



SAN FRANCISCO PORT COMMISSION

**February 27, 2024
MINUTES OF THE MEETING**

MEMBERS, PORT COMMISSION

**HON. KIMBERLY BRANDON, PRESIDENT
HON. GAIL GILMAN, VICE PRESIDENT
HON. WILLIE ADAMS, COMMISSIONER
HON. ED HARRINGTON, COMMISSIONER
HON. STEVEN LEE, COMMISSIONER**

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

CITY & COUNTY OF SAN FRANCISCO

PORT COMMISSION

MINUTES OF THE MEETING FEBRUARY 27, 2024

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

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

The Commission Affairs Manager read the Ramaytush Ohlone Land Acknowledgment.

2. APPROVAL OF MINUTES – February 6, 2024

ACTION: Commissioner Harrington moved approval of the minutes. Commissioner Lee seconded the motion. The minutes were approved unanimously.

3. PUBLIC COMMENT ON EXECUTIVE SESSION

No 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.

ACTION: Commissioner Harrington moved to go into closed session. Commissioner Lee seconded the motion. The motion passed unanimously.

(1) 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)

(a) Property: Seawall Lots 315, 316 and 317 – the Waterfront Plaza Office Complex (Lease No. L-8618)
Person Negotiating: Port: Michael Martin, Assistant Port Director; Scott Landsittel, Deputy Director; Josh Keene, Assistant Deputy Director; and Ricky Tijani, Waterfront Development Project Manager

Negotiating Parties: Christophe Farber, West Coast Regional Director; Alex Schwiebert, Senior Vice President; Ben Fagelman, Associate; and Ryan Goodwin, Senior Analyst; Asset Management, Jamestown L.P. (collectively, Jamestown)

Under Negotiations: ___ Price ___ Terms of Payment X Both

The Port and Jamestown are negotiating a potential new long-term ground lease extension. In this executive session, the Port's negotiators seek direction from the Port Commission on factors affecting the price and terms of payment, including rental amount manner and timing of payment of the consideration for a long-term lease of the subject seawall lots. 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 Kimberly Brandon
Commissioner Ed Harrington
Commissioner Steven Lee

Also present: Elaine Forbes, Port Director
Michael Martin, Assistant Port Director
Jenica Liu, Commission Affairs Manager
Scott Landsittel, Deputy Director, Real Estate & Development
Josh Keene, Assistant Deputy Director, Development
Ricky Tijani, Waterfront Development Project Manager
Michelle Sexton, General Counsel
Grace Park, Deputy City Attorney
Richard Robinson, 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 Harrington moved to reconvene in open session without disclosing closed session discussions. Commissioner Lee 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, 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))

Public Comment on Items Not Listed on the Agenda:

Pete Sittnick: Good afternoon, President Brandon, Vice President Gilman and commissioners. This is Pete Sittnick calling in, managing partner at Waterbar and EPIC Steak and possible proposed tenant for Pier 33 1/2. I'm calling in today to voice my concerns with regards to a brand-new ordinance or advisement for the limitation of propane heaters for Port property for outside patio dining.

What's been relayed to us is that each business is only allowed to have five propane tanks, whether they're full or empty on property. And that's with no regards to any square footage consideration for outdoor dining space. And if you look at the combined square footage of outdoor dining space at Waterbar and EPIC, we have about 5,000 square feet.

And the limitation of five heaters per business is not going to be enough to cover that space to warrant dining outside in a comfortable and enjoyable fashion for patrons. So I'm voicing my concern and really objection to, you know, such a

stringent ordinance at a time when we're trying to encourage the public activation of Port property and outdoor dining spaces.

And really for the overall activation of San Francisco as a city, I think that this is going to be very restrictive. It's going to limit the amount of outdoor dining and revenue potential that it would have. And it's also an ordinance that has really kind of come up on us sort of blindsided without any real discussion around it.

And I believe that it's supposed to take place as of March 1st, which we were given the proposal or the language last week, which is really 10 days, which in my humble opinion is not enough time to strategically plan for any alternatives, whether those are electric heaters or plumbed-in gas heating.

So I'm just letting you know that, as a -- I'm a concerned business owner -- that this is going to be restrictive to us doing business on Port property. And if somebody wants to take a look at it or follow up with me, please feel free to get back in touch. Thank you very much for your time and consideration and just your opinion. Thank you.

President Brandon: Thank you for calling in. Next caller, please.

Female Voice: Hello, commissioners. I recently visited San Francisco from New York. I used to live there. And I go there often. And I am asking you to enforce your vendor codes along Jefferson Street on Fisherman's Wharf particularly by the Cannery.

I stayed the Argonaut [Hotel supported]. And having been a street artist myself many years ago in San Francisco, I'm more than familiar with the program and the rules and the fact that it should be handmade artwork. So there is an Asian man who sets up five stands directly in front of the Cannery. And he sells counterfeit scarves.

He recognized me. I recognized him though I don't know his name. He has been there many years selling counterfeit items with a street-artist permit. And by your rules, that is a performer space. And even though he has a street-artist permit, he would be considered an unlicensed permitted person.

And I'm asking the Port to go over there and have a look around. He's pretty much monopolized that entire area which is very profitable. At times, I saw seven stands over there. He's allowed to have one. The Arts Commission has done no monitoring, no enforcement for well over seven years.

They issue the permits automatically. And I would implore you to do some enforcement in that area. As a visitor now, it was shocking for me to see that. And I know it's gone on for many, many years. So that's it. [Thank you so much].

President Brandon: Can you please state your name?

Female Voice: I'd rather not. I'd rather be anonymous, to be honest with you.

President Brandon: Okay.

Female Voice: I'd feel safer that way.

President Brandon: Okay. Thank you for your call. Are there any other callers on the line?

Operator: No other public comment callers.

President Brandon: Thank you. With that, public comment is closed. Director Forbes, can you please follow up with Mr. Sitnick?

Director Forbes: Yes. I will do so, Madam President. Thank you.

President Brandon: And I'm not quite sure how to follow up with the anonymous caller. But can we look into the street vending?

Director Forbes: I will do.

9. EXECUTIVE

A. Executive Director's Report

- Economic Recovery
- Equity
- Key Project Updates

Director Forbes: Good afternoon, President Brandon, members of the commission, members of Port staff and public. I am Elaine Forbes, the Port's executive director. I'd like to start with economic recovery. The third Wednesday in February is Ports Day in San Francisco. And it was Ports Days last week.

And I was very, very inspired on what I saw about potential for the state's commitment to make serious investments in our Port. And I was also really inspired about how the 11 Association of Port Authorities at CAPA is really getting stronger and strategic as a Port-wide organization.

And that really means big good things for offshore wind. So it was an incredibly inspiring day for us. It was sold out, Ports Day in Sacramento. It's been a growing event. But it's growing in terms of interest and impact. And we've asked for a larger venue, so the Port Commissioners can go with us next year.

And we can bring commissioners into these events and really continue to see what we can do as -- what would you say -- aligned or leveraged

partnerships in the state and how we can invest in our future because, if the ports lose our share, the economics of the state will suffer.

So I want to thank Boris Delepine, who is our government affairs director, and also Dominic Moreno, the deputy director of maritime. They came and staffed the day and had really great lobbying experiences with legislatures all across the state.

And onto more information on sold-out events, the Port's waterfront resilience efforts were a big success. We had our first community kickoff meeting last night at South Beach Mission Bay. There were 75-plus attendees. The bad news is four people could not get in. But they will be going to other events.

But it just shows how proud we should be of the team that got the word out on this. So the Port and Army Corps representatives were there. It was really Brad and our resilience director and Chief Brian Harper, who has been such a great partner to us from the Army Corps, tag-teaming the presentation and asking really interesting questions.

As you know, the outreach will continue through February 29th. So please continue to engage in the plan with us. On the topic of equity, we had an amazing trades career fair on February 13th. It was held in our Pier 50 facility. And the maintenance shops prepared interactive demonstrations for the students to come through and see what it looks like and the various crafts and what the shops do, really to teach and inspire people to consider careers in the trades and see what an impact our work does to our city and our infrastructure.

So it was really an excellent day. And other city departments are coming next year. So I imagine it will be a continued event. And there was just a lot of teamwork. And it was a very good day for us.

So I wanted to tell my own equity story today because I have one to tell. We've been doing a lot of work. And it's been hard work for a while in many different arenas including in resilience work. And things are starting to go well and move ahead.

And we're seeing a lot of progress and clarity. So I wanted to note that, sometimes when you're in city government, it can feel hard to move forward. And I even hear some of my leadership team use words like soul crushing. And I hear that sometimes among the ranks.

And it is. And I want to tell you it's also not always that difficult at all because we make big improvements. And I was wanting us to know that we never really know the result of our impact.

And I had a great opportunity to learn just today that someone I know quite well made a huge impact in my career did not know that they participated in

that event in my life because they were just doing the great work they did every day, all the time. And it had a huge impact on me that was unknown to that person.

So I want to say we're all contributing in big ways. We just don't always know how big they are the day, the week, the month, the year or even sometimes the decade they make the contribution. So sally forth. And that concludes my director's report.

President Brandon: Thank you for that great report. We will now take public comment on the executive director's report. Is there any public comment in the room? Seeing none. Do we have anyone on the phone?

No Public Comment on the Executive Director's Report.

Commissioners' Discussion on the Executive Director's Report:

Commissioner Lee: Great report, Elaine. You know, it's funny you say that because we do so much things in the public arena, and we just do it. And you don't know how it affects people because you just do it. And so somebody tells you, you know, you kind of inspired me to do something.

So I get what you're saying. So I'm glad you -- and you've been doing public service for a long time [insofar]. So thank you for that. And thank you for the Port, and thank you for all you guys that sacrifice your free time to be on the Port. So that's all I have to say.

President Brandon: Thank you. Thank you. Commissioner Harrington?

Commissioner Harrington: Thank you. I didn't know there was a Ports Day. So we have to all get invited -- put it on my calendar for next year. And the trades fair sounds great. The soul-crushing thing -- I remember sitting in a finance committee meeting with Supervisor Bierman at the time.

And people were getting up. And they were just doing what they do to city staff like, "You're crap," and, "Shut up." I mean, it was just, you know -- it was one of those like -- yeah, you j -- so you just sit there. And finally, Sue Bierman said, "Why would you treat people this way? They're just here trying to do their job. And they're trying to do the best they can do. And why would anybody treat them that way?"

And I thought, hey, yeah. [laughter] Because we were so used to just like, yeah, whatever, you know. And it was that -- those small things sometimes really do stick in your brain and make a difference. So thank you.

President Brandon: Thank you, Elaine. Great report. And congratulations on a very successful Ports Day and trades career fair. I think those are wonderful

opportunities for not only for us to get our name out there and what we're doing but also encourage others to join us. So thank you for both of those activities.

Yes, we all do so much. And sometimes, it's not recognized. And I just want to say how much I appreciate all of the staff here and all the phenomenal work that you do because we are the front door to economic recovery in San Francisco. And you guys are doing an amazing job. So thank you. And thank you for your leadership, Elaine. Next item, please.

10. CONSENT

- A. Request for retroactive authorization to modify Construction Contract No. 2849, Heron's Head Park Signage, to extend the substantial completion date. (Resolution 24-11)**
- B. Request authorization to award Construction Contract No. 2861, WRP Wharf J9 Replacement Project, Phase 1 – Float & Gangway to Yerba Buena Engineering and Construction, Inc., in the amount of \$3,557,380, and authorization for a contract contingency fund of 10% of the contract amount (or \$355,738), for a total authorization not to exceed \$3,913,118. (Resolution 24-12)**
- C. Request authorization to accept and expend a \$21,582,000 grant from the Port and Freight Infrastructure Program implemented by the California State Transportation Agency for the Maritime Eco-Industrial Complex Improvement Project to fund pier, roadway, and utility upgrades and to develop a plan for mitigating air emissions from the fleet of trucks utilizing Port property. (Resolution 24-13)**

ACTION: Commissioner Harrington moved approval of the consent calendar. Commissioner Lee seconded the motion.

No Public Comment on the Consent Calendar.

All Commissioners were in favor.

President Brandon: Any opposed? Resolutions 24-11, 24-12 and 24-13 are adopted.

11. FINANCE & ADMINISTRATION

- A. Request approval of the Fiscal Year 2024-25 and 2025-26 Biennial Operating and Capital Budget. (Resolution 24-14)**

Nate Cruz: Good afternoon, commissioners. I'm Nate Cruz, the deputy director of finance and administration. I'm here today to request your approval of the

biennial budget, both the operating and capital sides for '24-'25 and '25-'26. I was here three weeks ago with an informational presentation.

Today, mostly my presentation focuses on the updates and changes to the staff report and the budget. But if you have any questions about the overall budget, I'm happy to answer those too. So starting with the actual quantitative changes, one thing that we caught before we could include it in the last informational item was a Homeland Security grant.

This was awarded to the Port in 2021 for a little over \$100,000 due to staff turnover and some error at that time. It was never appropriated. Our new security manager has been doing a great job and caught this problem and is very close to securing an extension to get it spent.

Nonetheless, it still needs to be appropriated. So today, we're asking your approval to include that money in the budget. It's intended to be spent on a CCTV upgrade as well as security training. So that is one material change in the budget.

The second change is, among the many substitutions that we talked about three weeks ago that improve sort of promotive pathways, we identified another gap in our IT division. There, we have IT engineers, a number of them supervised by a principal engineer.

But there's a gap in the middle of a senior position. So we're taking one of those engineering positions and turning into a senior. That'll help meet some of the more complex needs of our infrastructure that continues to get more and more complicated every year but also create that promotive pathway.

So those are the actual quantitative changes in the budget. The rest is more just clarifications and new information. I should mention, for the security grant, there's a new attachment to the staff report that's the actual grant agreement. That's also subject to your approval today.

So some clarifications -- on the security model, right, as we discussed last week, we're shifting away from a reliance on contractors to bring in our own in-house security guards. How we landed on that model was kind of an analysis of what was available and what we could afford.

We looked at law enforcement models using either off-duty police or retired police. That's the highest quality you get. But it costs. And for this implementation or this application, it's probably more than we need. So where we landed was this -- bring in some in-house guards.

We want them to be permanent Port employees, so they have a sense of ownership. They get familiarity with the territory and the properties but at a lower

cost. And I would remind the commission that this is one of the tools that we have to provide security.

We have a very long-standing relationship with the police department and that work order. Now, we're adding this new tool of our own security guards. And we'll still have contractors so just giving the security manager more tools to provide the right level of security in the right times.

And pursuant to one of the requests from the commission three weeks ago, we'll also be providing updates on how this implementation is going and what we learn along the way and the changes we need to make. Certainly, there will be some.

Similarly, on the parking front, where we're shifting the parking-lot model to be in more alignment with what the MTA does, we will be providing regular updates on how that implementation is going as well as the financial impacts on both the revenue and expense side because, you know, obviously we're hoping that's a good revenue driver for the Port. So we want to make sure we'll highlight those changes as they come in.

And then, we also provided quite a bit of additional information, two new attachments. The first is on the southern waterfront beautification fund. And the second was related to the resilience program. So I'll start with the waterfront beautification fund -- the southern waterfront beautification fund.

So the new attachment, attachment four, has two sort of connected tables. The table on the top is an expanded version of what was already in the staff report three weeks ago. It was really provided to illustrate what we should have paid to the fund and what we actually paid. Right.

We got behind and are finally catching up by the end of this biennial cycle. That's subject to your approval today. We will bring down that balance to zero. That's what's on the top of this attachment. Those three columns in blue on the left-hand side of the slide -- those are new columns. Those weren't included in the original table.

We included those just to give you the full picture and the full history of the appropriations and the past-due amounts. The really -- the new section is this table below. So if above was what we were supposed to appropriate and what we actually appropriated -- sorry.

This new section of the slide shows what we did with those appropriations. So that blue arrow on the right-hand side is indicating sort of the connection between the top table and the bottom table. The appropriations flow from one table to the next.

And the allocations, how we use that money, is the bottom of that lower table. The other thing I'd like to highlight here is, towards the bottom right, there's a stack of tan figures. Those align to what our economic recovery manager presented in January.

When she came before you asking for your approval to release from reserves \$10 million that was on reserve at the Board of Supervisors, she also provided some larger context on how we're doing economic recovery at the Port. So outside of that \$10 million that was on reserve, she also presented \$8 million of spending plan from the southern waterfront beautification fund.

I just wanted to illustrate how what I'm showing you today connects to what Meghan Wallace showed you back in January. So that's how this attachment works. And I hope it provides any detail that you wanted. And I'm happy to get you any project-level information if you're interested in it.

The second attachment has to do with resilience. First, I want to thank you for your patience as we developed this. And I'm sure we'll continue to develop it to make sure it's providing the transparency that we need for the commission as well as the public.

In my own career, this is the biggest project but also the earliest project we've tried to report -- or create reporting templates for. And because it's early times obviously, these figures are based on our best understanding today. But that's based on very early planning work and conceptual design work.

These will change. You know, as we learn more and have better figures, we'll be back. But today, this is our best thinking. So what this table attempts to do is break down the work into discrete categories. And those are the rows -- those blue rows.

And then in the vertical columns is how we're going to pay for that work, with what type of funds and in the year we're going to apply those funds. Just as an illustration, that top row of Port WRP management, that's sort of overall program oversight by Port staff.

That includes the management administration -- that's like contract award, con -- you know, invoice processing, advocating for the program, developing funding strategies. Obviously, this is a large local match we have to develop. And that's one of these types of work tasks that will continue throughout this program's existence.

But you can see it'll be paid for by \$930,000 of bond funds and then \$290,000 of Port funds in '24-'25 and a roughly similar split the second year. That blue bracket on the left -- I really just wanted to put in one category these sort of overarching program-level services.

These are the types of things that will exist as long as WRP exists. The difference between the first and the second row -- that second row -- this is program management services. It's still overall program management. But we're envisioning that work to be done by contract.

That's why there's that asterisk that says this will be subject to yet a separate future approval when we come back to you to request the advertisement and award of a contract -- our program management contract. Similar with communications stakeholder engagement -- that'll be subject to a separate contract and subject to your separate approval.

So after those top-three sort of overarching services or work tasks, the attachment gets more into specific discrete projects. Most of them are early Embarcadero projects. Draw your attention to -- on the -- the Wharf J9 replacement project is a good example where the deliverables from year one to year two -- you can see how we're envisioning this to progress. Right.

In year one for the J9 replacement project, we'll finish conceptual design and get to 35 percent design. And then, in year two, it goes from 65 to 95 to 100. That type of milestones in each year is intended to give you some measureable outcomes that we had been lacking in prior presentations of this budget data.

The last thing I'll point out -- and I'm here really to kind of present the data and the format of this table. Brad is also here to support me if you have any questions about specific line items. At the bottom of this table, I just want to show -- I added some color coding to this slide that's not on the attachment.

But what we're asking for in the budget today is just the Port funds. It's what's in green on this slide so \$1.7 million in year one, \$2.6 million in year two. The amounts that are in yellow have been previously appropriated. So that's some of the bond funds. We still have some of those left over from the last issuance as well as the ARPA stimulus money that was appropriated in the last biennial budget.

The funding in blue -- that's going to come back to you for approval when it's time to issue those bonds. So you know, the resilience work comes to you in a lot of different times and places. This is an attempt to try to synthesize the different ways it comes back in both appropriations but also in contract awards.

And with that, I just wanted to give you sort of a sense of the next steps. We're just entering into discussions with the mayor's budget office, the contents of our budget. We'll then go to the Board of Supervisors. Once approved, we'll come back to you to present any changes that happened in the budget, any material changes.

We'll also start working on publishing our budget book, which becomes sort of our reference document for the next two years. And we'll circulate that and

certainly share copies with you as soon as they're available. And then, also, what we want to do is start providing more regular updates on capital spending as well as those implementation updates on security and parking. That concludes my presentation.

President Brandon: Thank you, Nate.

Nate Cruz: Thanks.

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

No Public Comment on Item 11A.

Commissioners' Discussion on Item 11A:

Commissioner Harrington: Thank you. And thanks very much, Nate. Obviously, we asked a lot of the questions last time. So there's no reason to go into great detail. Thanks for following up on those with the different changes you made to the presentation and also in the write-up that we got.

Just a couple -- kind of one small thing -- I was interested when we got the attachment four. And maybe I just don't remember what happened in January since I wasn't here. But there was this \$4 million for removing red-tag facilities, which seemed kind of interesting.

I didn't know if somebody could either give me a short explanation of what that is now or just send me something. But I was wondering, you know, which facilities those might be and whether they're a big deal or not. It seemed like a good amount of money to be spending, but I didn't know what it was for. So you can do it later if you want.

Nate Cruz: Yeah. I think, if that's okay, I'll come back with that information.

Commissioner Harrington: and the only other thing, which is not really budget, but since you gave us attachment six for the WRP spending plan, since we're really kind of going from years and years of getting ready to now jumping in, I think it's worth having a broader discussion about how much we do in house and how much we contract out.

So this has an assumption that a fairly small amount is done in house. A very large amount of [broker] management is outside. I think it's worth having that kind of a conversation, seeing if it's the right mix for all time kind of. So I'd appreciate that. That's it for me.

President Brandon: Commissioner Lee?

Commissioner Lee: I think maybe I can answer the little -- I'm hoping -- that red-tag issue that came up before. There are some areas that some of the buildings have been abandoned. And there have been some skateboard or whatever, people going in there and skateboarding on the roof. I think -- I'm hoping that that money is used to secure those properties. Or there's holes that people could fall in. So I'm hoping that that's what that \$4 million is for.

Director Forbes: Let me just pause. Is this the grain silos funding?

Nate Cruz: No. It's not specific to the grain silos.

Director Forbes: Okay. It's a different account.

Commissioner Lee: Okay.

Nate Cruz: Yeah.

Commissioner Lee: So just whatever, you know, [the red tag] -- on the in-house security -- so you realize that doing -- being in the entertainment field, you know, I always love to have in-house security rather than hiring out only because of control situation.

Do you find that you will be able to have more staffing because you're saving money that way? Or are you going to have the same amount of security out there? I mean, I know you'll save money by not having [retiree] in your report. But I'm just curious on deployment if you're going to have extra in-house security for that.

And I know that, in some other cities -- and I think this is maybe just a suggestion that we have little information -- you know, security booth, you know, that they can get their water and whatnot but, at the same time, answer questions to the tourists.

And it's also a deterrent, you know, when there -- maybe for some of these illegal vendors they see that we have a security hut or something kind of in that area. So I don't know if that could be part of the budget. But I'd like to see something like that. I think some cities have that. But other than that, you know, great budget.

Director Forbes: Mike's going to come up and make some comments.

Mike Martin: Good afternoon, commissioners. Mike Martin, assistant Port director. I work with our security manager, Kyle Thomas, on the strategy. The Port employee security guards are really intended for off hours, nights and weekends so that we have a Port employee on scene that can interact with law enforcement, can interact with maintenance, can make sure that sites are secure.

Right now, we use contracted for security [from that end], and it's kind of hit or miss. So it's not so much an augmentation as it is a confidence level that we'll have that kind of response time since so many of our things happen in off hours.

Definitely hear you on the interactions with the public. We're actually looking to use ambassadors for that. We have some already contracted under our Fisherman's Wharf grant. But we also tried out a bunch of them from the Union Square group and the PD group over APEC. And we're going to use those more and more. And that's already sort of baked into the budget and the relationships that Kyle has grown.

Commissioner Lee: Are they in uniform?

Mike Martin: It's sort of distinctive ambassador garb.

Commissioner Lee: Okay.

Mike Martin: I think you've seen them around -- I've seen them around Union Square.

Commissioner Lee: The city ones, right?

Mike Martin: Yes. Yes.

Commissioner Lee: Okay.

Mike Martin: Exactly right.

Commissioner Lee: [I get it].

Mike Martin: But that'll be more surge more than day to day. But we certainly -- as we're doing -- hoping to change some of the momentum on vending in Fisherman's Wharf, we may see them more up there as we try to deploy not only ambassadors but enforcement personnel.

Commissioner Lee: Now the ambassadors are just there to walk and secure and maybe people that need medical attention or whatever but nothing for the illegal vendors or anything like that -- [crosstalk]

Mike Martin: No. That would be a different strategy. And we're working with Public Works along with our law enforcement detail to sort of understand how that strategy will sort of mesh with the ambassadors, which -- you're right -- are more speaking with visitors, 311 calls, things like that that are a little less law-enforcement directed or vending-enforcement directed.

Commissioner Lee: But they will call it in --

Mike Martin: Yes. Yeah.

Commissioner Lee: -- when they see it. Okay.

Mike Martin: So there's definitely a communications aspect, another pair of eyes. But it's less directly affecting that behavior.

Commissioner Lee: Okay. Thank you.

Mike Martin: Sure.

President Brandon: Thank you. Nate, thank you so much for the presentation. Thank you for all the work you did to include the WRP spending plan and the clarification of the beautification funds. It made it much clearer and easier to understand. So thank you. And I also look forward to the security and parking updates and know that both are going to be extremely successful. So thank you.

President Brandon: All in favor?

Commissioner Harrington: Aye.

Commissioner Lee: Aye.

President Brandon: Any opposed?

Resolution 24-14 passed unanimously.

12. REAL ESTATE & DEVELOPMENT

A. Informational presentation to consider and possible action to approve a resolution recommending the Board of Supervisors waive any applicable requirements of the Competitive Bidding Process with respect to a new 18-month lease with SkyStar Wheel, LLC and presentation of terms for the proposed new lease. (Resolution 24-15)

Don Kavanagh: Good afternoon, commissioners. I'm Don Kavanagh, the senior property manager for Fisherman's Wharf. I'll be presenting our recommendations and possible action for extending the SkyStar Wheel. I'll present some background. I'll present our results of the analysis of the competitive bidding process, public feedback and some lease terms.

So I'll start -- a little background is that the Port was approached in the summer of 2023 about relocating the SkyStar Wheel at Golden Gate Park to Fisherman's Wharf. We all thought that was a good idea and worked very hard to get them in place by APEC which we did under a special event license.

That license was limited to a six-month term because that's all BCDC would be able to give us for a special event license. So that license expires April 30th of this year. And we're looking to extend that term for another 18 months.

With the waiver of competitive bidding, essentially what I determined was that there are no realistic competitors -- what happened? Thank you [laughs] whoever advanced my slides. [laughter] So where was I?

In my analysis -- or due diligence of the SkyStar Wheel, I discovered there are no real competitors other than the SkyStar operator we're working with. There was a development company in St. Louis that had a couple of wheels. But those wheels were provided by our principal. But they're no longer developing. So they're not competition.

If we were to go to market and try to get a SkyStar through a competitive bidding process, it would take 18 months and cost \$10 million. So I didn't think there were many competitors for investing \$10 million that had an 18-month return horizon.

And further, we want to extend the term of the lease, so we don't end up with a shutdown at the end of the special event license, which is a distinct possibility. So as a result of all of that, we felt that going out in a competitive bidding process would not result in a favorable response, would take a lot of time and not achieve the goals that we're looking for.

So for those reasons, we're looking for a waiver of the competitive bidding process. We also engaged in extensive community engagement. We went to the [fish WAC]. We received very favorable results from members of the fish WAC. Only one person mentioned something about traffic. But she couched that as a routine problem, not a problem generated by SkyStar.

We also received feedback from the community in the form of messages from public. The primary issue was that the lights were disruptive. They had colors and movement. We came up with a plan to only allow white lights facing the city.

I came to learn that the wheel can only support one color of lights, so both sides are white. And there's no decorative display. So that addressed the color part of it. But there were still people that were concerned about it went a little over 10:00 p.m., or there were colors in the lights.

For example, last weekend, they used a red light for Chinese New Year. But that induced comment. So we've set this up in a way to handle these. I'm now the primary focus for people that complain. I'm working with the SkyStar operator to immediately address the complaints.

We had an example today. So I think that's working. There's other things that the SkyStar Wheel will need to put a number or email address where people can actually send comments directly to them. So we're keeping track of that. So far, I think the lighting issue is now resolved.

But on the other hand, I don't think we're ever going to improve -- make everyone happy. So the vast majority of the people were supportive through the community engagement of extending the license -- or the term.

So the financial aspects of the lease are quite similar to what the special event license has. We're extending the term to October 31, 2025. The base rent stays the same. But we're going to bump it at the one-year anniversary of the term. They're going to continue to pay 5 percent percentage rent.

We're allowing the operator to increase rates as they see fit. And we adjusted the complimentary ticket policy just a little bit to remove two-for-one tickets on Tuesdays and Wednesdays because nobody took advantage of that. And the operator and I think they reached the targeted demographic through the complimentary tickets -- the 500 tickets that they distribute every month. And we're adding a provision into the lease that will control the lighting.

So the next steps -- I welcome comments and thoughts. And I recommend -- the Port staff -- we recommend that the commission adopt the resolution to waive the competitive bidding process, conditionally approve the proposed lease terms and then direct Port staff to seek board of approval for the waiver of the competitive bidding. That's my presentation.

ACTION: Commissioner Harrington moved approval of the resolution as amended. Commissioner Lee seconded the motion. (see amendment below)

No Public Comment on Item 12A.

Commissioners' Discussion on Item 12A:

Commissioner Lee: Well, of course I love this sky wheel thing. [laughs] I'm just curious -- a couple things. Since it's been up -- and I know it's been drawing traffic -- did you -- on the real estate side, do you have a little bit more interest in renting empty spaces down there now? Do you feel any kind of motivation that maybe there's some hope of --

Don Kavanagh: Well, I can't draw just a direct line to more demand for restaurant space. But I can say the number of traffic -- the visitors has increased since the SkyStar Wheel has been there. And the neighboring restaurants and other businesses have said they've seen an increase in traffic. So I think, as part of a leasing process, this SkyStar Wheel that brings more people to the wharf than before will be a draw for people to lease space.

Commissioner Lee: All right. Okay. And then, since there's only really one operator owner of this wheel, what happens -- and it's only 18 months at a time. What happens if some entrepreneur says, "You know what? I want to get in there and build me a wheel"? Now, what happens in that case?

Do we have to go back to competitive bidding again? Or is this a one-shot deal where we waive the competitive bidding now because there is no competition? But who knows later that some entrepreneur makes some kind of different kind of sky wheel or something. I'm just curious.

Plus, I know that there's some proposal of building something on this lot because I would love to see it somewhere else. But I don't know where we could put it. [laughs] I mean, these are way-out questions.

Don Kavanagh: Well, I think one of the things we have to consider is the Fisherman's Wharf Revitalized is the company that has presented a -- we're now under an exclusive negotiating agreement with them. So the term was limited because of that possibility of proceeding.

We're not going to offer holdover or an extension option. But at the end of the term, maybe the Fisherman's Wharf Revitalized with partnership with the wheel.

Commissioner Lee: I see. Could be part of their plan.

Don Kavanagh: Yeah.

Commissioner Lee: Okay.

Don Kavanagh: But we have to be cognizant that this larger project is in play.

Commissioner Lee: Right.

Don Kavanagh: And we don't want to have the SkyStar Wheel somehow impact that project. So that's why it's limited to 18 months.

Commissioner Lee: I see.

Don Kavanagh: But at the end of the term, if the conditions are right, you know, there's no reason why we couldn't go out again.

Commissioner Lee: But we would have to revisit this every 18 months.

Don Kavanagh: Well, depending on the term. Eighteen months is restricted by the SF Revitalized plan.

Commissioner Lee: Right.

Don Kavanagh: But if for some reason that doesn't come to fruition, I don't think we'd have the same limits.

Commissioner Lee: Hmm. Okay. Okay. Thank you.

President Brandon: Thank you. Thank you, Don. Great presentation. So just for clarification -- well, first, how is it going?

Don Kavanagh: It's doing well.

President Brandon: Do people enjoy it?

Don Kavanagh: It's doing well. I have statistics related to that.

Director Forbes: People love it. [laughter] People are really enjoying it. We're getting great feedback. And now, give the statistics. I did a preamble. [laughter]

Don Kavanagh: Thank you, Elaine. So in December, there were 39,000 passengers that rode the wheel. That's 165 percent increase over the riders a year ago when the wheel was at Golden Gate Park. January dipped from seasonality to 28,000 visitors. But even that was 120 percent over what they did in January of '23 at Golden Gate Park.

President Brandon: That's great.

Don Kavanagh: So there's one other sort of subtlety to this is that the SkyStar is paying both base rent and percentage rent combined. It's not percentage rent over base. So we have a pretty good financial structure there. So I think the SkyStar Wheel has been a net positive financially for the Fisherman's Wharf.

President Brandon: That's great. Thank you. And the lights -- they have to remain white all the time now or just at night?

Director Forbes: It's actually -- white is the primary color. But they can have another primary color for festivals or other purposes so an orange -- all orange, all red. The main issue was multiple lights going together in sort of various patterns was difficult for some of the residents. So the all white has been well received.

Don Kavanagh: Yeah.

Director Forbes: But all any other color too has -- but it's celebratory essentially.

Don Kavanagh: Right. It could be for -- like it was for Chinese New Year last weekend. You know, if the 49ers won, they might have put orange. You know, it's those limited sort of events. And it's not a recurring -- not a regular thing.

President Brandon: So no multicolor flashing lights, only --

Director Forbes: Correct. [laughs]

President Brandon: -- solid colors all the time.

Don Kavanagh: That's correct.

Director Forbes: Correct.

President Brandon: Got it. Got it. And timing of the lights -- do they have to turn them off at a certain time?

Don Kavanagh: 10:00 p.m.

President Brandon: 10:00 p.m. Okay.

Don Kavanagh: They had some programming issues that they worked through that made them stay on a little bit longer, which we immediately heard about. So that's -- primary focus is to make sure the lights go off at 10:00 p.m.

President Brandon: Great. Thank you. Hopefully, everybody is happy and satisfied.

Commissioner Harrington: Just one comment?

President Brandon: Sure.

Commissioner Harrington: I'm going to vote for this. And I realize people are big fans of this. I'm not. [laughter] I think it just adds to the carnie atmosphere of Fisherman's Wharf. I would hope that, in 18 months, we can do better.

Director Forbes: Interesting.

Commissioner Harrington: So I'm hoping either the revitalized people come up with a better idea or that we go out and do something different because I am not a fan.

Don Kavanagh: So you wouldn't be in favor of a carnival-style Ferris wheel.

Commissioner Harrington: I would not be in favor of --

Don Kavanagh: Okay.

Commissioner Harrington: -- carnival Fisherman's Wharf. [laughter] This just adds to that. [crosstalk] I do get other people like it. And it's making money. And there's nothing else being done right there now. So --

Director Forbes: Yeah.

Commissioner Harrington: -- it's fine. I'm voting for it. I also think, you know, the -
- waiving competitive bidding is fine for this purpose. But --

Don Kavanagh: Thank you.

Commissioner Harrington: -- I would hate to see this being the long-term view of what Fisherman's Wharf --

Director Forbes: Interesting. We can do better.

Commissioner Harrington: -- could be like.

Director Forbes: We can do better.

Don Kavanagh: We'll keep that in mind.

Commissioner Harrington: Thank you.

President Brandon: We have bigger and better plans --

Commissioner Harrington: I hope so.

President Brandon: -- for Fisherman's Wharf.

Director Forbes: Mm-hmm.

President Brandon: Any other comments or questions? We have a motion and a second.

Michelle Sexton: Excuse me.

President Brandon: And we have an amendment.

Michelle Sexton: I'm so sorry. Michelle Sexton with the city attorney's office. I inadvertently when was preparing the resolution forgot to include the CEQA provisions. So I need to amend the resolution and add a couple of whereas clauses. I'm going to read them out loud with your approval if you would accept them.

So we're adding a fifth whereas clause, whereas addendum to the environmental impact report, Planning Department project case number 2023-

009039ENV dated October 30, 2023 addendum two, analyze the relocation to an operation of the wheel in Fisherman's Wharf based on the waterfront plan final environmental impact report, Planning Department case number 2019-023037ENV that was certified on March 16, 2023 and defined as the FEIR and identified the following mitigations measures to be potentially applicable to relocation and operation of the wheel --

-- [MCR2(a)] procedures for accidental discovery of archaeological resources for projects involving soil disturbance, MCR2(b) archaeological monitoring program, MCR2(c) archaeological testing program, MCR2(d) treatment of submerged and deeply buried resources and mitigation measure MAQ4(c) best available control technology for projects with diesel generators and fire pumps, each as further described in the FEIR and collectively the mitigation measures under California Environmental Quality Act, California Public Resources Code sections 21000, etcetera and --

-- adding another whereas as new after whereas seven -- whereas the lease allows a temporary continuation of the existing use of the site with the same maximum intensity of use and is therefore within the scope of the project evaluated in addendum number two --

-- and resolved -- a new first resolved -- that the Port Commission adopts the findings and conclusions in addendum two and adopts the mitigation measures identified in the FEIR in addendum two as conditions of this approval action.

And be it further resolved -- that resolved remains the same. But we're going to add in be it further. And then, we had one little error in the last resolved. To the last se -- I'll just read the whole resolved. Resolved upon approval of the waiver by the Port Commission and Board of Supervisors, Port staff shall proceed to execute a lease with substantially the same terms and under the authority set forth in the staff report accompanying this resolution. And that concludes my revisions.

Commissioner Harrington: I would like to move approval of the amendments and the resolution as amended if I can do it one motion.

Michelle Sexton: Yes.

Commissioner Lee: I second that.

Michelle Sexton: Thank you.

President Brandon: All in favor?

Commissioner Harrington: Aye.

Commissioner Lee: Aye.

Resolution 24-15 passed unanimously.

13. PLANNING & ENVIRONMENT

- A. Informational presentation and possible action to approve an artwork proposal by artist Ana Teresa Fernández for installation at Cruise Terminal Plaza, located adjacent to the Pier 27 James R. Herman Cruise Terminal, as recommended by the San Francisco Arts Commission (SFAC) Artist Review Panel and funded by the 2012 Parks General Obligation Bond; and to authorize the Port's Executive Director to enter into a Memorandum of Understanding with the Arts Commission for the fabrication, installation, maintenance and liability for the selected artwork to be a part of the City's Civic Art Collection. (Resolution 24-16)**

Ryan Wassum: Good evening, commissioners. My name is Ryan Wassum. And I'm a planner in the Port's planning and environment division. As you may recall, myself along with the Arts Commission staff were here in July and presented the three artist proposals -- the three artists -- sorry.

After we saw you guys last, the top three artists were then -- they went to work on putting proposals together for the Pier 27 cruise terminal plaza. And after the proposals were done, there was a panel that reconvened in December that selected a final piece of artwork and artist. And that went before the northern advisory committee in mid-January.

And now, we're here before you today and just wanted to say those few little tidbits and highlights before I pass it over to the Arts Commission to kind of give you more of an informational overview and then possible action on the art proposal. With that, Marcus Davies.

President Brandon: Thank you.

Marcus Davies: Hi. Good afternoon, everyone. And thanks for inviting me to present progress to date on the Pier 27 cruise terminal plaza public art project. All right. Just as a brief recap, the Arts Commission began work with the Port in 2022 to commission an artwork for the James R. Herman Cruise Terminal Plaza at Pier 27.

Located on the northern waterfront and the Embarcadero between Chestnut and Lombard Streets, the terminal and plaza was built in 2014 to host cruise ships year round and double as an indoor/outdoor event center on non-cruise days.

The terminal plaza is open to the public and accessible by transit, on foot and by vehicle. In collaboration with the Port and Bay Conservation and

Development Commission, the pedestrian entrance to the plaza south of the existing historic beltline building is identified as the preferred public art zone. You see that outlined with the dotted circle there.

This zone offers visibility from the cruise terminal and its ships, the Embarcadero sidewalks and the roadway beyond. The artwork within this zone will contribute to the transit experience of cruise terminal passengers and the future activation of the beltline building. Its location also allows for a bold visual statement while maintaining views through the plaza to bay vistas beyond.

At the outset of the project planning, goals were developed with the Port in keeping with Bay Conservation and Development Commission policies. These goals were highlighted in the approved public art project plan RFQ and all phases of the proposal development and the selection panel process.

As the artwork will eventually be accessioned by the Arts Commission, the project goals also align with those of the civic art collection. Fundamentally, the civic art collection contributes to and promotes a rich, diverse and stimulating cultural environment reflective of the city's values.

The total art enrichment amount for the project is \$330,000. The art implementation budget is \$136,000 inclusive of all artist fees as well as associated expenses for artwork design, fabrication, insurance and transportation. The allocation for anticipated site work and installation of the artwork itself is \$60,600. And a set aside for long-term conservation and artwork maintenance is \$33,000.

The RFQ was issued on October 20, 2022 and extended to January 13th of 2023 to accommodate the end-of-the-year holidays and allow for additional outreach through the distribution channels that are shown on this slide.

At the close of the RFQ, we received a total of 144 applicants with 91 California-based applicants, 58 Bay Area-based applicants, 34 San Francisco-based applicants and, overall, 57 applicants identifying as BIPOC, which was a voluntary demographic field in the application process.

Just a few notes on our extensive artist-selection process, just an overview -- an artist qualification panel consisting of arts professionals and Arts Commission staff member reviewed the applications and identified 28 artists to be advanced to an artist review panel consisting of Port, BCDC and community representatives, the terminal project architect, arts professionals and an arts commissioner.

The review panel identified three artist finalists to develop site-specific proposals for consideration. The three finalists: David Brooks, Ana Teresa Fernández and James Shen met with the project team on site for an artist orientation and were given time to develop site-specific conceptual proposals.

The proposals were displayed for three weeks in the public lobby of the Port offices at Pier 1. They were posted on the Arts Commission's website and social media and emailed to the Arts Commission's extensive mailing list. Opportunity for public comment was provided via a QR code included in all communications. And all comments received were made available to the review panel.

The artist review panel reconvened to consider the artist proposals in an interview format and recommended Ana Teresa's proposal for approval by the Arts Commission on January 5th. And on January 17th, a project update including Ana Teresa's proposal was presented to the Port northern advisory committee. So that brings us up to date here.

And I just wanted to include a few notes on Ana Teresa's artwork, her practice in her own words. Ana Teresa Fernández is an artist of fluencies. A student of linguistics, she speaks five languages. An artist of border erasure, she elevates the intersectionality of place, person and politics to create a common human vernacular.

Time-based actions and social gestures are her syntax. Land, history, gender, climate and culture are her subjects, Performance video, photography, painting and sculpture become her tools of grammar.

Born in Tampico, Mexico, Fernández grew up in California and makes her home in San Francisco. She's created residencies and public work in Haiti, Brazil, Spain, South Africa, Cuba and Mexico and throughout the United States. Major public projects include "On the Horizon," which you see here which was featured in the 2021 Land End exhibition organized by the FOR-SITE Foundation.

And she's currently engaged with the City of Napa in creating a permanent art piece to be installed in 2024. Ana Teresa's work is included in the permanent collections of the Fine Arts Museums of San Francisco, the Indianapolis Museum of Art, the Denver Art Museum, the Nevada Museum of Art, the National Museum of Mexican Art in Chicago, the Cheech Marin Center for Chicano Art in Riverside and the Kadist Art Foundation in San Francisco and Paris.

Ana Teresa lives and surfs in the Outer Sunset, has a studio in the Bayview and is deeply connected to the project site through her love of the ocean. Ana Teresa's selected proposal for Pier 27 is an artwork made of colored polycarbonate panels framed by steel tubing. This is a rendering by the artist.

The title "Mareas" meaning tides captures changing light, color and reflected form as projected across the plaza in changing light and weather throughout the day. Its colors and form recall rainbows, water and light at sea. And the piece offers contrast to the scale and dominance of nearby architectural features.

It offers a welcome to cruise passengers and passersby alike and invites interaction and association as a unique landmark along the city's waterfront. As proposed, the arch will stand almost 15-feet high, 24-feet wide and seven-feet across. It will be made from architectural materials used in muni shelters -- that's the polycarbonate -- which offers similar structural integrity and durability.

Ana Teresa has met with the Arts commission to review her proposed materials in light of the site's unique environmental requirements. And she will be further developing the structure's form and construction through upcoming design development once under contract.

Vandalism abatement methods are also being actively reviewed by the Arts Commission and artist, as the Arts Commission will be responsible for the care of the sculpture with assistance from the Port in providing non-specialized cleaning services such as power washing as needed.

Future maintenance protocols will be detailed in an MOU, as agreed upon by both agencies in a 2022 work order agreement. Vandalism abatement methods are also under current active review by the Arts Commission as the Arts Commission -- oops. Sorry. That's a repeat of that information. Apologies.

As for anticipated next steps following Port Commission approval, I expect to have the artist under contract in March with her design phase to carry into September. Fabrication will take place through May and June of 2025. Installation will occur following final inspections in July 2025. And conservation care of the artwork will be ongoing as required. So I don't know if anybody has any questions. I'm happy to do my best to answer them.

Ryan Wassum: So for the recommendation, we're recommending that Port Commission consider and take possible action to approve the proposed artwork by Ms. Fernández and the attached resolution. And as -- he outlined some next steps. But in addition to that, we're going to -- Port staff to prepare an MOU for the Port's executive director to enter with the Arts Commission for the fabrication, installation, maintenance, insurance and liability for the proposed artwork.

And then, we will continue to work with SFAC staff this spring on the design and development of our proposal prior to installation of May of 2025. So if you have any questions now, please direct them to either me or Marcus. Thank you.

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

No Public Comment on Item 13A.

Commissioners' Discussion on Item 13A:

Commissioner Harrington: Thanks very much. I love this piece. I think it'll be great. It'll be a very nice addition to the Port. So thanks very much for all the work that went into it. I also really like Ms. Fernández's personal story. And it's nice to think that we're giving this work to a young BIPOC artist who lives in San Francisco.

So I have no questions at all about this. I do have a question though. By the time you get through all those different people and you're down to the three finalists, those folks end up having to put quite a bit of work into finalizing their proposals. Do we ever offer anything to those that don't get it so that -- at least we reimburse the other two that were finalists for the work that they had done?

Marcus Davies: Certainly. That's a great question. Yes. All artists were paid an honorarium for the time and effort in the proposal-development phase.

Commissioner Harrington: That's great. Thanks very much.

Marcus Davies: Yeah.

Commissioner Harrington: That's all.

Marcus Davies: We make sure that there's parity and equity across the board in that regard. Good question.

President Brandon: Thank you. Commissioner Lee?

Commissioner Lee: No questions really. I wish it was here. My wife's an artist, so I hear concepts all the time. You know, this is a very interesting thing with the lights changing. So I'd just kind of like to hear from her. But it's good. Thank you so much.

President Brandon: This is a great presentation. And I really appreciate all the effort that was put into selecting this artist. It's a beautiful piece. And we look forward to the installation. Is this a long-term installation? Is it --

Marcus Davies: This would be commissioned as a permanent artwork, yeah, over its anticipated lifespan.

President Brandon: And what do we think that is?

Marcus Davies: Per our typical contracts, that's 35 years --

President Brandon: Nice.

Marcus Davies: -- anticipated lifespan.

President Brandon: That's great.

Marcus Davies: That's an average.

President Brandon: Thank you. That's all my questions. We have a motion and a second. All in favor?

Resolution 24-16 passed unanimously.

14. NEW BUSINESS

Director Forbes: I have recorded that we will research and get back on the legislation related to the storage containers that Mr. Sittnick called in about. And I also have that we will come back to talk about the right design in terms of contracting in and using staff work on the waterfront resilience program. And we also will continue to endeavor on the unlicensed vending situation. Is there other new business?

Commissioner Harrington: Was the first item -- did you say storage or propane?

Director Forbes: I was struggling with that -- [laughter] propane. I think it's propane tanks. Yes. Thank you.

Commissioner Harrington: Thanks.

President Brandon: Any other new business?

President Brandon: If there is no other new business, can I have a motion to adjourn?

15. ADJOURNMENT

ACTION: Commissioner Harrington moved to adjourn the meeting. Commissioner Lee seconded the motion. All commissioners were in favor.

President Brandon: Meeting adjourned at 4:28 p.m.