President Adams, Director Forbes, my name is Dominic Moreno, assistant maritime director with the Port. I just have a few words for Commissioner Burton. To echo Marina, thank you for all you've done for maritime, Commissioner Burton.

I have a couple highlights from my experience with your role on the commission. Thank you for your role in securing ARPA funding. This will contribute to maritime industrial facilities along the waterfront and make us a much more competitive organization and will contribute to hopefully business successes in the future.

But I'd also like to personally thank you for your role and support in the fish retail sales program. This program has been a success so far contributing to our economic recovery, lines of people waiting to buy live, fresh crab up at the wharf.

I think, lastly, you're leaving the commission in good hands. You're leaving the Port in good hands. We've got the helm. And we will continue to do the work to make this waterfront a waterfront for all. So thank you so much, Commissioner Burton.

Commissioner Burton: Thank you very much.

Dominic Moreno: Yeah.

Commissioner Burton: [Unintelligible].

Nate Cruz: Commissioner Burton and other commissioners, I'm Nate Cruz. I'm the acting CFO for the organization. I wanted to echo and focus a little bit on other statements that have been made about your very important work to help the Port secure stimulus money.

I can't overstate what a game-changer \$117 million is for this organization at this time. It wasn't that long ago that Elaine and Katie Petrucione and I were in front of the controller in the mayor's budget office with dismal budget outlooks and really uncertain future.

The availability of stimulus changed everything. We're now able to refill our fund balances, all that money we lost in the prior fiscal year. We filled up our savings account. Critically, through all of this, we avoided layoffs. That wasn't a certainty two years ago, but we've managed to do that.

You know, the pandemic's not over yet. We still need workers to come back. We need tourists to come back, to go to the restaurants, fill up those offices, go to the hotels. But we're going to weather this pandemic because we're in a great financial position to do so. And we're only in that position because of the stimulus funds that you help us secure. So thank you so much.

Commissioner Burton: You're welcome.

Boris Delepine: Good afternoon, commissioners. My name is Boris Delepine. I'm the Port's legislative affairs manager. I don't know if it was by design or happenstance. But the mayor's appointment of Senator Burton to the Port Commission could not have come at a better time.

As Director Forbes mentioned, it was not an understatement in early 2021 to say that we were facing the most challenging moment in the Port of San Francisco's history. Having been on the front line of the internal discussions and the decisions related to the allocation of the American Rescue Plan Act funding, I have no doubt

that Senator Burton's calls to legislative leadership in Sacramento sealed the deal for the \$117 million in funding we received.

Prior to 2021, ports never received direct funding allocations in the state budget. Through the ARPA lobbying effort, we were able to make the case for the roles that ports play in driving the state's economic vitality and recovery.

This year, the state budget included \$1.2 billion in Port infrastructure improvements. That program funded through CalSTA was a direct outgrowth of the ARPA state funding advocacy and the work Senator Burton performed to make that happen.

Earlier this month, we submitted a \$40 million grant application to CalSTA to invest in the southern waterfront maritime industrial complex, presenting another generational opportunity to improve our waterfront and create jobs.

That's the political legacy that started with the Burton Act in 1968 and continues today and beyond. One of my favorite tactics that I've employed when meeting with uncooperative state agency staffers is to say, "I appreciate where you're coming from. And I will relay that message back to Commissioner John L. Burton." [laughter]

Then, I pause for effect and patiently wait for them to walk back their denial of our funding allocation or whatever else they're doing. Just mentioning the senator's name continues to strike fear in the hearts of the most hardened bureaucrats in the capital.

It's been an approach that I've been able to benefit from and have, frankly, cherished. For me personally, working directly with Senator Burton has been a privilege and one of my favorite assignments in 20 years in government.

I'm grateful and fortunate to have heard and shared so many past political war stories. I feel like I've earned a master's degree in San Francisco political history over the past two years. Senator, thank you for your willingness to serve and your inspiration to always fight for the disenfranchised.

We wish you the best of luck. Smooth sailing ahead, and appreciate all you've done for the Port of San Francisco. Thank you.

Commissioner Burton: Thank you very much. Better than what's his name, not Hongisto but -- [laughter] who was the supervisor? He always wanted --

Boris Delepine: Mirkarimi.

Commissioner Burton: -- if there [was a murder] [unintelligible] -- yeah. Ross Mirkarimi. Thank you. [laughter]

Tim Felton: Thank you, Boris. Good afternoon, commission. My name is Tim Felton. I'm deputy director of the Port maintenance department. I'm generally a behind-the-scenes kind of guy.

But I wanted to step out and thank Senator Burton for all the support he has given the Port particularly with all the funding he has been able to secure. And I just really want -- well, first of all, I want to thank him for taking care of Boris so well for the last couple years.

Commissioner Burton: Took care of me. [laughter]

Tim Felton: It's a tough job. But I just wanted you to hear the impacts of that funding and what it does for my division and for the Port. So we Nate alluded to, we were looking at layoffs and, my division specifically, around probably 15 layoffs that we were able to avert with this and probably 30 Portwide, also able to go back and -- after two years of COVID, my staffing was down about 35 percent.

So that's people picking up trash. That's truck drivers, you know, delivering things. That's carpenters, you know, and pile workers rehabbing our facilities and our piers. So I was able to start to slowly rebuild all those people. And it was directly from that funding.

My materials and supply budget was refreshed. My equipment was refreshed -- \$2 million for equipment that had been cut out of the budget because we were cutting off our limbs when COVID hit and were able to really bring all that back, restore our maintenance facility, restore services -- really critical services to the Port and the public.

And it was -- with Boris and your help -- getting that funding for us. And I just wanted to -- a deep measure of gratitude for you. Thank you, and good luck with your future. Thanks.

Commissioner Burton: I just really have to say -- thank you. But I mean, none of this is a one-person game. In the state legislature, our legislative leaders -- they're the ones that did it. They are the ones that did it. I made sure and Boris made sure and the director made sure that those people that carried the water so to speak, that passed the bills that allowed to pass on the money, they're the ones that did it.

I could call somebody with a phone call. And they could say, "That's a hell of an idea. See you later." So the team you have here and with the commissioners, leaving myself either part or aside, I mean, they work as a team. And they keep it -- as my dear friend who was Morris Weisberger from the SUP -- just keep it on the slow bill. And just keep moving forward.

And that's what this commission does. That's what the Port does for San Francisco. And I'm just proud to be part of it. So thank you very much. [applause]

President Brandon: Is there any other public comment in the room? Seeing none. Corey will provide instructions now for our remote participants.

Ellen Johnck: Okay. Thank you. Thank you so much. Commissioners, my name is Ellen Johnck. And I'm here today both personally remote on the line and on behalf of the maritime commerce advisory committee. I'm co-chair with Marina Secchitano.

And I was so thrilled to see you, Marina, there today. Of course, I am speaking in support of the commendation of you, Senator Burton, and your service to the commission on your retirement. But I have to say that you have been on the marquis of leadership for me in all my many years in the State of California since 1966 in the city and the state for as long as I can remember.

I have such wonderful memories of your great work and that of your family on behalf of labor, the environment and the Port and the maritime mission for the city and the state as well for so many years.

And I just want to thank you. You have been an inspiration for years. I will continue serving the environment and helping the Port in all their great missions. And I hope to see you back at the Bay Club and playing some squash soon.

Commissioner Burton: Racquetball.

Ellen Johnck: Thank you again. [laughter]

Commissioner Burton: Age 90. Thank you. Thank you.

Commissioners' Discussion on the Executive Director's Report:

Commissioner Lee: Senator Burton, it's been a short time. You know, when I found out that I would get to be serving on the board with you, it was -- you know, I've followed your career and heard about you. You know, Treasurer Fiona Ma is my friend. And she always talks about you.

And I thought I would learn more, but you're leaving. And I'm bummed because I'm still learning, you know, in this process even though I've been a commissioner 10 years. But there's still a lot to learn. And your stories, which I never knew -- you were a bartender at Bimbo's [laughter] where I started when Mr. Bimbo was alive.

And I hope one day you come to my place and you serve a few drinks on your retirement if you can. Come to Chinatown. And then, we'll have a few drinks. And you can make your special Bimbo cocktail. So thank you, sir. And good luck on your retirement. It's been a pleasure.

Commissioner Burton: Thank you. Thanks, [brother].

President Brandon: Commissioner Gilman?

Commissioner Gilman: Thank you, Senator Burton. It has been so fun to be your seatmate and to be here with you. I have learned so much. And you brought the tenacity and the fight that I experienced back in 2010 when Senator Burton was a leading force both locally and in Sacramento to site the first supportive housing ever in District 2, King Edward the Hotel, for foster youth.

And your fight for foster youth and for those young adults who, by no fault of their own, were system involved has just always inspired me. And I've enjoyed working with you and the John Burton Foundation throughout my whole career.

And it's been a pleasure to serve with you on the Port Commission. I know I'll be seeing more of you. And I wish you lots of fun in your retirement. Thank you so much for everything you've done.

Commissioner Burton: Thank you.

President Brandon: Vice President Adams?

Vice President Adams: Wow, John. To put in words about you, I mean you're a -- truly, you're an American icon, an enigma, a leader. When we first met, you were talking about ILWU Local 142 and the late Jack Hall, your relationship with Jimmy Herman, Harry Bridges, Bill Chester.

Even though you were a politician, you were always a union man at heart. You were blue collar, straight shooter. And when I really, really think about it, you know, you said 90. You and Mayor Brown are the last of that generation that is still here that have lived life.

And it's nothing like having lived that kind of an experience. And your brother and -- you remember how things got done whether the career of Diane Feinstein, Nancy Pelosi -- you were there before. And so many people like Barbara Boxer, who worked for you, who would eventually become a U.S. senator, you paved the way for so many people.

I remember when you were the chair of the California Democratic Party. You led. Your brother, Phil Burton -- you come from a time and an era in America and even in the City of San Francisco where San Francisco used to be a real union town.

Commissioner Burton: Yeah.

Vice President Adams: Marina said that. This used to be a real, real union town here. And so much has changed. And you remember those times where they cared about the working class in this city. And now, it seems like the city has been taken over by the upper class.

You've mentored a lot of people. And I've liked it because you're like me. You're rough around the edges. I remember one day you and I were having lunch. And you told me the story -- I won't mention the name -- this person called you and told you that they were running for office.

You go, "I don't care. I ain't voting for you anyway." [laughter] But that was the kind of person you were. And when you were talking about getting out supporting the IBU, you're going to have your cane. And you will whack somebody upside the head with that cane.

I know you, if you're out there on the picket line, that's just John Burton. But I've enjoyed the stories that you've told. And I would hope that there is an oral history on you because the late Jimmy Herman didn't do an oral history.

And your oral history should be something for all San Francisco, for all people to be able to look at as a benchmark for generations to come to know your story because sometimes people pass, and we don't know.

And I'm hoping that you're working on your oral history. To me right now, this is a moment of gravity for the things that you have done. Just going to different restaurants with you, talking to you, picking your brain -- and you would just talk off the top of your head.

You didn't need a script. You could just speak because you were speaking from experience. And not everybody can do this. A lot of people need to read a script. You speak from there and what's in there. And you've lived it.

And not everybody will live to be the ripe old age of 90 and beyond. And I think you'll be around here a long time. So thank you for all that you've given us on the Port Commission, the City and County of San Francisco -- the state, I just -- America.

We owe you a debt of gratitude. And you've always been humble. You told me the stories of you and Jimmy Herman just playing cards, having some drinks. You just kept it real. [Me, me] -- and you remember a time in this city when things got done, where people worked together.

And they could have different points of view. And those points of view were respected. And it was okay. But you found a way to get things done because San Francisco always took care of San Francisco. And at the end of the day, common sense would prevail to do what was best for this city.

And I want to thank Boris for taking care of you all that time and just love having you on here, man. I really, really appreciate it. And just because you're leaving, let's continue to have lunch.

Commissioner Burton: You've got to pay once in a while. [laughter] Not really.

Vice President Adams: I think you told Marina you couldn't accept that because of ethics [committee]. [laughter] So no comments. But anyway, Senator Burton, I salute you, man.

Commissioner Burton: Thank you, brother.

Vice President Adams: Thank you, brother. Appreciate it.

President Brandon: That was wonderful. My gawd. What's left to say? I am just so humbled by the opportunity to have served with Commissioner Burton. I heard about him for so many years on all that he's done on a federal, state, local level.

And he actually wrote the Burton Act. And I was like, my gawd, I get to serve with him. And it has just been such a wonderful experience. The Port Commission has gained so much knowledge, has gained so much -- he actually saved the Port of San Francisco again, you know.

We wouldn't have got that \$117 million. In my 25 years, nothing like that has ever happened. He has been such a force. I love his honesty. I love his frankness. And I love all that he has to say whenever he has to say it.

And he only speaks when he wants to or he needs to. Okay. But it's relevant. And it means something, so please listen. I'm grateful to have had this opportunity. We are definitely going to miss you, Senator Burton. I'm going to crown you a commissioner emeritus so that Boris can still use your name. [laughter]

Commissioner Burton: I'll tell you -- I've got to tell this story. I want [to tell] this. I'm sitting in Speaker Jess Unruh's office. And he said, "I've got to go have lunch with Joe Alioto." And the Burtons and the Aliotos at that time weren't getting along too good.

I said, "What the hell are you having lunch with him for?" He says, "I don't know. I'll let you know when I come back." He comes back. And he says, "Alioto wanted to have the state turn the Port over to the city."

I said, "I'll be right back." I went to the leg. counsel who writes up the bills and said, "The State of California shall turn over the Port of San Francisco and all of its belongings, blah, blah, blah to San Francisco," and just had a draft. That's all it said.

But I was determined I'd get the jump rather than having Mayor Alioto [laughter] [like going like this and got me]. There was a provision in the act that gave these - - everybody used to have a month-to-month lease, you know, so -- and people get

screwed or if they had [juice] keep it forever. And the act, I think, was [at 66] or something.

But anyway, he got the last laugh because all of his cousins and uncles and brothers had long, long leases on Fisherman's Wharf. [laughter] I got the name. He got the money, so it all worked out. [laughter] True story. I'm sorry. I'm sure we've got work to do. [laughter]

Director Forbes: That is a very good story. Madam President, if you will, we have a couple of gifts.

President Brandon: Okay.

Director Forbes: And we can take a photograph. And I think Boris can join us because he's a special staffer.

President Brandon: Definitely. Definitely.

Director Forbes: So we have -- Senator, I don't know how much you're going to love these gifts. But we've got a beautiful paperweight of the Ferry Building. We've got a Ferry Building book. And we've got some lovely chocolates for you. So I'll hand those to you. And of course, you've got the beautiful shirt from the IBU, which is very cool.

Commissioner Burton: Give the chocolates to Nancy Pelosi. That's [her thing]. [laughter]

Director Forbes: All right.

Commissioner Burton: Thank you.

President Brandon: Okay. So we're going to take a picture. We'll all go down.

Commissioner Gilman: This way.

Commissioner Burton: Are we going off?

Commissioner Gilman: Yeah. We're going off.

Commissioner Burton: [Ain't] taking no chances.

Commissioner Gilman: No.

[pictures taken] [applause]

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 amend a similar resolution at a Commission meeting within 30 days. (Resolution 23-01)
- B. Request for retroactive authorization to modify Construction Contract No. 2795, Heron's Head Park Path and Electrical Improvements, to extend the substantial completion date 71 days, for a total duration of 269 days. (Resolution 23-02)
- C. Request authorization to execute a Grant Agreement with the San Francisco Parks Alliance to accept \$3,250,000 for proposed Crane Cove Park enhancements. (Resolution 23-03)

ACTION: Commissioner Gilman moved approval of the consent calendar. Commissioner Lee seconded the motion. The motion passed unanimously.

No Public Comment on the Consent Calendar.

11. MARITIME

- A. Approval of Lease No. L-17004 with The National Liberty Ship Memorial Incorporated, a California Corporation, for the berthing of the SS Jeremiah O'Brien at Pier 35 for a term of ten years with one (1) 5-year option to extend, for a term of up to 15 years. (Resolution 23-04)

Andre Coleman: Good afternoon, President Brandon, Vice President Adams, commissioners. Congratulations, Senator Burton. My name is Andre Coleman, deputy director of maritime with the Port. I'm joined by Demetri Amaro with the maritime division as well as Matt Lasher, the executive director with the National Liberty Ship Memorial as well as staff.

So as you see, the presentation is on a proposed new lease with the National Liberty Ship Memorial. But as a lead in the presentation, just a few comments regarding background. So following the unfortunate events of the Pier 45 Shed C fire in 2020, the Jeremiah O'Brien was temporarily relocated to Pier 35 north berth.

Metro Cruise and Events, the Port's terminal operator at Pier 35, was very accommodating during this temporary relocation. And there were minimal, if any, impacts to both cruise and events. Given the low frequency of the use of that

north berth, Port staff agreed that it would be a benefit as the parties work towards a new lease to negotiate a lease for relocation of the Jeremiah O'Brien to Pier 35 north.

With the proposed relocation of the Jeremiah O'Brien to Pier 35, that now opens up the Pier 45 berth, which will now be accessible to new and different maritime activities, which the staff is actively pursuing. So with that, I'll turn it over to Demetri. And he will provide more details on the proposed lease terms. Thank you.

Demetri Amaro: Good afternoon, commissioners. My name is Demetri Amaro with the maritime department here at the Port of San Francisco. And I'm --

Director Forbes: Demetri, can you please grab that microphone? Thank you so much.

Demetri Amaro: Is that better there? Thank you. So thank you for the opportunity to talk about this proposed contract today. To help frame things for you, I wanted to start off with National Liberty Ship Memorial, who you might better know by the name of their historic vessel, the SS Jeremiah O'Brien, currently does have a contract with the Port of San Francisco at Pier 45.

That lease, 13525, has been a good lease. The folks have operated well. They are a tenant in good standing. But unfortunately, that lease expired June 30, 2021 and has been on month-to-month holdover ever since.

Additionally, we also, as Andre mentioned, suffered the fire at Pier 45 Shed C in May of 2020. At that time period, the Jeremiah O'Brien was evacuated to Pier 35 and temporarily stayed in that location for a number of months.

Upon moving back to Pier 45 after the fire, conditions at the pier changed and prompted some discussions between the National Liberty Ship Memorial and Port staff which ultimately evolved into the proposed contract here.

The proposed contract specifically targets two of the Port's strategic objectives, specifically engagement. The National Liberty Ship Memorial is a strong partner with a number of stakeholders here in the community including the Port of San Francisco itself but as well Sea Scouts, Sea Cadets, the California Maritime Academy, the International Longshoremen's union and other organizations.

And specifically, it also targets the Port's economic vitality by continuing to keep maritime commerce of an inspected passenger vessel active at the Port of San Francisco.

Specifically, this proposal is for Pier 35. And to describe the premises in more detail, I have the map here for you. Specifically, they're looking to lease 732

square feet of paved land that goes from the Embarcadero to the Navy gate entrance on the north side of Pier 35.

That then leads into 18,500 square feet of apron space and 48,000 square feet of submerged land to berth their historic vessel. Currently, as Mr. Coleman mentioned, Pier 35 north is used as a tertiary cruise ship terminal. And based on the forward cruise calendar, we do not believe that that's necessary any further.

So what would they propose to do at the Pier 35 location? What does operating a historic vessel entail? The operations that they would conduct include: tours of the historic vessel as well as historical exhibits aboard; underway excursions -- the vessel is an inspected passenger vessel; cultural and vocational education programs.

The Jeremiah O'Brien presents a unique opportunity to learn not just the history of merchant mariners and their sacrifices during wartime. But additionally, it provides a number of specific vocational training opportunities.

Their engine room is unique among modern vessels. You don't learn the same type of equipment these days. But that equipment still exists out in the modern world and still needs folks to learn how to train on it.

Additionally, they honor our veterans and other folks in the services whether memorial services and conduct memorabilia and special-event sales [on site].

In terms of rent, currently their lease at Pier 45 pays \$2,351 per month. And all revenue categories pay 6 percent of their gross sales to the Port of San Francisco. Under the terms of the proposed contract here, the base rent would raise to \$3,661 a month, increasing by 5 percent every five years.

This syncs well with the budget calendar for the National Liberty Ship Memorial and allows them to anticipate those increases. Additionally, participation rent will increase to 7.5 percent for ticket-related events and 10 percent for film and other retail uses.

The lease itself would be a 10-year lease with a proposed one five-year option. In that lease, the National Liberty Ship Memorial would be responsible for all of the maintenance and utilities within the premises and also be required to demonstrate the seaworthiness of the vessel on a routine basis.

As an inspected passenger vessel that's going to carry passengers, they need to be able to demonstrate that it's safe to do so. And historically, historic vessels have potentially had issues with their seaworthiness over time. So we included this provision to make sure that the National Liberty Ship Memorial can maintain that with their vessel.

Dredging -- specifically, the location does not require dredging for the vessel to fit. If it did, that would be a tenant responsibility. Capital investment -- in terms of capital investment, the National Liberty Ship Memorial has committed to make \$50,000 worth of improvements at the location.

And it's a requirement to exercise their extension option at the end of the 10-year term. The tenant improvements that they've committed to making include: repair and refresh of the Navy gate at the entrance of the Pier 35 north; 800 feet of safety railing along the Pier 35 north apron to help facilitate the public access; and installation of security lighting along the pier to help improve that as well.

Beyond the financial terms of the contract here, another thing I want to make sure I really point out about the National Liberty Ship Memorial are the community benefits that they bring to the Port and the community.

I already touched a little bit on being a living museum for members of the Merchant Marine of World War II and later on and being a registered historic landmark. You might have seen in some of the pictures that we've gone through a number of the cadet organizations and other folks that they've brought on board to work with their folks and create a real multigenerational operation.

Those educational programs and those memorial services to honor each of those international people is a key part of building the community it takes to keep a historic vessel like this alive. When I first met the folks at National Liberty Ship Memorial, it was folks much older than I am, which comes along with being a historic vessel.

But as time has gone on, one of the things that they've really done is build that next generation of folks to keep the vessel going, keep the story alive. And you do that through these education and cultural benefit programs.

So as you can see from the picture here, all of them and I would like to invite you to review and approve the attached resolution. But let me first invite their executive director, Matt Lasher, to speak a few words.

Matt Lasher: Okay. Is this good? Okay. I'd like to thank the commission, Mr. President, Ms. Vice President, Director Forbes -- particularly, I'd like to thank the maritime division of the Port. They have been really instrumental in keeping us going.

As everybody knows, the pandemic ravaged the tourism industry in the Fisherman's Wharf. And we've been, like everybody else, recovering from that. Additionally, the fire put us in a position where we had to move.

The maritime division, with Andre's leadership, Dominic, Demetri and all the people that work over there really helped us adjust to those new normals and get

us to 35 and then back to 45. And that's sort of where the catalyst from this opportunity comes.

Before I go any further though, I'd like to talk a little bit about our organization. But I'd like to introduce our leadership team that's here today. With me, first is our chairman, Forrest Booth. Rex Clack is our general counsel. And Cevan LeSieur is our master. He's Captain Cevan LeSieur. And he's the chief mariner in our organization.

The National Liberty Ship Memorial was founded in 1978 and is a 501(c)(3) nonprofit. Our revenue streams generally go to supporting a very small staff. And the money goes back into preservation efforts for the legacy vessel.

So our ability to generate revenue through various activities like cruises, dock-side gangway -- we call it gangway, but it's visitors from the public, the tourism there -- and contributions from the public keep the ship operational and allow us to give the public what we call a living experience.

So everything on the SS Jeremiah O'Brien is functional. It's maintained in a way that's in regulation with U.S. Coast Guard and also is in a class with the American Bureau of Shipping. So what we're giving people is an opportunity to connect with mariners of all skills, tools, to allow them to develop and connect with the maritime trades, which we think is a very important part of our mission.

So as an organization, we manage -- emerged successfully from the Pier 45 fire, the pandemic. And now, we're open to the public again five days a week. And we're looking to open up seven days a week once we make the move over to Pier 35.

We boast about 50,000 tourists a year with the ship. And we're hoping the relocation to Pier 35 is going to help us draw more people. It's going to be a good opportunity for us to kind of increase our ability to maintain the vessel as time goes on and things get more expensive.

So what is the SS Jeremiah O'Brien? It's a World War II Liberty ship. It's made three transatlantic voyages, 11 trips from England to Normandy during D-Day. And it's the last operational ship that runs that was at the -- part of the armada that serviced D-Day during the war.

So it's a very historic vessel. It's an important part of World War II legacy. And it's a symbolic part of the maritime community that served during the war and really the generation that serves now in the maritime community here in San Francisco and the Greater Bay Area.

As Demetri alluded to, we have some community programs that really help support the San Francisco and Bay Area community. One thing is we do serve as a conduit for folks to get familiar with the maritime trades.

The nature of us being a legacy vessel -- we attract a lot of older, more experienced mariners, a lot of them coming off 30, 40 years' career working in the trades. And they come out and help us. And they interact with the youth.

And that developed an awareness of that as a career option which is really hard to find these days in education. So we offer that. We also offer a real, living museum experience that folks from around Northern California can experience when they come to the ship.

You know, we support particularly local responders. After the fire, it's become even more important to us to make sure that they have free access to the ship, so they can train and become part -- and familiarize themselves with how to deal with shipboard incidents.

So we have the fire, the police, U.S. Coast Guard, all the entities in the area here come out and support us. And then, we support them by giving them access to the ship. And we -- of course, as Demetri said, we partner with maritime educational assets across the country including maritime academies and high schools that are interested in exposing their students to the maritime trades and the history of World War II Liberty ships and such.

So I want to thank the commission for your time today. That's pretty much the remarks that I had if you had any questions.

ACTION: Vice President Adams moved approval of the resolution. Commissioner Burton seconded the motion.

No Public Comment on Item 11A.

Commissioners' Discussion on Item 11A:

Commissioner Gilman: Demetri, Andre, thank you so much. I think this is hugely important for our waterfront to remind our visitors particularly close to Pier 39, which is a little more tourist oriented, how maritime is at the heart and soul of what we do and heart and soul of the Burton Act. So I am absolutely supportive of this item. Thank you.

President Brandon: Commissioner Lee?

Commissioner Lee: I think it's great. Moving it closer to Pier 39 -- you know, as a kid, I used to see these ships in Martinez Bay being dismantled. And to really see one ship to be actually working -- I mean, I own a bunch of old cars, you know. And just getting them working is quite a challenge.

And I was looking at the staff here. And I'm just -- applaud you guys for keeping this thing going. I remember coming here as a kid and got to tour the Balclutha as

a little kid. Right? Is that the name? And just to go and see all the kids and children see the World War II ship, SS Jeremiah O'Brien, is great. So yeah. I'm totally supportive of this new lease.

President Brandon: Thank you. Vice President Adams?

Vice President Adams: Dominic, I have to say to you I like your soft presentation, the way you present and Andre and Demetri. I can just tell, under Andre's leadership, everybody on the team has something to say. Right. And I can see that confidence. I always believe that confidence is quiet. It's not loud. I really appreciate that.

I am a big fan of these ships. I met with the president last year on the Iowa down in Long Beach -- President Biden. And the history and just walking on these ships and understand -- even going all the way back to Franklin Delano Roosevelt, it's something about the ghost, the history of these ships.

I mean, it's a nostalgia about them. And to have it here where we're going to have it and to share this with our community and -- the younger generation needs to know about these things. They need to experience that. This is a relic from the past.

And we have to preserve them. Otherwise, they'll just fade into a memory. So you definitely have my support. And I'm looking forward to getting down there. Any way I think the Port that can promote this, it's -- sometimes, you have a treasure in your own backyard, and you don't even know it's there. And we have to let the city and community know that we treasure this. So you have my support.

President Brandon: Thank you. Demetri and Andre, thank you so much for the presentation. I'm very supportive of this item. Can you just tell me a little more about the move, why we're moving from 45 to 35, which I support if necessary? But also, I wanted to know, have we done an analysis of our cruise calls and our charge to bring in more cruise calls and if this -- you feel this pier will ever be needed in the next 10-plus years.

Andre Coleman: Got it. Thank you for the question, President Brandon. So a couple things as far as the move and the relocation -- so one of the obvious ones for us that we observed as well as -- I believe Matt mentioned this as well.

But with the relocation to Pier 35 north, the proximity to the Embarcadero is very favorable for visibility for both foot traffic and anyone on the muni line or vehicle as well. So we anticipate an increase in foot traffic given the proximity to the Embarcadero.

As far as impacts to cruise, we probably -- since 2019, we've probably only had maybe one to two cruise vessels berth on the north berth for a couple reasons.

Because of the low frequency of use, we no longer prioritize dredging there. But because of the increase in the size of vessels, the north berth is a shorter berth.

So we prioritize the south berth, Pier 27 and then strategically brought 30/32 back online this past year in 2022. So as Demetri noted -- and he works very closely with managing our cruise schedule -- we don't see an issue being that we brought 30/32 back online. That is our third berth essentially.

So we feel we're good to go there. And then, as I mentioned in my opening comments, with the relocation it does present some new opportunities for maritime activity at the Pier 45 berth that will now be made available.

President Brandon: Thank you. I appreciate that. Okay. We have --

Director Forbes: If I may, I just wanted to add one comment to what you said, Deputy Director. I appreciate that the 35 -- we're not dredging that north berth any longer [at the cost] we once had. When I was in Nate's chair, it was \$750,000 a year to dredge that berth. And 30/32 is self-scouring. So in addition to all the strategic issues you've mentioned, I just wanted to point out that budgetary issue as well. Thank you.

Andre Coleman: Thank you.

President Brandon: Thank you. So we have a motion and a second. All in favor?

Resolution 23-04 passes unanimously.

12. WATERFRONT RESILIENCE PROGRAM

- A. Request for approval and appropriation of the second bond issuance of Seawall Bonds, in the amount of \$42.0 million of Proposition A Bonds to support early projects, adaptation strategies, and San Francisco Waterfront Coastal Flood Study General Investigation ("Flood Study"). (Resolution 23-05)

Brad Benson: Congratulations, President Brandon, Vice President Adams on your election as chair and vice chair. It really is an honor to be part of a bit of history, Commissioner Burton. I just want to add my name to the thanks amongst Port staff for everything that you've done for the Port.

We're here tonight to share an action item, a proposed sale of bonds to support the seawall program. We presented an informational item in December and looking forward to the commission's consideration of this item tonight so that the Board of Supervisors can consider this later this month. Next slide, please.

Okay. I've got slide control. Sorry. So I'm here with Nate Cruz, our deputy director of finance and administration. We'll be sharing this presentation together. I'm just

going to give a brief program overview and talk a little bit about early projects, which is the primary thing that we're funding with this bond sale.

And then, I'll hand off the presentation to Nate to cover program funding and the first and second bond issuance. This slide is an overview of the --

Vice President Adams: Can you hold on for a minute?

Brad Benson: Yes.

Vice President Adams: Can we close that door, please, so we don't get that outside noise? Thank you. Brad, we want to make sure everybody can hear your presentation. Thank you.

Brad Benson: This slide provides an overview of the activities in the waterfront resilience program. Some of the activities are Portwide like the Army Corps of Engineers flood study. As Director Forbes mentioned, we're headed towards identifying a preferred plan for the flood study this year.

Other activities are focused in specific areas of the waterfront. We're going to be talking about the Embarcadero early projects that will be bond funded. It's our hope this year that, with development of that preferred plan, that we really tie together all of these activities in a coherent, overall program that the commission and the public and our other policy makers can really get their arms around.

So in December of 2021 through our planning efforts, we identified 23 Embarcadero early projects, an overall cost range of these projects from \$650 million to up to \$3 billion so well beyond our available sources.

We made a recommendation at that time to advance 11 projects to predesign using Proposition A funding and to explore a geographic strategy for five additional projects between Piers 19 through 41. The program team has advanced six of the early projects through the first step of predesign, which I'll talk about.

These include: the Wharf J9 project in Fisherman's Wharf; Pier 15 bulkhead wall and wharf earthquake safety retrofit and a similar project at Pier 9; Ferry Building seawall and substructure earthquake reliability project; a project we're now calling the downtown coastal resilience project -- it's really a flood project between Pier 5 and 22 1/2; and a retrofit project between Pier 24 and 28 1/2.

We identified the projects through this initial planning phase shown on this slide. We've completed what's called needs assessment, which is really defining the purpose and need of each of these projects and working with the Port divisions to scope the projects.

And we're entering alternatives analysis on our way to conceptual engineering for these projects after which we'd enter detailed design, environmental review, construction and project closeout. And now, I'd like to hand it off to Nate Cruz to go over the funding and the bond issuance.

Nate Cruz: Good evening, commissioners. Nate Cruz. I'm the acting deputy director of finance administration. I'm here today to present some funding information on the second issuance of waterfront resilience bonds to ultimately request your approval to issue those bonds as well as appropriate the proceeds of those bonds.

So just to start with an overview of the funding to date, this table is also in the staff report -- kind of summarizes where we are so far with the appropriations that you have approved. So far, you've approved \$64.5 million since fiscal year '16-'17. We're asking for another \$42 million of bond proceeds today to bring the total up to \$106.5.

Obviously, the lion's share of prior appropriations comes from GO bonds. But I think it's important to pause and look back early in that timeline and see where the funding came from in the beginning. Right. The seed money for this project really came from Port capital as well as our city partners.

And without that money, we would have not been able to lay the foundation for where we are today. You're going to continue to see ongoing support from the Port with our own capital funds. The eligibility rules around GO bonds are pretty strict.

And there's going to be ongoing expenses that we need to front. So you'll continue to see Port capital as a critical tool to fund the waterfront resilience program. The other thing that's not in this table because we didn't -- we have not appropriated it yet is in the very bottom.

I made a note that we've got \$58.7 million of submitted grant applications. I think it's important to remind everyone that we are seeking funds aggressively from all possible sources, not just the city. This is a regional and even statewide project that's important for all players. So we welcome the opportunity for everyone to help contribute.

So the prior slide was the sources of funds. This slide focuses on overall expenditures, the way we've been using them, and breaks it down into the projected budget as well as the actuals to date. As you might imagine with any project of this scale and scope, where we are on this timeline, most expenses have been in the sort of early planning phase.

And you'll continue to see that in our plans for the second bond issuance. So far, \$35.5 million out of \$51.7 total spent was in planning. Okay. So we'll break this down by bond issuance.

In the first bond issuance, we have spent \$39.5 million of the almost \$50 million that was originally appropriated. Like we just mentioned, the lion's share of that is in planning. In the second -- I'm sorry.

A couple of big changes have happened obviously since we issued the first set of bonds. The big one was an amendment to increase our contract with CH2M Arcadis from roughly \$40 million to \$60 million. That really reflected the change in scope and scale of the project itself.

The second change I just want to remind everyone is the amendment to increase the flood study amount and duration. A significant change was really key to help -- to keeping the Army Corps of Engineers in this partnership.

Ultimately, this study is the key to unlocking federal dollars to helping us fund the big adaptation strategy, that locally preferred option. So that amendment to the flood study was critical. And I want to remind everyone of that.

On the second bond issuance, we've laid out the planned expenditures by year. What you'll see in this table -- what wasn't in the prior tables that's exciting -- is some actual early projects. Right. Now, we're at a point where those Embarcadero early projects that Brad just mentioned -- we have some specificity on them.

We're going to use these bond proceeds to bring them through detailed design. And we're going to come back with another bond issuance, a third issuance in the future to actually go into construction.

I've been looking forward to getting into construction for some time. I'm sure you all have too. So we're making real progress. And this second bond issuance will help us get there.

Commissioner Burton: They're all GO, no revenue bonds?

Nate Cruz: Correct. So the schedule where we are today -- we're requesting your approval for the issuance of \$42 million in seawall bonds and to appropriate the proceeds of the bonds. From here, we go to the Board of Supervisors to get their approval of the issuance and the appropriation of funds.

And finally, we're anticipating an issuance sometime in March of 2003. Not on this timeline is that third issuance, which we're anticipating sometime in 2024. We did consider combining those issuances and including some construction costs now.

But it's still pretty early in the design process. We don't have as much certainty on what the cost would be. That was one reason we separated. The other reason is the interest rate market is not great at the moment, frankly -- inflation. And now there's new risks around what might happen around the debt ceiling at the federal level.

So minimizing this issuance now and coming back later we think is a more efficient approach to use the precious sort of GO capacity that the city has. And that's the presentation. I'm happy to take any questions that you have.

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

No Public Comment on Item 12A.

Commissioners' Discussion on Item 12A:

Commissioner Gilman: Thank you for this report. I just had one question. Maybe I missed it in the staff report because I'm excited by this -- is moving forward the early projects and predesign. So the projects we're talking about here, especially the 6.8 -- the nine projects -- those are the ones that we reviewed previously that they are geographically spread out throughout the Embarcadero between the northern waterfront and the southern waterfront?

Were those those nine projects that we heard earlier -- or the end of last year that were sort of ready to go?

Nate Cruz: I believe so. But I'm going to ask my colleague, Brad Benson, to specify. The geographic distribution of projects is not my --

Brad Benson: All of those nine are among the 23 and primarily in the 11. There's one project in and around Pier 35 that we may want to accelerate because another department is willing to spend money at the same time. But yes. They are geographically dispersed across the northern waterfront.

Commissioner Gilman: I'm visualizing the map in my mind with all the little dots. Okay.

Brad Benson: Yes.

Commissioner Gilman: So that was my only question was around the use of funds, not around issuance of the bonds. So I have no other questions. Thank you.

President Brandon: Thank you. Commissioner Lee?

Commissioner Lee: No real questions other than -- yeah. You're right. Interest rates are going to go. Money that's out there now -- it's costing more. So I just -- yeah. Hurry up, and get this money and start working because the more you save now the more you'll have later. So I don't have any questions. It looks like you're saving some money already on some of these parts. So it's great. Good job.

President Brandon: Thank you. Vice President Adams?

Vice President Adams: Brad, Nate, good presentation. Nate, Brad, good catch. And you guys are right. There is going to be a fight with that new Congress and the president on that debt ceiling. You better believe it. That's going to be a doozy back there whether we like it or not. They're crazy. So thank you for catching that. Right. Seriously, appreciate that. Thank you.

President Brandon: Thank you. Again, Brad and Nate, thank you so much for the presentation. Brad, I really want to congratulate you and your team for how far you've brought us throughout this project because I know it's a huge undertaking.

And I know we still have a long way to go. But we are light years ahead of other city departments in our analysis, in our planning, in our direction. So I really want to thank you and your team for bringing us to the point that we are today.

And Nate, I totally approve this item. You know, the more funds we can find to make this happen, I will always support. So with that, we have a motion and a second. All in favor?

Resolution 23-05 passes unanimously.

13. PLANNING & ENVIRONMENT

A. Informational presentation on the Proposed Final Revisions to the Draft Waterfront Plan and Interagency Coordination with the San Francisco Planning Department and San Francisco Bay Planning and Development Commission on planning amendments to align policies for the San Francisco waterfront.

Diane Oshima: Happy New Year. Congratulations, President Brandon, Vice President Adams and -- even though he stepped away, what a momentous day for Senator Burton. We owe him a debt of respect. I am Diane Oshima.

I am working on special projects for the planning and environment division. And this is a presentation on revisions to the waterfront plan and actually a proposed final waterfront plan that I'll walk you through. Back in September, I did a presentation for the commission on proposed revisions to the plan.

A lot of those revisions were technical editing and information catchups. But we also had content that came from public comments. And we shared those amendments back in September, opened it up for public comment, got some additional comments, which I'm going to report today.

And then, in this presentation, I'd like to also share with you some interagency work that we are doing with the planning department and with BCDC because it's great to have a final waterfront plan. But if we actually want to be able to

implement improvements along the waterfront over time, it's really important for us to be aligned with our agency partners to make sure that the policies are aligned.

So I'll give you a bit of an overview on some of that, which will be further detailed in future presentations as well. So in terms of new waterfront plan revisions, the staff report in this presentation will really focus primarily on those that are added to the revisions that I presented to you back in September.

And we received comments from the Dolphin and South End swim and row clubs up in the Aquatic Park area, San Francisco MTA, BCDC staff as well. And Alice Rogers, who was on the waterfront plan working group that produced the plan, is a very important representative of the South Beach/Rincon community.

The staff report has more details. And I'm happy to answer questions. But I'll provide sort of an overview summary now. As you can see in the staff report, the revisions -- many of them are very fine-grain. So I won't go through each and every one of them.

But in terms of categorizing the revisions, this first group is as relates to maritime and water-dependent uses. You may recall that we had some members from the swim clubs come to the Port Commission back in September expressing concerns that open-water swimming and water-recreational activities associated with the club were not really well covered in the plan.

We made some revisions back in September. But then, we engaged in a number of meetings with the club members between now and then. And that has resulted in the revisions that are in your staff report today.

So it really was a very good engagement because the revisions that we are now proposing, I think, have really improved the quality of the plan to make it much more clear and explicit that swimming is another sort of water-recreation activity along with kayaking and human-powered vessels that are welcome along the entire Port waterfront.

We have made revisions in the policies and in the information and the goals and policies to make that clear. We've also gone into the plan glossary terms to make some refinement so that -- we had some ambiguities and some things that were not really perfectly consistent about the definitional specifics of swimming as part of the water-recreation activities that are welcome along the waterfront. So we've made those revisions as well.

And then, we've also updated maps, added more details about where swimming and water-recreation activities are welcome along the waterfront. We'll be adding a few more photos. This image here actually was provided by Fran Hegeler from South End Club so that we'll be providing more imagery as well.

We also wanted to make sure that we were clear about the compatibility and the awareness across all of our maritime partners and our water-recreation community about their shared use of the bay and ways in which that can be conducted safely and with awareness. So some of the revisions are really pointed at that.

We also received some comments from the BCDC staff on a section of the plan that speaks to some guidelines that we have about where maritime berthing and public access can be provided together in a compatible way versus some maritime areas and berthing that are not compatible with public access.

We have some guidelines to try and differentiate that. And BCDC was very helpful in providing review of that and some refinements which we're proposing to incorporate into the plan too. Clearly, that is an issue that both of our agencies pay a lot of attention to.

We also received a number of fine-tuning comments from SFMTA. They were involved with us in the planning process with the waterfront plan working group to develop the transportation policies. But you know, three years later, through the pandemic, they've taken another look.

And there were some information updates that we all agreed needed to be made but also, just to clarify and confirm, how our departments are working together. The waterfront plan recognizes that the Port, even though we host a whole suite of public transportation systems, we don't actually control them.

But it's really important for us to work with our partners so that they can meet their mission. And we can meet it too in a way that works for all of the stakeholders along the waterfront. So some of the clarifications and revisions are to affirm that.

There were revisions related to making sure that there's clarity about the need for Port, maritime and industrial business to have goods movement and loading facilities, something that sometimes gets overlooked in transportation planning in the city but not to a point where it is disrupting the roadway and traffic flow duties that MTA has.

So we have some clarifications related to that in our staff report. We have also updated terms and information. Some have got out of date a little bit. But the overall objective of trying to promote low carbon versus alternative -- we called it alternative modes of transportation.

Now, the new term is low carbon -- so that we're, as a city department, in sync with the transportation terminology and objectives for minimizing greenhouse gases and reducing climate change.

And we've also made some revisions to one of the policies, policy 21, as relates to pedestrian and bikeway connections between the Embarcadero and the Blue

Greenway. That policy had [crosstalk] initially been proposed as work towards creating that connection.

But now, we actually have created that connection. So we wanted to update that and to say, not only have we created the connection, we want to maintain and improve it over time. So I think that, together with fact that, you know -- I know this Port Commission has spent a lot of time and energy working on the Embarcadero enhancement project.

And I think that's a really good example of how the Port's needs and operational interests and MTA's transportation mission -- sometimes, they don't always fit perfectly together. But the work that you've done to bring it in line is reflective of what the plan is really trying to promote.

And we do have language in the plan that recognizes that the Port Commission and the staff are dedicated to promoting those kinds of interagency transportation improvements.

Commissioner Burton: Madam President?

President Brandon: Just one second. Go ahead, Diane.

Diane Oshima: Okay. So that's kind of the broad overview of the revisions in the plan. So the revisions in the staff report plus the ones from September are the proposed final waterfront plan that we'll be bringing to you shortly hopefully.

In the meantime, we have been working with the Planning Department. And Mat Snyder, I believe, is on the line in case you have any questions. But the city's plans and policies as affects the waterfront are in the San Francisco general plan, which has certain chapters that pertain to Port properties.

So we worked with the Planning Department to propose amendments to the northeastern waterfront area plan, the central waterfront area plan and the recreation and open-space element, three different chapters of the general plan to align the updated waterfront plan policies with the city so that we've got unity there.

And then, we also are proposing changes to the San Francisco planning code to create a waterfront design review process for the Port's southern property south of China Basin. Right now, that design review process does exist in special-use districts from Fisherman's Wharf down to China Basin.

But it wasn't established when the waterfront plan was first adopted back in 1997 to do design review down in the southern waterfront. This time, we want that design review process to apply equally across all Port properties. So that special-use district is proposed for those properties.

In the process of doing the work to legislate, to prepare legislation for that special-use district for design review, we found that there was a little anomaly here for assessors block [3940] in that the zoning -- it used to be zoned for light industry, an M-1 zoning.

But somehow, it got flipped into a different zoning category that's really not compatible with the uses that have long been there on site. This is down at the southern end of the Mission Bay area. It includes the Mission Rock restaurant, the Ramp, San Francisco boat docks, the Kneass Building to the south.

It had been accidentally -- we worked with the planning department. There's no record to indicate that there was intention to formally rezone these properties to public zoning, which would make these uses out of alignment with the zoning. So we have asked the Planning Department to reinstate M-1 light industry zoning, which then provides the zoning controls that are consistent with what we're proposing in the waterfront plan as well as what are the uses there on the ground now.

This, by the way, is not something that's an updated waterfront plan action item. It really -- even if we didn't have the waterfront plan updated now, we would want this zoning change.

So that's kind of the suite of what we're doing with the planning department. With BCDC, we will be providing more detail and proposed amendments in the future. But in the staff report, we thought that it would be helpful to at least provide some context about how the BCDC San Francisco waterfront special-area plan is currently set up as a backdrop for the changes that we will be seeking in our work with the BCDC.

We have an MOU with them on staff work. This image here shows the San Francisco waterfront in the Fisherman's Wharf, northeast waterfront and southern waterfront zones. And basically -- President Brandon will remember this. She's the only one who will remember this.

When the waterfront plan was first approved back in 1997, we did go through at that time an amendment process with BCDC to amend their plan. And the amendments at that time, which were approved in 2000, affected only that northeast waterfront segment.

And in that area, one of the key changes that we were able to make with BCDC was to change the use policy from what used to be a peer-by-peer assignment of allowed uses to -- let me refrain.

In that northeast waterfront zone, the special-area-plan BCDC rules at that time assigned uses to each pier and also had a policy called the 50 percent rule. The 50 rule or replacement-fill policy -- it basically made any waterfront development projects limit their footprint to one half of the given pier.

And the other half needed to be dedicated to public access or be removed to remove bay fill. But it didn't allow for feasible -- financially feasible development projects to readily advance because it limited the uses of development to water-oriented uses.

You could do retail, restaurants. But that suite of uses was not sufficient to allow for financing of seismic retrofit and substantial repairs to piers. So those policies really were not effective at enabling the Port to improve any of the piers.

The only pier development that was able to advance under those old rules was Pier 39. But we don't have -- you know, the waterfront plan really is seeking a broader suite of uses along the waterfront than just visitor retail and restaurants.

So back in 2000, we changed those use rules to allow for uses that are consistent with the public trust doctrine and the Burton Act. And that change in the use policy allowed more different uses to be considered in development projects and allowed for more flexibility on how to incorporate public access, historic preservation and other public benefits than the prior rules did.

And from that, we have seen in the last 20 years -- here we are in the Ferry Building. We've got the Exploratorium. We have the James Herman Cruise Terminal at Pier 27, successful projects that have been able to be implemented under these new rules.

So at the staff level, we are seeking to have those same use rules applied to the Fisherman's Wharf area and the southern waterfront area shown in this image so that we have the same use rules across the Port's waterfront.

The other aspect that's reflected in this image is these divisions of Fisherman's Wharf, northeast waterfront and the southern waterfront are called geographic vicinities in BCDC's policies. And effectively, it segregates these three zones so that it's more difficult to provide for a comprehensive approach to making improvements along the waterfront.

We would like to eliminate these geographic vicinities. I think the resilience work that Nate and Brad were just presenting to you previously demonstrate the importance of taking a comprehensive approach to the waterfront to allow for resilience and adaptation improvements to be made along Port's entire waterfront based on the comprehensive studies that are underway now and to also allow for an equitable distribution of public benefits to stretch across the entire seven-and-a-half-mile waterfront, not be limited to these three zones which currently the special-area-plan policies impose.

So it's kind of a lot to get your head around at this point. There will be more details coming up. We are working with BCDC staff. And we will return to you with more

details about draft documents for the public to review and the commission and the schedule.

But we expect to complete the amendments for the BCDC documents this year in 2023. And with the Planning Department, we hope to finish those up this spring. In terms of next steps, the waterfront plan final EIR is on -- just short of the finish line.

It goes to the Planning Commission for certification on February 2nd. And that certification of the EIR -- it has to happen before you, as the commission, can formally adopt the final waterfront plan. So we are planning on certainly seeing the Planning Commission certify the EIR on the second and then plan to return to you on February 14th for an action item to approve the final waterfront plan.

We will continue working on these interagency amendments that I just described. We look forward to any comments and questions that you may have. So thank you very much. And Senator --

Commissioner Burton: I've got a couple --

Diane Oshima: -- Burton, can I just --

Commissioner Burton: There was a phrase that got me earlier before I screwed up my thing.

Diane Oshima: Okay.

Commissioner Burton: What was it? Zero carbon? Less carbon?

Diane Oshima: Low carbon.

Commissioner Burton: What does that mean? More bicycles? Or does that only apply to vehicles?

Diane Oshima: It's -- well, it could be bicycles. It could be electric cars. It's basically our transpor -- in our city transportation objectives, to reduce emissions and smog and things that can contribute to climate change. So you could walk. You could ride a bike. You could --

Commissioner Burton: Well, you can ride a bike now. Right. So I m --

Diane Oshima: Yes.

Commissioner Burton: -- bikes as much as -- I abhor many of them because you almost run me over. But --

Diane Oshima: The objective is --

Commissioner Burton: There's zero emissions unless the driver smokes, right?

Diane Oshima: True, if you're in an electric car. So low carbon is not intended to target a specific type of traveler. It's really targeted to encouraging people to use transportation that doesn't create greenhouse gases and carbon emissions. So you could be on --

Commissioner Burton: It's a --

Diane Oshima: -- a bus or public transit.

Commissioner Burton: Excuse me. So the definition is use transportation that discourages or reduces car -- so that's like -- we're back to bicycles, which I -- it's already c -- this would be what favors electric cars? Or --

Diane Oshima: Again, yes. It favors electric cars, taking light-rail transit, which is also electric, walking, anything that we can do as travelers to reduce or eliminate creating greenhouse gas emissions. So it's not only bicyclists. It's many modes of travel that just don't generate smog.

Commissioner Burton: The other thing -- it appears it's a way to allow more development that is not open space or -- as I remember, actually the act was like it had to be almost maritime activity or public activity. And this language would seem to be -- I don't know what -- a little bit different, like what -- either housing or big office buildings or what?

Diane Oshima: Well, the public trust doctrine and the Burton Act certainly promote navigation and maritime, open space, environmental restoration. But there's also a provision for activities that attract the public to come and enjoy the waterfront.

And it's in that criterion that we've been able to have the Ferry Building or the Exploratorium, you know, the development of the ballpark --

Commissioner Burton: Well, the Ferry Building was here a long time too. It allowed the remodeling of it and people to come in. And then, if you call -- if you have 100 lawyers and one of them does maritime, all of a sudden that's a maritime use.

Well, lucky for everybody I won't be here on it. But it seems to me -- I'm not -- I'm just not sure what -- but I think the thing of maritime has been observed more in the breach than it's been in the activity.

Of course, it was -- when the act h -- there wasn't a lot of -- it was breakbulk cargo and finger piers and not a lot of stuff like there's -- [that's not] waterfront. Okay. I think I understand -- which I don't. But that's cool. Thank you, ma'am.

Diane Oshima: Thank you. And thank you, Senator Burton. You were out of the room when I wanted to just express my gratitude for all of your public service. So anyway, I'm happy to answer any questions that you may have. Thank you very much.

President Brandon: Thank you, Diane. We really appreciate your presentation. Is there any public comment in the room?

Public Comment received by email on Item 13A:

Dear Director Forbes, Deputy Director Beaupre, Commission President Adams and Honorable Port Commissions,

Although the Waterfront Plan revision item on your agenda Tuesday is informational only, I am writing to support the proposed revisions and the extended public outreach from which they derive, as well as the proposed adjustments to the City Planning Codes and the B.C.D.C Special Area Plan, and to encourage your affirmative votes when the item is again before you for action in February.

My interest in the plan is twofold: I am a 30-year resident of the South Beach area, a neighborhood that will be effected by the plan policies; and as a member of the Waterfront Land Use Update Working Group, serving as chair of its Land Use Subcommittee. I can say first-hand that the proposed revisions are consistent with public input we received over our three-plus years of hearings, and that the proposed adjustments to the City codes and B.C.D.C SAP are imperative to seeing this citizen-guided plan update be successfully implemented.

As a dedicated swimmer, I applaud the Dolphin Club advocates for pressing to have bay swimming more expressly called out as one of the many different water-oriented user groups whose needs must be balanced in the plan policies. While a few swimmers DID participate in our hearings—and the working group acted to recognize their needs on par with other recreational water users—their voice was less robust than the human-powered boaters and other vessel groups; these proposed revisions correct that. My only regret is that the advocacy did not expressly include those swimmers who can not tolerate bay water temperatures, but who nevertheless would take great enjoyment in swimming in heated pools at bay level, taking advantage not only of the immediate proximity to nature but also the possible geothermal heating potential. But the plan's policies do not exclude this group and the two pending pier renovation proposals—piers 38/40 and piers 30/32—have advanced public swimming pools to much public enthusiasm from those who have limited or no access to pools elsewhere.

In the two waterside pier renovation proposals (piers 38/40 and piers 30/32) now under public review, the updated Waterfront Plan values have definitively been engaged to prioritize and advance public recreational access to the bay, diversify use offerings and ensure that these are available for enjoyment by the full socio-economic spectrum of users in the region, and the City. The plan policies are playing an important role in satisfying the equity, resilience and evolutionary growth they were intended to advance.

Thank you for your favorable consideration. I had hoped to make these points to you in person, but a medical conflict necessitated sending this letter instead.

Sincerely,

Alice Rogers

South Park resident; Waterfront Land Use Working Group member

Commissioners' Discussion on Item 13A:

Commissioner Lee: I think it's a great plan. I think, in general for me -- I hear it's about transportation and subways. You know, 2030 -- all the car companies are going electric. And no matter what people might think, they're not all going to take public transportation.

You have seniors that need assistance, you know, that needs to be closer to the curb, you know. I'd like to see some spots that are, you know, designated for obviously people that still use cars. Even delivery trucks and things are going to go electric.

You know, there should be some incentive parking for trucks -- of course, not in the way of traffic but some incentive places where -- you know, that's going to be the future. I mean, people are all not going to be taking public transportation.

Hopefully, public safety will be a lot better years down the road. But people still don't trust -- you know, they still like the confinement of their own vehicles. I don't see really in the plan -- I see that you are making efforts to accommodate electric cars and things like that.

But I don't really see like -- is there any designated spots? You know, like when you do retail or any new spaces, are they going to have like maybe a special parking lot that they have EV chargers or things, you know, some incentives where people can b -- you know, more low-carbon vehicles to make deliveries when they come to the Port, you know?

Some fleets might have electric trucks. And some have the other trucks. And they say, well, when you go down to the Port, better take these trucks, you know. That's the kind of thing I would like to see in the plan if there's some incentives to use these electric cars because they're going to happen.

Diane Oshima: Yes.

Commissioner Lee: I know, if it was SFMTA's way, they would all make us take the bus. But you know, some of us are getting up there. And we can't walk that far to the bus. So I'm just thinking that the plan should have some more things like that in the plan.

Diane Oshima: There are actually policies related to parking -- visitor parking, a recognition that some people don't have access to transit. So it's a little bit difficult because I'm kind of hitting specific little topics without being able to convey the whole thing.

But rest assured that, both from loading and passenger-zone area, MTA actually does do that quite well and does plan with the Port staff across all of our portfolio for those zones. For parking, we had some spirited debates about parking in the waterfront plan process to talk about that very issue.

And for that reason, there are policies there. But at the same time, we want to embrace and live by the city's overall objectives to reduce our carbon footprint. So there are policies in the plan under our environmental sustainability chapter that also speak to those environmental principles.

Commissioner Lee: Okay. Those were not forgotten because, like you say, it's supposed to be all access for everyone.

Diane Oshima: Right.

Commissioner Lee: And there's going to be people that still insist on driving their cars. So I just don't want them to be canceled out.

Diane Oshima: Right. Thank you.

President Brandon: Thank you.

Commissioner Lee: Thank you.

President Brandon: Commissioner Gilman?

Commissioner Gilman: Diane, thank you so much for the report. It was really helpful. I just had a clarifying question because I wanted to make sure I understand you correctly. So on page 13 of the staff report and when you were looking at the last slide, this is about BCDC and the 50 percent rule, which seems incredibly antiquated and not an enhancement at all for folks who are stewards of the Port. So we are proposing in this updated plan to remove that rule --

Diane Oshima: Yes.

Commissioner Gilman: -- for our whole waterfront?

Diane Oshima: Correct.

Commissioner Gilman: For the entire waterfront?

Diane Oshima: Correct.

Commissioner Gilman: And do we need BCDC approval for that?

Diane Oshima: Yes, we do. So we worked with BCDC to remove it for the northeast waterfront section. And the Fisherman's Wharf area to the north of that and the southern waterfront to the south of that still have those 50 percent rule -- old rules.

We want to eliminate those old rules there and have the same policy that currently is in the northeast waterfront apply to the full seven-and-a-half-mile waterfront.

Commissioner Gilman: Okay. If -- whatever we can do as commissioner -- I'll speak for myself -- but what -- as commission -- to help expedite that I think is really important. I think we need to have a unified use for our whole entire waterfront from an equity perspective and from an ability to attract development that is appropriate and trust consistent to the piers for this infrastructure work.

We can't do it alone. It needs to be a public-private partnership. So I just really wanted to make sure I was reading it right that we were not leaving out any section or not leaving out -- I want to make sure that we're not leaving out the southeast section of the waterfront --

Diane Oshima: Correct.

Commissioner Gilman: -- in removing this rule.

Diane Oshima: Absolutely.

Commissioner Gilman: So that was my one clarifying question -- and incredible work. And we received emails and letters of support from the community on how much you've done community outreach. So I just really want to thank you for your due diligence and how you engaged the public in these revisions. So thank you.

Diane Oshima: Thank you.

President Brandon: Vice President Adams?

Vice President Adams: Thank you, Diane, for a very, very comprehensive report. I was shocked to see you. I was actually -- [laughter] but anyway, no. This is good. This thing is moving right along. Like I said, you've always given your heart and soul. So it's more to come. But I like what I see here. I appreciate the input from the other commissioners. Thank you.

Diane Oshima: Thank you.

President Brandon: Diane, thank you for the wonderful report. And it's always great to see you. And thank you so much for coming back and helping us through this process. I know, when this is done, we'll find something else for you. [laughter]

Diane Oshima: Oh, no. Okay. Thank you.

President Brandon: So my fellow commissioners have had great points. I'm just wondering about the walking and cycling destination.

Diane Oshima: The what?

President Brandon: Walking and cycling destination -- the Embarcadero walking and cycling destination. We've had several conversations regarding the promenade and who should be allowed to use it. And we've had a lot of conflict with cyclists and pedestrians and electric vehicles and the whole thing.

Diane Oshima: Right.

President Brandon: So I think the commission has asked for more information on, you know, the uses along the promenade. And I think we've all said very clearly that pedestrians should have the right of way, that w -- as many bicycles as we can get into the bicycle lanes would be phenomenal whether they're electric or not.

So it seems like this particular section has been softened because, originally, it talked about the challenges of the cyclists and the pedestrians and public safety and how it's brought additional challenges with electric vehicles. So I really want to make sure -- because I'm not quite sure who provided the input for this section -- the revisions.

Diane Oshima: MTA staff provided comments on some. However, I would like to just make clear that I had understood that there was a question about whether the plan really addressed this issue. So some of the text here that I included did not come from MTA.

That was actually text revisions that Port staff made to try and provide more clarity. And maybe we didn't hit that mark yet although I have been following the discussions that this commission has had with MTA about the Embarcadero

enhancement project in particular which is also connected to taking a look at the Port code about what kind of rules that we should be establishing on an operational basis on priority of users of the promenade because, right now, the current language is a little bit blurred.

And that's contributed to different interpretations and confusion. So the plan policies would really support your further efforts whether you want to make revisions to the Port code or further MOU or other agreements with MTA about how to administer the bikeway along the Embarcadero.

Those are more fine-grain operational kinds of decisions that these policies are really intended to support even though they may not speak to that fine a grain in this --

President Brandon: Right. Right.

Diane Oshima: -- long-range plan.

President Brandon: But this kind of makes it look like it's okay for cyclists, electric or not, to be on the promenade. And we're trying to get away from that.

Diane Oshima: Okay.

President Brandon: So we're trying to say that the promenade is pedestrians first. You know, and if it has to get to the point where we have to adopt a sidewalk code like the rest of the City and County of San Francisco where you have to be a certain age to be able to ride on a sidewalk, you know -- it's because the promenade has -- I mean, what we want is to attract more people to the waterfront.

Diane Oshima: Okay.

President Brandon: And the more crowded it gets and the more --

Diane Oshima: I see what you're saying.

President Brandon: -- different modes of transportation we have, we have to have something that -- because public safety is just not at its best right now.

Diane Oshima: Right. So I'm looking at page seven where, in the bold, it says the Embarcadero, a walking and cycling destination. And then, immediately after, it says the Embarcadero promenade. And I guess that's what you're pointing to is the Embarcadero -- the right of way, the roadway plus the promenade itself, are meccas for walkers and bikers.

But I think maybe what we can say is -- if we made a change to say the Embarcadero and cross out promenade in this context is one of the most popular

walking and cycling routes in the Bay Area because, when you're on the roadway with the bikeways that are being created now, it is on the Embarcadero.

It is an important recreational facility. And maybe it was just that inclusion of the term, promenade, in this sentence that can throw people off --

President Brandon: Mm-hmm.

Diane Oshima: -- from the outset that we could make that change to the plan language and reduce that ambiguity.

Director Forbes: I wanted to chime in to say the Embarcadero issue about whether bicycles are prohibited -- that change will happen in the Port code. So fundamentally, that's where that change would occur. So the plan language would be supportive of the potential future change.

So I like where you're headed. But I wanted to remind the commissioners that that's our next step after more dialogue is to pull that code out and make the decision there.

President Brandon: Okay.

Diane Oshima: This edit here though that I just described, you know, we could make that now. So in the second paragraph of page seven where it says the Embarcadero, a walking and cycling destination, that is a subheading in the plan right now.

But then, when you start with the paragraph, if we deleted promenade and we just call it the Embarcadero is one of the most popular walking and cycling routes -- [crosstalk] would that --

President Brandon: Yes.

Diane Oshima: -- help?

President Brandon: That would help.

Diane Oshima: Okay. We can add that change.

President Brandon: But then, in the second paragraph -- the paragraph after that also where it says who thus choose to ride on the Embarcadero promenade.

Commissioner Burton: It --

President Brandon: Senator Burton?

Commissioner Burton: Promenade by its only phrase means -- it doesn't mean a lot of cycling. It means people walking. And I think -- and we've had -- people will probably be happy that this will be my last shot. But we went round and round a little bit with MTA because they're a life of their own.

But the promenade meant to enc -- my opinion -- to encourage a promenade not a bunch of I'm walking, and you're riding your bike. So it seemed -- and I could be wrong. And I'd yield to the president. But it seemed like that language would be -- make it more ambiguous to me. But I'm kind of a walker, not a biker.

Diane Oshima: Right. Yes.

Commissioner Burton: Go ahead.

Diane Oshima: I understand that point. To Director Forbes's point, that Port code language is what has created this confusion that we need to sort out. You know, again, similar to this one-word deletion that I was proposing earlier, it's -- we could consider also taking out -- deleting this one phrase that refers to the promenade in the third paragraph, the last statement.

So it would say, because the original bike lanes on the Embarcadero are narrow and exposed to heavy vehicle traffic, they are not comfortable for many cyclists period. And then, we could delete the rest of that sentence because, now that we are working with MTA to develop the bikeways and the enhancement project, it really, I think, is making a difference in the way that cyclists ride along the Embarcadero.

So this statement is really unnecessary, this last -- you know, those who choose to ride on the Embarcadero promenade -- I don't think that we need to keep that forever.

President Brandon: Right.

Diane Oshima: So if that would help to reduce the ambiguity and the confusion, I think those are changes we can make pretty easily.

President Brandon: I mean because, at this point, everybody is allowed on the promenade, everybody. There is no restriction.

Director Forbes: Electric.

President Brandon: But a bike lane is a bike lane.

Commissioner Burton: Yeah.

President Brandon: You'll get run over if you walk in the bike lane.

Commissioner Lee: Right.

Director Forbes: Correct. Electric vehicles are prohibited from the promenade. [crosstalk] So electric -- the scooters and all the --

President Brandon: But we have pedi-cabs. We have --

Director Forbes: The pedi-cabs are allowed.

President Brandon: Yeah. [crosstalk]

Director Forbes: Yes. I would suggest -- and I think we're hearing loud and clear from the commission that you're looking for a policy that prefers walkers, that is a pedestrian-oriented policy for the Embarcadero promenade.

President Brandon: Unless we want to build pedestrian lanes.

Director Forbes: Which we don't want to do. [crosstalk] And right now, we have a multi-path regulation that doesn't have that. We have moved in the direction of making it much more comfortable for walkers and encouraging bikers into the bike lanes with signage.

And we think it's moving mode split a lot. But we don't know if it's there yet. What I would suggest is we continue the policy conversation. We see if we want to change regulation to something more like a city sidewalk and that, Diane, you take some time offline with these plan amendments that we've just discussed.

You work very hard on the precise language. So I suggest you take that offline and then present back at the next item to see where we land. I think it's a very important policy conversation. We don't want our plan to be behind where the commission is in your thinking. So I think we've gotten good direction here.

President Brandon: Thank you.

Vice President Adams: President Brandon?

President Brandon: Vice President Adams?

Vice President Adams: I'm going to address this at the mic because I know that Commissioner Burton almost got ran over. And I walk down that Embarcadero every day. And I'll tell you, I've been going on that for 10 years.

And every morning, there's people on those bicycles. They are flying down there on those bicycles. And they are going to run over somebody real bad. And if we're not proactive, we will be having a different conversation at this commission meeting.

And somebody will say, you knew this was happening, wasn't happening. I see it all the time. I'm always having to get out of the way because these guys are flying on these bicycles. And these motor -- they don't care. They're just going wide open.

They think that it's okay. And one day, something's going to happen. There's going to be a big altercation. And then, we're going to say -- Director Forbes is going to get a call. Somebody's seriously injured or was killed.

And then, we're going to be having a different conversation at this commission meeting. And I know Commissioner Burton, a couple times -- he almost got ran over down there. And this is something that we've got to get a handle on it because you've got people out there with their kids and stuff, people out there with their dogs and stuff.

They can't be jumping around and stuff like that. It's really supposed to be for pedestrians. So I think we really need to take this thing on because it -- like I was saying, something bad is going to happen. And then, we will be reacting. Thank you.

President Brandon: Any other comments or questions on this item? Diane, thank you so much. We really appreciate all the work that's gone into this.

Diane Oshima: Thank you.

14. NEW BUSINESS

Commissioner Gilman: Yeah. So I just had two things. I didn't want to raise them during your director's report because I wanted the spotlight to shine on Senator Burton. I just had three things I just wanted to briefly mention.

One -- I'm hoping -- and this is not time sensitive. So I'd like to take the time and diligence to do it right. I'd like an interdepartmental informational on where we are on our street vending particularly on Little Embarcadero.

I was there two weekends ago -- and I do want to say this for the public record -- and was dismayed to see blatant advertised alcohol sales and cannabis sales to individuals without checking of ID or proper licensing.

I know this is a complex issue. But I think, as a visitor center and particularly with its proximity to Pier 39, which is a family-oriented attraction, we really need to get all of our vending license in proper -- but particularly to discourage the illegal sale of cannabis and alcohol.

So I'm hoping we can have this informational hearing on progress. I'd like to ensure that we invite the Department of Public Health, SFPD and any -- and Department of Public Works. I'm asking that they be present and present because

we can't, as the Port staff, do this alone. So that was just one thing I wanted to mention.

And then, I just did want to acknowledge also the public comment that was in the room for Alcatraz Cruise and the labor agreements. As someone myself who's negotiated labor contracts, I really hope that Alcatraz City Cruises will negotiate in good faith and bring those workers to the table.

They are another critical part of the waterfront for the whole city but particularly for the northeast sector. I'm sorry to have such heavy topics at the end.

And then, I was hoping, if my fellow commissioners would indulge me, that we could actually adjourn the meeting in the memories of the families who lost their loved ones in both the Monterey Park and Half Moon Bay mass shootings that occurred this week.

It is so unfortunate for those families to lose their loved ones particularly right before Lunar New Years -- hoping we could adjourn in our condolences for those families.

Commissioner Lee: So I just have a question. When are we going to get -- or can I get the listing of whatever leases have been terminated or how many are presently available? I'd like to have some kind of information, so we can start working on getting the word out.

And you know, when I was -- in the earlier presentations about the job opportunities, you know, like when there's new contract opportunities, how do we incorporate that with our -- you're doing a great job with the postings on Facebook about the property and what they have to offer.

But it would be nice to have maybe what maybe jobs or minority contracts there might be available that could be also posted on things like that, you know, Facebook or Instagram or something like that to get the more smaller business that are younger.

And those are the two items, you know, I'd like to have around or presently because a lot of people are asking because the whole thing in 2023 is to get the cash flow back on Port. And I think just having them lay around empty is not doing us any favors.

Vice President Adams: I'd also want to request an update at some point on how are we doing on the backfill of those that have retired from the Port and those that have left. And how are we doing to make sure that we keep team San Francisco as strong as it should be and having that strong bench. Is that something you could do? I mean, is that --

Director Forbes: I think so. I'm thinking about it actually. Yes. I think there's several things that we could talk about relative to our hiring program and how many resources we have. It typically takes the city a very, very long time to fill a position. And the Port is not immune to that process.

It has taken us a lot of time to backfill critical positions. There have been many positions that have gone vacant too long for our operational needs especially in the real estate team actually. And some of the things Commissioner Lee just asked are major initiatives on the real estate team's list like advertising properties, finding one place to advertise properties, etcetera.

So hiring has been a challenge. I think we could have a -- I have to work with the city attorney. But we could talk about bringing the HR team and talking about how we're prioritizing our plan and how we're filling positions. It's certainly something the leadership team works very hard with HR on.

And we've added a lot of resources to this budget. So we've hired three new HR resources just in the near term. So I'll think about how to bring that to the commission. There's always closed session when you talk about my performance. And we have an opportunity to talk through succession planning, etcetera. So there may be a two-prong strategy to get answers to your question.

Vice President Adams: I'm more interested, Director Forbes, in how are we doing because I know a lot of people across the city and even across America are having a hard time finding workers to fill these jobs. They say there's like over a million jobs in the State of California that they can't fill.

And I just wanted to know, are we just like everybody else having the same problem trying to fill --

Director Forbes: The positions.

Vice President Adams: -- to get people to come to work for us? That's all.

Director Forbes: Yes. Yes. Absolutely. We'll talk about that.

Vice President Adams: Okay. Thank you.

Commissioner Lee: And speaking of, the tech sector is going to have a lot of available people soon. There will probably be a lot of talented people looking for jobs coming up.

Vice President Adams: Yeah. Amazon -- [crosstalk]

Commissioner Lee: Yeah. Everybody -- [crosstalk]

15. ADJOURNMENT

ACTION: Commissioner Gilman moved to adjourn the meeting in the memories of the families who lost their loved ones in the Monterey Park and Half Moon Bay mass shootings. Vice President Adams seconded the motion. All commissioners were in favor.

President Brandon: Meeting is adjourned 5:53 p.m.