

SAN FRANCISCO PORT COMMISSION

Kimberly Brandon, President
Willie Adams, Vice President
Gail Gilman, Commissioner
Ed Harrington, Commissioner
Steven Lee, Commissioner

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AGENDA PORT COMMISSION MEETING

TUESDAY, SEPTEMBER 12, 2023
2:30 P.M. CLOSED SESSION
3:15 P.M. OPEN SESSION

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

This meeting will be held in person at the location listed above. Members of the public may attend the meeting to observe and provide public comment at the physical meeting location listed above or online at <https://sfgovtv.org/sfgovtv-live-events>. Instructions for providing remote public comment are below.

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| <p>TO STREAM THE LIVE MEETING:</p> <p>https://sfgovtv.org/sfgovtv-live-events</p> <p>TO LISTEN TO THE LIVE MEETING AND MAKE PUBLIC COMMENT REMOTELY:</p> <p>Dial 1-415-655-0001 United States Toll (San Francisco) Access Code: 2661 912 6054 ##</p> <p>Dial *3 to be added to the public comment queue for the item you would like to speak on.</p> | <p>If you are in the public comment queue, an audio prompt will indicate when it is your turn to speak.</p> <p>Public comment is limited to 3:00 minutes and must be in respect to the current agenda item.</p> <p>When making public comment, please:</p> <ul style="list-style-type: none">• Ensure you are in a quiet location• Turn off any TV's or radios around you• Speak Clearly |
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The Port Commission Agenda as well as Staff Reports and other Explanatory Documents provided to the Port Commission are available for public inspection at the Pier 1 Reception Desk and posted on the Port's website at <https://sfport.com/meetings>.

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

2. APPROVAL OF MINUTES – August 8, 2023

3. PUBLIC COMMENT ON EXECUTIVE SESSION

4. EXECUTIVE SESSION

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

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

(a) Property: Bauer Intelligent Transportation, Pier 50, Shed A, 401 Terry Francois Boulevard and Pier 96 (Leases L-15044 and L-16206 and parking stalls agreement)
Person Negotiating: Port: Kimberley Beal, Acting Deputy Director Real Estate & Development
Negotiating Parties: Gary Bauer, Bauer Intelligent Transportation

Under Negotiation: ___ Price ___ Terms of Payment X Both

In this executive session, the Port's negotiators seek direction from the Port Commission on factors affecting the price and terms of payment, including price structure and other factors affecting the form, manner and timing of payment of the consideration for potential amendments to the subject leases and agreements. 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

5. RECONVENE IN OPEN SESSION

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

6. PLEDGE OF ALLEGIANCE

7. ANNOUNCEMENTS

- A. Announcement of Prohibition of Sound Producing Electronic Devices during the Meeting: Please be advised that the ringing of and use of cell phones and similar sound-producing electronic devices are prohibited at this meeting. The Chair may order the removal from the meeting room of any person responsible for the ringing of or use of a cell phone or other similar sound-producing electronic device.
- B. Announcement of Time Allotment for Public Comments: Please be advised that a member of the public has up to three minutes to make public comments on each agenda item unless the Port Commission adopts a shorter period on any item. Public comment must be in respect to the current agenda item. For in-person public comment, please fill out a speaker card and hand it to the Port Commission Affairs Manager. For remote public comment, instructions are on the first page of this agenda. During public comment, 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 Port Commission action can be taken on any matter raised other than to schedule the matter for a future agenda, refer the matter to staff for investigation or respond briefly to statements made or questions posed by members of the public. (Government Code Section 54954.2(a))

9. EXECUTIVE

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

10. REAL ESTATE & DEVELOPMENT

- A. Informational presentation on: (1) Phase 1 Revised Budget; (2) Contribution of Port Capital; (3) Preview of Final Budget and Misc. items, for the Mission Rock Project at Seawall Lot 337, bounded by China Basin Channel, Third Street, Mission Rock Street and San Francisco Bay.

- B. Informational presentation to consider and possible action to approve a resolution recommending that the Board of Supervisors (1) approve a Mission Rock Special Tax District financing, including the issuance of bonds in an aggregate principal amount not to exceed \$58,335,000 (“Bonds”), and the execution and delivery of financing documents, including the: a) form of Bond Purchase Agreement, b) form of Second Supplement to Development Special Tax Bonds Fiscal Agent Agreement, c) form of Office Special Tax Bonds Fiscal Agent Agreement, d) form of Shoreline (Zone 1) Special Tax Bonds Fiscal Agent Agreement, e) form of Continuing Disclosure Certificate, f) form of Preliminary Official Statement, and authorizing and directing the Executive Director to cause the package to be submitted to the Board of Supervisors and to work with the Director of the Office of Public Finance to finalize and cause the distribution of the Preliminary Official Statement and the issuance of the Bonds and (2) interpreting the Rate and Method of Apportionment of Special Tax for the Mission Rock Special Tax District. (Resolution 23-41)
- C. Informational presentation on a proposed new lease with Recology San Francisco for approximately seventy-four (74) months for operation of a single stream mixed materials recycling center at Pier 96.
- D. Informational presentation on a proposed new Memorandum of Understanding with the Department of Homelessness and Supportive Housing (“HSH”) for a term of 2 years with one – 2 year option to extend at Seawall Lot 330.

11. NEW BUSINESS

12. ADJOURNMENT

**PROPOSED FUTURE AGENDA
SUBJECT TO CHANGE**

October 10, 2023

| | FACILITY/POLICY | ITEM | TITLE |
|---|------------------------|---------------------------------|---|
| 1 | Pier 68 | Action | Presentation on a proposed new 3-year lease with Anderson Enterprises for approx. 116,343 rentable square feet of paved land space and 2,010 rentable square feet of shed space for storage, detailing and preparation of new vehicles. |
| 2 | Pier 33.5 | Informational & Possible Action | Pier 33.5 solicitation and lease. |
| 3 | Mission Bay Parks | Informational & Possible Action | Informational presentation to consider and possible action to approve authorization for the Port to enter into a Memorandum of Understanding with the Office of Community Investment and Infrastructure and the Recreation and Parks Department for the maintenance and operations for Mission Bay Parks P1, 2, 8, 18, 19, 21, 22, 23 and 24 beginning January 1, 2024. The Port will be reimbursed for costs associated with the maintenance and operations from OCII using the Community Facilities District #5 proceeds. |
| 4 | Pier 96 | Action | Request approval of a proposed new lease with Recology San Francisco for approximately seventy-four (74) months for operation of a single stream mixed materials recycling center at Pier 96. |
| 5 | Seawall Lot 330 | Action | Request approval of a proposed new Memorandum of Understanding with the Department of Homelessness and Supportive Housing (“HSH”) for a term of 2 years with one – 2 year option to extend at Seawall Lot 330. |
| 6 | Pier 70 | Action | Request approval for the formation of a new Community Facilities District for the Pier 70 Historic Core with Historic Pier 70, LLC (aka, Orton Development, Inc.) under Port’s Lease Disposition and Development Agreement and Master Lease L-15814, each with Historic Pier 70, LLC. |

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| 7 | Portwide | Action | CEQA contract for Flood Study. |
| 8 | Pier 70 | Informational | Informational Item Proposing Changes to the form of Vertical Disposition and Development Agreement and Parcel Lease. |
| 9 | Seawall Lot 337 | Action | Request approval of the Final Mission Rock Phase 1 Budget and Other Project Approvals. |
| 10 | Pier 70 | Informational | Informational Item Regarding Port's Acceptance of Phase 1 Improvements and Proposed DDA Amendment. |

DATE TO BE DETERMINED

| | FACILITY/POLICY | ITEM | TITLE |
|---|-------------------------------|---------------|---|
| 1 | Pier 70, Parcel K North Plaza | Informational | Presentation of the Schematic Design of the Parcel K North Plaza located at the southeast corner of 20th and Illinois Streets. |
| 2 | Portwide | Informational | Presentation on competitive solicitation for operation of Port's parking lots, located throughout the waterfront. |
| 3 | Piers 30-32 & SWL 330 | Informational | Presentation on the project status with Strada Trammel Crow Companies Partnership LLC for Piers 30-32 & SWL 330 generally located along the Embarcadero between Bryant and Beale Streets. |
| 4 | Portwide | Informational | Expenditure Plan Proposal for \$10 million Economic Recovery Project. |
| 5 | Portwide | Informational | Informational presentation regarding Waterfront Resilience Program (WRP) Local Business Enterprise (LBE) Subcontracting and WRP Equity Actions. |
| 6 | Blue Greenway | Informational | Informational presentation on the Port's Blue Greenway projects. |
| 7 | Portwide | Informational | Informational Update on Offshore Wind Energy. |

**OCTOBER, NOVEMBER AND DECEMBER 2023
CALENDAR OF UPCOMING PORT MEETINGS – OPEN TO THE PUBLIC**

| DATE | TIME | GROUP | LOCATION |
|-------------|--|-----------------|--|
| OCTOBER 10 | 2:00 PM Closed Session 3:15 PM Open Session | Port Commission | Port Commission Hearing Room (Ferry Building) |
| NOVEMBER 14 | 2:00 PM Closed Session 3:15 PM Open Session | Port Commission | Port Commission Hearing Room (Ferry Building) |
| DECEMBER 12 | 2:00 PM Closed Session 3:15 PM Open Session | Port Commission | Port Commission Hearing Room (Ferry Building) |

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

Date of Report: September 7, 2023

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

| DIVISION | TITLE | PUBLICATION DATE | CONTRACT MANAGER |
|-----------------------------|---|-------------------------|---|
| Real Estate & Development | Restaurant Spaces Solicitations - Ferry Plaza East Building | 2/3/2023 | Ricky Tijani through Real Estate Division |
| Environmental and Planning | As-Needed Hazardous Waste | Upcoming | Alysabeth Alexander-Tut and George Bibbins |
| Maritime | Dry Dock Sale Listing | 6/6/2023 | Charles Labitan and Alysabeth Alexander-Tut |
| Real Estate & Development | Micro Set Aside Janitorial | Upcoming | Kimberley Beal and Alysabeth Alexander-Tut |
| Special Event Administrator | Special Events and Catering Services | Upcoming | Alysabeth Alexander-Tut |
| Engineering | Request for Proposals for Underground Utility Location and Marking Services | Upcoming | Paul Chasan and Alysabeth Alexander-Tut |
| Real Estate & Development | Restaurant Spaces Solicitations - Piers 33 1/2 | 1/16/2023 | Sandra Oberle through Real Estate Division |
| Engineering | Ice Machine Design and Build | Upcoming | Simon Betsalel and Alysabeth Alexander-Tut |

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| Maintenance, Real Estate, Security | Security Cameras, Security Gate, Key Card System | Upcoming | Alvin Sonza, Kyle Thomas, Jennifer Gee, Alysabeth Alexander-Tut, Patricia San Agustin |
| Engineering | RFI For Buy America Products | Upcoming | Noel Aquino and Alysabeth Alexander Tut |
| Maintenance | Crane Barge | Upcoming | Tim Felton, Rod Iwashita, Alysabeth Alexander-Tut |

NOTES:

The San Francisco Port Commission meets regularly on the second Tuesday of every month, plus the fourth Tuesday of February and April, at 3:15 p.m. unless otherwise noticed. The Commission Agenda and staff reports are posted on the Port's Website at <https://sfport.com/meetings/15>. Contact Jenica Liu at (415) 274-0406 or jenica.liu@sfport.com.

Full Commission meetings are replayed on San Francisco cable via SFGovTV2 and streamed on the Internet. Broadband service is recommended for access. The Port Commission is generally broadcast on SFGovTV2, cable channel 78 on the 2nd & 4th Thursday of the month at 9 p.m. SFGovTV archives include a recording of each meeting, an agenda with links to the specific portion of the meeting, a file containing all closed captions for the deaf from the meeting and an MP3 recording of the meeting. The Port Commission meetings can be viewed online at http://sanfrancisco.granicus.com/ViewPublisher.php?view_id=92

The Fisherman's Wharf Waterfront Advisory Group (FWWAG) meetings are on hold. Contact Demetri Amaro at (415) 274-0260 or demetri.amaro@sfport.com.

The Maritime Commerce Advisory Committee (MCAC) meets every other month, on the third Thursday of the month, between 11:30 a.m. and 1:00 p.m. at Pier 1 and virtually. Contact Dominic Moreno at (415) 850-6819 or dominic.moreno@sfport.com.

The Northern Advisory Committee (NAC) meets on the third Wednesday of odd-numbered months at 5:30 p.m. at Pier 1 and virtually. Contact Patrick Foster at patrick.foster@sfport.com or check our website at <https://sfport.com/community> for more information.

The Southern Advisory Committee (SAC) meets on the fourth Wednesday of every month at 6:00 p.m. at the Southeast Community Center, 1550 Evans Avenue, and virtually. Contact Mark Paez at mark.paez@sfport.com or check our website at <https://sfport.com/community> for more information.

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

The Mission Bay Citizens Advisory Committee meets virtually on the second Thursday of the month at 5:00 p.m. Contact Marc Slutzkin at (415) 749-2516 or marc.slutzkin@sfgov.org.

ACCESSIBLE MEETING INFORMATION POLICY

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

DISABILITY ACCOMMODATIONS

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

LANGUAGE ASSISTANCE

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

To request an interpreter for a specific item during the hearing, please contact Port's Language Access Liaison, Monica Lim at (415) 274-0400 or email her at monica.lim@sfport.com at least 48 hours in advance of the hearing.

SPANISH:

Agenda para la Comisión de Planificación. Si desea asistir a la audiencia, y quisiera obtener información en Español o solicitar un aparato para asistencia auditiva, llame Monica Lim al 415-274-0400. Por favor llame por lo menos 48 horas de anticipación a la audiencia.

CHINESE:

規劃委員會議程。聽證會上如需要語言協助或要求輔助設備，請致電Monica Lim 415-274-0400。
請在聽證會舉行之前的至少48個小時提出要求。

TAGALOG:

Adyenda ng Komisyon ng Pagpapalano. Para sa tulong sa lengguwahe o para humiling ng Pantulong na Kagamitan para sa Pagdinig (headset), mangyari lamang na tumawag kay Monica Lim sa 415-274-0400. Mangyaring tumawag nang maaga (kung maaari ay 48 oras) bago sa araw ng Pagdinig.

RUSSIAN:

Повестка дня Комиссии по планированию. За помощью переводчика или за вспомогательным слуховым устройством на время слушаний обращайтесь по номеру Monica Lim 415-274-0400. Запросы должны делаться минимум за 48 часов до начала слушания.

NOTICES

Know Your Rights Under the Sunshine Ordinance:

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

Prohibition of Ringing of Sound Producing Devices:

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

Lobbyist Registration and Reporting Requirements:

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

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

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

Prohibited Contributions by Persons with Pending Land Use Matters:

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