



SAN FRANCISCO PORT COMMISSION

**AUGUST 13, 2024
MINUTES OF THE MEETING**

MEMBERS, PORT COMMISSION

**HON. KIMBERLY BRANDON, PRESIDENT
HON. GAIL GILMAN, VICE PRESIDENT
HON. WILLIE ADAMS, COMMISSIONER
HON. STEPHEN ENGBLOM, 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
AUGUST 13, 2024

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

Port Commission President Kimberly Brandon called the meeting to order at 2:00 p.m. The following Commissioners were present: Kimberly Brandon, Gail Gilman, Willie Adams, Stephen Engblom, and Steven Lee.

The Commission Affairs Manager read the Ramaytush Ohlone Land Acknowledgment.

2. APPROVAL OF MINUTES – July 16, 2024

ACTION: Vice President Gilman moved approval of the minutes. Commissioner Adams 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: Vice President Gilman moved to go into closed session and invoke attorney-client privilege for Conference with Legal Counsel. Commissioner Adams seconded the motion. The motion passed unanimously.

(1) CONFERENCE WITH LEGAL COUNSEL REGARDING ANTICIPATED LITIGATION MATTER (Discussion and Possible Action)

(a) Discuss anticipated litigation matter pursuant to California Government Code Section 54956.9(d)(4) and San Francisco Administrative Code Section 67.10(d)(2) (Discussion and possible action):

___ As Defendant X As Plaintiff

Discussion of anticipated litigation by and between the Port and Bauer's Intelligent Transportation, Inc. related to events of default in connection with Port Leases L-16206, L-15004 and Parking Agreement No. 003805 at 401 Terry Francois Boulevard, Pier 50 Shed A and Shed C, and Pier 96, respectively.

Present: President Kimberly Brandon
Vice President Gail Gilman
Commissioner Willie Adams
Commissioner Stephen Engblom
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
Kimberley Beal, Assistant Deputy Director, Real Estate & Development
Jennifer Gee, Senior Property Manager
Karen Chan, Property Manager
Annette Mathai-Jackson, Deputy City Attorney
Michelle Sexton, General Counsel

(2) 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: Pier 92 and Pier 94
Person Negotiating: Port: Andre Coleman, Deputy Director, Maritime; Demetri Amaro, Maritime Business Development
Negotiating Parties: Martin Stratte representing Martin-Marietta
Under Negotiation: ___ Price ___ Terms of Payment X Both

Price and Terms of transfer fee payment for Port Leases L-12839 (Pier 92) & L13002 (Pier 94) from HBMA Holdings, LLC to Martin Marietta Northern California Aggregates, LLC. In October 2021, Martin Marietta Northern California Aggregates, LLC. ("Martin Marietta") acquired HBMA Holdings, LLC ("Hanson") West Region business, including the lease agreements between the Port of San Francisco ("Port") and Hanson. Now, Martin Marietta seeks retroactive consent to the transfer of the Leases to their organization. Port staff are evaluating the proposed consent to transfer including the proposed price and terms of payment, disposition of tenant improvements, and other factors affecting the form, manner and payment of consideration for a possible consent to transfer that is

most likely to maximize the benefits to the Port, the City, and the People of the State of California.

Present: President Kimberly Brandon
Vice President Gail Gilman
Commissioner Willie Adams
Commissioner Stephen Engblom
Commissioner Steven Lee

Also present: Elaine Forbes, Port Director
Michael Martin, Assistant Port Director
Jenica Liu, Commission Affairs Manager
Andre Coleman, Deputy Director, Maritime
Dominic Moreno, Assistant Deputy Director, Maritime
Demetri Amaro, Maritime Business Development
Annette Mathai-Jackson, Deputy City Attorney
Michelle Sexton, General Counsel

(b) Property: Pier 15/17

Person Negotiating: Port: Sandra Oberle, Senior Property Manager,
Real Estate

Under Negotiations: ___ Price ___ Terms of Payment X Both

Port staff are negotiating the extension of the Pier 17 construction commencement date with Exploratorium. The executive session discussion will be an opportunity for the Port Commission to provide negotiation direction to set the price and payment terms that are most likely to maximize the benefits to the Port, the City, and the People of the State of California.

Present: President Kimberly Brandon
Vice President Gail Gilman
Commissioner Willie Adams
Commissioner Stephen Engblom
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
Kimberley Beal, Assistant Deputy Director, Real
Estate & Development
Sandra Oberle, Senior Property Manager
Grace Park, Deputy City Attorney
Michelle Sexton, General Counsel

5. RECONVENE IN OPEN SESSION

- A. Possible report on actions taken in closed session pursuant to Government Code Section 54957.1 and San Francisco Administrative Code Section 67.12.

No Report.

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

ACTION: Vice President Gilman moved to reconvene in open session without disclosing closed session discussions. Commissioner Adams 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:

Flicka McGurrin: Good afternoon, commissioners. I am here representing Pier 23 Café, where I have been for a long time, for almost 40 years. And it's a real labor of love. And I'm here because we've been having a very hard time post-COVID. And I've brought my family in. I have three kids. And they're all helping.

And we have adjusted as well as have been able to. And we are prepared to keep working there as long as we can because we love it. But I would like to introduce my kids to also elaborate on what our issues are. Thank you.

President Brandon: Thank you.

Flicka McGurrin: So the first one is McGurrin Leibert.

Director Forbes: Madam President, we'd like to subscribe three minutes again for each speaker. Would that be acceptable?

President Brandon: Okay. That's fine. Yeah.

McGurrin Leibert: Thank you. We sent a letter to City Hall and the Port last week. And I'd like to read some of the main points from it here. We have been a dedicated and proud tenant for 38 years, a tenant in good standing for 36 of those years. Not being able to pay our minimum rent for reasons beyond our control is a huge wake-up call.

Our legacy-business status represents our rich history with San Francisco waterfront. Today, we realize our future is in jeopardy as the post-COVID reality has hit us hard. We have restructured our business operations in a strict attempt to stay afloat.

We require the Port of San Francisco's assistance in restructuring our lease. We need lease terms that are sustainable. We would also like a lease extension. In the letter, our P&Ls, profit-and-loss reports, from 2018, 2022 and January through June of 2024, our annual revenue went from over \$5 million in 2018 to less than half that in 2022.

Losing money consistently has drained our savings and resources. We hope to continue to work together in a sincere effort to maintain our significant presence in San Francisco. If for some reason we cannot agree to sustainable terms, we will have to walk away.

We would hate to add Pier 23 Café to the expanding list of legacy waterfront businesses that have been forced to close their doors in the last few years. Thank you.

President Brandon: Thank you. Lei?

Lei Levi: Hello. Thank you for having us today. My name is Lei Levi. And I'm part of the Pier 23 Café family. San Francisco is in danger of losing its heart, its identity. When you walk along the Embarcadero today, there are not many SF small businesses left. You see restaurants that offer Mediterranean fare, Peruvian, Spanish, New Orleans, American cuisine, which are all delicious but honestly could be found in any city across the U.S.

Most restaurants on the San Francisco waterfront feel corporate owned by high-end food groups. Pier 23 Café is distinctly SF. We are a small business that is family owned and operated by family. We know San Francisco. We are San Francisco. We were all born and raised in this wonderful city.

Our family is proud to be stewards of this classic San Francisco establishment. Pier 23 Café has been a hub of our community for the last 38 years. But like most of SF, this economy has hit us hard. We have pivoted countless times since the pandemic.

We've limited our menu, decreased our labor costs, changed our business model. With all these changes, we are doing better. But we still need your help. That is why my family is here today to ask assistance from you, the San Francisco Port Commission to help us through this tough time. Like the phoenix, a symbol of San Francisco, we know Pier 23 Café will rise again. Thank you very much.

President Brandon: Thank you. Is there any other public comment? Seeing none. Do we have anyone on the phone?

Operator: There are no callers for public comment at this time.

President Brandon: Thank you so much. Public comment is closed. And while we can't discuss items that are not listed on the agenda, I would like to direct staff to work with the family at Pier 23 Café. You have been a long-term tenant. And we hope that we can help you survive this difficult period. So Director Forbes, can you have real estate meet with Flicka and family and report back to us within the next few months?

Director Forbes: Absolutely. Thank you, Madam President.

President Brandon: Thank you.

9. EXECUTIVE

A. Executive Director's Report

- **Economic Recovery**
- **Equity**
- **Key Project Updates**

Director Forbes: Good afternoon, President Brandon, Vice President Gilman, Port commissioners, Port staff and members of the public. I am Elaine Forbes. I'm the Port's executive director. And first, before I go any further, I'd like to welcome Commissioner Engblom. Nice to see you, Commissioner Engblom.

Commissioner Engblom: Thank you, Director Forbes.

Director Forbes: We're just so excited to have you. We have a very excellent Port Commission who guides us so well because of the passion for the Port but also the differences of understandings and perspectives. And we're excited to have an urban designer and a planner on our commission because we have a resilience program. And we have one of the most beautiful waterfronts in the world that we're protecting from an urban-design perspective.

And we're just thrilled you're coming. I think David Beaupre is happy, our planning director. And because we are approaching problems relative to how to rebuild our waterfront with changes in heights and scale. And we can't wait for your perspective. So welcome to the Port Commission.

The second thing I would like to talk about is equity. Today, we have an art exhibit. And I wanted to let you know about the story of Ary Lochakov and our staff. It's such a proud story. And I wanted to thank you for allowing the team and encouraging me to let staff be more creative in their work, first and foremost.

Staff being more creative in their work helps staff be better at their jobs all around. And it's really helping our organization thrive. So we have a wonderful gardener, Jermaine Joseph. And he was at Crane Cove Park where he saw a series of art pieces. He didn't know they were art pieces. It could have been trash.

But he thought it was important enough to get others involved. So he called his colleagues. And it turned out to be this assemblage of pieces from a World War II artist, who was killed in the Holocaust or succumbed to the Holocaust. And his artwork was very scant in terms of what was available in Paris.

He had a couple of key pieces. But his full work did not come to fruition in his lifetime. But it did come up in Crane Cove Park. And so this is a story of our staff figuring that story out as they try to figure out what to do with our Port property because we're very proud of our Port property and where it belongs.

And it's also a story of them figuring out how to return his work to France where it belongs, where it would have been otherwise. And I'm just really proud of my team. And I will also say, as the director when they came to me on the v -- they were very strategic. And there's a lot of people involved in making this happen.

And they were so thoughtful. The first thing when it came up, I said, "Well, we have to tell everyone about these works." And they said, "Are you sure? Because we might not be able to get it to Paris through the commission if one person in the whole Bay Area says they might own it. We'll be waiting a little while. [laughs] So let's be thoughtful about how we do."

And we were. And we were thoughtful to get it out for folks that may own the art but also thoughtful to get the art back too. There were so many different conversations that we had along the way that I'm just so proud of how they thought of the values of what we wanted to achieve as well as how to achieve it.

And Port staff are very well commended. This commission knows its staff. And it can see its staff's talent. But city staff aren't well commended in the way we get to be commended. And I just want to recognize its easier for us because we have a commission that allows us to be creative. And we have a lot of our own rules and capabilities.

And we get a lot more light on us. And we're really proud to be able to do that. And we hope other departments also can join in more and more capability to show just how talented our workforce is. So I just wanted to start with that. And congratulations. We get to see the show. It's going to be wonderful.

I do want to say it's going to be a free exhibit in the Grand Hall of the Ferry Building. And it features 38 original works by Lochakov, a Russian Jewish artist whose legacy fell into obscurity after his death in Nazi-occupied France. The exhibit will feature information about his life and art.

It's a unique show. And it's a chance for everyone to see his works before the collection is transferred to the Museum of Art and History of [Judaim] in Paris. The hours of the exhibit are Wednesday through Friday this week, 8:00 a.m. to 6:00 p.m. and Saturday from 10:00 to 2:00.

And then, I have several other equity reports for today. But I don't want to give them. Instead, I'm going to submit them for folks to read into our commission file because I do want us all to get out by 5:30 or at least 6:30 to do the art exhibit.

But I do want to say that I'm so impressed. You're going to hear about Port staff's Oregon and Washington trips, our internship program, Pier 50 training on exams. And what I -- we're going to do some videography [video gap] what's going on in our equity program.

In the art exhibit, you're going to see videography our own staff did to tell the story of Ary Lochakov. But we're going to tell the story of some of this work we're doing because it's really impressive. And you know, when you start something for the first time, it doesn't always feel right.

And Tiffany Tatum and others have been working on these internship programs. But they're taking speed now. And they're seeing, in other places, how innovative and how right path we're on in our equity program. And what we're finding more and more is, when you attract people of color to your organization, it's a good place for people of color to work. And other people are attracted to work in the organization.

That is like fundamentally important to our work. So we're looking forward to doing videography. I'm going to submit all the written details. But I would like to talk about upcoming equity events on the waterfront. There [video gap] off to celebrate Black History Month with a day of crafts and community at the Ferry Building market on August 17th.

The south patio in front of the Ferry Building will be transformed into a pop-up market featuring black Bay Area crafts in partnership with the Fillmore-based black-led marketplace, In The Black. We also have Pop-Ups in the Plaza, a series of events celebrating Bay Area black entrepreneurs including businesses in Foodwise's Building Equity program.

I will also submit a report related to Fisherman's Wharf and our economic recovery efforts. There's quite new things going in on the ground including staff visitor kiosks. And it's very exciting times. And I will include that in the report as well.

Onward to resilience -- we had the distinct pleasure of welcoming the tier-one panel from the Army Corps of Engineers yesterday. And the tier-one meeting was specifically to talk about how the study is going as we move from public comments and get ready, after the final report and the recommendation, to move to next steps.

The reiterated it was such a great engagement. There was a lot of conversation about risk relative to momentum, when we move -- because we need to know new things down the road over time -- and how to look at areas and really get early wins especially as it relates to equity.

And the thing that I want to tell this commission and the public is the Army Corps of Engineers leadership team always tells us that this is the first-of-its-kind study in the nation. And they are all committed to this being the first of its kind and are truly committed to us doing our best job possible.

So we are very lucky that we are the first of the kind, and they have that commitment to us. So thank you to everyone who made that relationship happen. Madam President, Commissioner Adams, we remember our D.C. trips many, many years ago now.

All right. I have a couple projects to give updates on. Amador Street -- I have three projects to highlight today. One is Amador Street. We're excited that

that is starting for the upgrades we've been looking for. This is PID funding. Bids are due August 15th. We believe we'll have a very good construction schedule and improvements going in.

Crane Cove Park -- we now have plans to start construction on the dog run and the playgrounds. Bids are due August 16th. And construction is anticipated to start in December.

Now, to dredging opportunities -- as you know, dredging is a very critical business line to us. And we spend a lot in our capital program actually on dredging every single year. And we are needing more and more dredging because we're getting more and more maritime vessels and increases in our business.

But we also want to impact LBEs through the dredging program as well. We sent out a request for -- and staff has told you how we're planning to get that at the last commission hearing. But as an update, we sent a request for interest for maritime construction and dredging services to over 100 contractors in July.

The purpose of the RFI is to learn what contractors are interest -- what contractors are interested in dredging over and under water. So we will continue to do the broader survey. And staff will be coming back to you to let you know how we can make this expenditure, that will always be ongoing and we think grow, have more impact to local small businesses and to equity.

And my final before I close, I'd like to recognize Tedman Eng. Tedman, can you raise your hand? Tedman -- it's his last day August 16th. I'm very sad about it. Tedman joined the same year I joined or a couple months after. We've worked together my entire time here. And he's just really critical, the guy that makes all the IT work in the organization.

And he is just so innovative and creative. And he's been pulling a lot of extra weight when we had some turnover. So he's just been incredible at filling in as well. But Tedman is going on to the city administrator's office. And we wish him very, very well. Thank you, Tedman. And that concludes my report.
[applause]

President Brandon: Thank you. Is there any public comment on the executive director's report? 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 Adams: Very stellar report, Director Forbes, very thorough. Appreciate it. You know, it's good to know that -- all the positive things that are

happening down on our waterfront. Right. It's been a long couple years since COVID. Right.

And San Francisco is getting back on its feet. And it's tracking, getting our focus back. And we're going to come back stronger. And all the different projects with equity and this sea-level rise. This is really a big thing. Myself and you and President Brandon, we were down in New Orleans.

And we saw what happened when the levees snapped down there and what can really happen. And people don't think sea-level rise is real. It's real. They said this is probably the hottest year ever on this planet. And there's a lot of things.

And it's good to know that we're getting out front. It's so important to have that vision. You can't do something after it happens. You've got to get out front. So I really appreciate that. And I know there's more to come. Thanks.

President Brandon: Thank you. Commissioner Lee?

Commissioner Lee: Great report, Elaine. I can't believe summer is almost over. I mean, it's August already. I know we're doing quite a bit of work on infrastructure and parks. I think we need to really do more for small business, as Pier 23 and, of course, we have our rents down in Pier 45 area.

I think it's time for us to really start thinking more outside the box. I know that, you know -- I think, as a district, we're probably doing better as far as attracting tourism to our waterfront. But again, they're not spending the money that they were. And it's affecting Chinatown. It's affecting our Fisherman's Wharf.

So I think, as we move forward, I mean we should start thinking more outside the box and do more for small business. So we [haven't abandoned our] fishermen and everything. So in the meantime, we're doing the best we can. And you guys are doing a great job under the circumstances. Thank you.

President Brandon: Thank you. Commissioner Engblom?

Commissioner Engblom: Well, thank you for the warm welcome. I would say, in particular, glad to hear about the Army Corps progress. I know, from other work, how the leadership at the Army Corps is really shifting the way they're thinking to nature-based thinking.

And I think that that really is a cutting-edge example around the country. I guess I'm excited to be part of the commission to see how we can work with our peer organizations. People have mentioned other cities that have been toured. But I think the work that the Port and the Army Corps are doing here in San Francisco can help attract more of the funding that I know you've been successful at getting. So thanks for all the hard work on that.

President Brandon: Thank you. Vice President Gilman?

Vice President Gilman: Thank you, Director Forbes, for a great report, echoing my fellow commissioners sentiment. And I did really want to uplift -- I know we got some good press coverage in the Standard -- but about Ary Lochakov. As a Jewish member of this commission and one whose lost the majority of her family during World War II, I think it's really commendable that we have an environment where staff, from Jermaine to Arianna, can run with this project and put so much passion and heart into it.

And I just think it's really an illustration of the joy and love of San Francisco. Everyone has said we've been in this doom-loop nonsense that I don't believe. And I think highlighting work like this is a testament to that and I think also something very unexpected from a Port.

I feel like we have more art and parks going on right now, with all due respect, than the Art Commission and Parks and Rec. [laughter] And I think it's really important as the public trust of the seven-and-a-half square miles, you know, to really do this.

So I really want to commend you. And I really want to commend the staff. I am so thrilled to go to the reception tonight. And I really, really hope the public listening to this -- or if there's press in the room -- this is something to highlight. This is San Francisco and our values of Saint Francis coming together for someone who lost his family and his livelihood in one of the most horrible wars, the mass genocide that we've seen.

And I think it's really important to celebrate all of our communities but particularly right now too to uplift an artist of Jewish heritage. So thank you so much for that.

President Brandon: Thank you. Elaine, thank you so much for your report. Commissioner Engblom, welcome. I look so forward to working with you and all of your expertise that you're going to give the commission. So I hope your first meeting is a good one, a good experience.

We have a great staff. You'll get to know everyone. But Director Forbes's report is always great. And it's hard to believe you left so much out of it. [laughter] But I really -- you know, the Port staff and this exhibit that we're all going to see this evening is just a testament to the wonderful people we have working here at the Port because anyone else might have just picked it up and threw it in the trash, you know.

But the fact that they've said, "Let me stop. Let me research this. Let me figure this out," and it's led to this is just absolutely phenomenal. And it's amazing. I can't wait to see it. And I'm looking forward to the reception afterwards. So thank you again.

Congratulations on all of the equity achievements. Again, you have a wonderful staff. Everybody is headed in the right direction and doing the right thing. And it just shows throughout the Port.

And Tedman -- Tedman's leaving. [laughs] Tedman got all of us through COVID and Zoom meetings, our Teams meetings. He took the time to personally walk all of us through how to get onto Zoom, [laughter] how to turn up the volume, how to -- [laughter] my gosh, you're leaving us.

Tedman Eng: Yes. So --

President Brandon: But at least you're staying with the city.

Tedman Eng: Yeah.

President Brandon: Please.

Tedman Eng: Thank you, Director Forbes and President Brandon, for those kind words. Yeah. I've been with the Port here for 13 years. Through that time, I've seen lots of transitions, you know, new networks and cloud services, different technologies. And I've helped facilitate many of those changes here at the Port.

You mentioned we then started getting news of this virus coming out of China that basically overnight put us into lockdown. And we helped transition all the Port staff and this commission to work from home. So we conducted business, and we didn't skip a beat. And we still -- [applause]

We found ways to enable all the public discourse even during those times. And then, as the news started to turn the corner, we transitioned back to onsite. And here, that brings up to this hallowed place, the Port Commission hearing room. I always think of it as a magic room.

At the sound of a gavel, the mics turn on. The slides advance themselves automatically. A cup of water just magically appears. [laughter] But if I can peel back the curtain, there's really a team of magic elves behind the scenes pushing all those buttons.

So I'd like to recognize the production staff. There's also people in the control room. There are people at City Hall. There are many, many elves that are part of this chain that make all of this great stuff happen. So what I take away the most though is, as I get a front seat at this production, I really get to see government at its best. Right.

There's public discourse. There's nuanced discussion. There's critical decisions being made. And most of all, it's a reflection of all the hard work, smart, dedicated Port staff that is doing all this great work for the people of California.

So as I think of my transition, it's necessary for me to close my chapter at the Port before I can then start to write my new chapter. So I'm going to invoke one of my childhood heroes, Captain Jean-Luc Picard from the USS Enterprise. [laughter] And he ended with, "All good things must come to an end."

So commissioners, Director Forbes, my beloved Port staff and to the people of California, I thank you. It's been my pleasure. [applause]

President Brandon: Thank you very much. We are definitely going to miss you. Thank you. Next item, please.

10. CONSENT

- A. Request authorization to advertise a Request for Proposals for Heron's Head biological and physical monitoring related to marsh restoration projects. (Resolution 24-34)**

- B. Request for approval of an extension of the Lease Disposition and Development Agreement with TZK Broadway, LLC, a California limited liability company ("TZK") for the proposed development of a hotel with approximately 192 rooms, a dinner-theater, a 14,000-square-foot public open space, and ancillary uses (the "Development" or "Project") at Seawall Lots 323/324 and portions of unimproved Vallejo and Davis Street right-of-ways on the west side of The Embarcadero at Vallejo by an additional twelve months. (Resolution 24-35)**

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

No Public Comment on the Consent Calendar.

President Brandon: We have a motion and a second. All in favor?

All Commissioners were in favor.

Motion passed unanimously. Resolutions 24-34 and 24-35 were adopted.

11. FINANCE & ADMINISTRATION

- A. Request authorization to advertise a Request for Qualifications for Equity Support Services. (Resolution 24-36)**

Toni Autry: Good afternoon, President Brandon, Vice President Gilman, commissioners, Executive Director Forbes and members of the public. My name is Toni Autry. And I serve as the Port's diversity, equity and opportunity manager. Today, my colleague and I -- my colleague, Tiffany Tatum, and I will deliver a

presentation to support our request for authorization to advertise an RFQ for equity support services.

It is with the support and direction of this commission that the Port prioritized equity as a core value. Equity is a fundamental aspect of our mission and operations. On this slide are the four equity goals that demonstrate our commitment to becoming a more equitable and inclusive organization by ensuring Port opportunities are shared with people of color, creating an inclusive San Francisco waterfront and actively identifying, addressing and dismantling systemic racism within the organization.

For this slide, I will highlight prior equity efforts relevant to the contract service areas in the equity support services' RFQ. In 2020, we developed our departmental racial equity action plan, which we will refer to as the REAP for the remainder of this presentation, and have worked diligently to implement actions both internal and external to the Port that begin to recognize, develop and implement strategies to address the systemic and structural disparities that exist across different race and ethnic groups for both our employees and communities we serve.

For the past few years, we have focused on making cultural shifts to foster a sense of welcoming and belonging for Port staff. With a goal of organizational transformation, we have created effective internal programming that aims: to prompt meaningful conversations centered around our own personal lived experiences; to create connections across similarities and differences; and to reflect and challenge our beliefs, views and ultimately to grow together.

Additionally, we have provided a central training as a part of our journey to becoming an anti-racist organization. In 2021, our senior leadership received racial-equity training. In 2022, we conducted an all-staff racial-equity training focused on foundational concepts of racial equity including what equity is, why it is important and how it benefits all employees.

Most recently, in June of this year, we had another all-staff racial-equity meeting -- I'm sorry -- another all-staff racial-equity training that focused on deepening our understanding of racial equity and introducing new concepts such as gender bias and microaggressions.

And now, to focus on -- okay. And then, we also have our small business outreach and engagement. So the Port has, for about the past seven or eight years, held a contract open house. And we've introduced an integrated metrics-and-data analysis to effectively measure our efforts to ensure accountability in our initiatives.

It's crucial to recognize that none of this progress would be possible without the invaluable partnerships of our consultants. This is why the equity

support services RFQ is essential to the growth and success of the Port DEI program.

The table on this slide is used to justify the amount. But it is not the actual breakdown of anticipated scopes of work. Contract service orders will be based on the needs of the Port on an if or as-needed basis. And these contracts will allow us to be quick and responsive as needs arise.

This is also not a comprehensive list of equity services that we will use in the next five years. We anticipate project-based contracts such as payroll services for internships to come before this commission for award. Now, I'd like to hand it over to my colleague, Tiffany Tatum, who will cover the remainder of our presentation. Tiffany, take it away.

Tiffany Tatum: Thank you, Toni. Good afternoon. In order to deliver equity training, internships and advance other equity efforts, the Port intends to advertise for as-needed contracts to support its REAP. The Port intends to use these services to improve existing offerings and explore new opportunities.

These services may support Port efforts to establish a racial equity training program for Port employees, update our departmental REAP, expand our school outreach coordination work for internships, provide event-planning services to support our contracting open house and possibly establish a tenant community engagement strategy and provide other similar as-needed support services for the Port.

The contracts may also support the waterfront resilience program's equity work. Port primarily uses staff team occasionally augmented by one-time contracts. In past years, REAP contractual needs such as staff coaching and training, facilitation and data analysis were achieved with individual contracts, mostly under 200,000.

These contracts were limited to two years in duration, required multiple city department approvals and took six months or longer to execute. As our equity efforts expand, additional resources are needed to coordinate, support and manage the Port's equity programs.

Similar to the Port's as-needed engineering contracts, the Port intends to issue an RFQ for as-needed equity services. The proposed as-needed equity contracts will allow the Port to more quickly and flexibly engage consulting support.

The proposed request for qualifications will include contract services for cultural programming, outreach and engagement, small-business capacity building, program audit and data analysis, equity-focused special projects and will include a 20 percent local business enterprise, LBE, sub-consulting requirement as established by the city's contract monitoring division.

The contract term is for a period of five years. And the not-to-exceed amount is \$1.65 million. LBE businesses proposing as primes and joint ventures are eligible for a 7.5 to 10 percent rating bonus during the evaluation-and-award phase, increasing the likelihood of LBE prime contract awards.

The Port continuously champions the city's contract-equity requirements, which include the local-business-enterprise ordinance, local-hiring ordinance and First Source Hiring Program. These programs serve as the foundation for equity work on locally funded public contracts.

We look forward to advertising this RFQ before the end of the month with hopes of being in contract by December. This would allow us to kick the new calendar year of strong. The timing is ideal: to support the annual contract open house, which is hosted in March; to ramp up our school outreach and engagement right after the holiday break; and to launch additional staff training at a time when most staff have had an opportunity to rest and recharge and are coming back with renewed energy.

This concludes our presentation. Toni and I welcome your questions and feedback. Thank you.

President Brandon: Thank you, Tiffany and Toni, for your great presentation. Is there any public comment on this item? Seeing none. Can I have a motion to approve this item?

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

No Public Comment on Item 11A.

Commissioners' Discussion on Item 11A:

Commissioner Lee: I think this is a great program. I definitely support it. I'm curious. I know that -- are we doing anything more for getting more like support for the staff? Because I know you guys are shorthanded. And seeing all your interns that other week gives you some encouragement that we can be getting some new blood into the Port.

So although we're supportive of all these contracts, I think the staff -- I think you guys -- we're losing our tech guy. I mean, I think they're picking us clean here, you know. [laughter] So I think it's time for maybe HR to start focusing on some new blood. So that's my comment. But I support this [crosstalk] --

President Brandon: Thank you. Commissioner Adams?

Commissioner Adams: I have to say, Tiffany and Toni, where we started and where you've taken -- I'd kind of -- just in your own words, how does this make you both feel knowing the work that you've put into it, knowing how far that we've come?

And even though we've got -- you know, we're going to continue with the momentum to move into the future. But are we at where you think we should be? And are we getting there? And I just really would like, just real briefly from you each, what does this do for both of you? And are you joyful inside? And are you feeling it and seeing the results?

Tiffany Tatum: I'll go. And then, I'll let Toni go. I think equity is a lifelong journey. So I don't think we'll get there wherever there is, right, because, particularly for the communities we serve, that's going to have a rotation also. So we hope to implement programs that will impact generations.

So we may see some successes in our career here. But the hope is that that will continue to happen well beyond us. I think just us standing up here having this conversation is moving us in the right direction. The conversations that we have internally -- I mean, seven years ago when I started -- or almost 10 -- where have I been?

Almost 10 years ago when I started having conversations about LBE very -- so differently than what they are today. I'm not even in most of them, which is a testament. Right. Like I don't have to be there [laughter] to encourage that participation where before it was like, "You've got to do it. We've got to do --" you know, and now it's like normal second nature.

And that feels right to me. And we're moving into new territory with the workforce development and bringing staff along. And I'll let Toni talk about the equity work. But I think it's -- I'm happy every day. I'm happy I get to serve the communities that I serve.

Is the work hard? Yeah, of course. Absolutely. But it's rewarding. And I feel like I'm serving myself because a part of the community I serve is me because that's where I come from. I'm from District 10. And so that feels very natural and easy for me to serve that community.

And I'm excited that my children won't experience some of the same challenges that I experienced and then their children and so forth and so on.

President Brandon: Thank you.

Toni Autry: Well, I don't have much more to add. I think I certainly resonate with Tiffany's sentiments. But I'm very proud of this work. I remember coming to the Port about four years ago when we did not yet have a racial equity action plan,

where I talked about equity and, at some times, got some blank stares. What is that? Why are we doing it?

And we are now at a time where equity is happening at the Port. Similar to what Tiffany said, it's happening in the divisions across the Port. And I'm not in those meetings. And folks are coming to me, and they're utilizing me to talk about equity and how to have more equitable processes and policies.

And people are more comfortable to speak up about what they're experiencing. So you know, these small wins that we've had are really the seeds for the transformation that we seek. And you know, I do believe that this is lifelong work. Right.

But we are making strides. And it really is a testament to the support that we have not only from the folks within the organization that want to see the change but from our leadership, certainly our Port Commission. And then, I have the support of Tiffany as well. And together, I think we've done some notable things. So I'm very proud of this work and where we are today.

President Brandon: Thank you. Commissioner Engblom?

Commissioner Engblom: Well, thank you for the presentation and for the context and for sharing your experience. I guess I was really impressed when I heard you talk about the work you've been doing internally on your team and for the Port team.

I was wondering -- when I read the services and how this all works, it makes a lot of sense. One thing that I was wondering if you could talk about a little bit more is what -- have you established criteria by which you'll evaluate the top-three -- I think I saw in here your idea is to select three teams. Did I read that correctly?

I guess the simple question without getting too technical is just -- and it doesn't have -- it's probably not an answer that you can just say yes or no. But I would just like to hear more about the criteria that will evaluate the people applying for the jobs or for this funding.

Alysabeth Alexander-Tut: Absolutely. Good afternoon. Alysabeth Alexander-Tut. I'm the contracts and procurement manager for the Port of San Francisco. Good afternoon. So we have not finalized the exact evaluation criteria for this particular RFQ. That's an iterative process that we --

Commissioner Engblom: Got it.

Alysabeth Alexander-Tut: -- I work with. But to give you an idea of what we evaluate, we evaluate -- there's first always a set of minimum qualifications. So

we set the minimum qualifications both for the firms and also for the key personnel who will be doing the work.

So we want to make sure we're getting experienced folks. And then, we have -- so that's pass/fail. Then, there is an evaluation of the approach where we have people answer questions about how they approach different kinds of scenarios and what their -- how they work within a team, how they manage contracts so that we know that whoever is the prime has experience or has an idea of how they're going to bring all the great team members they have into the work.

And then, we also evaluate experience. And so that will be -- we'll ask for example projects. In an RFQ, we're only grading for qualifications. So we're not grading on the actual proposal or actual projects at this time. So it's really their approach and their experience and the team that they're bringing together.

Commissioner Engblom: Okay. Thank you.

Alysabeth Alexander-Tut: You're welcome.

President Brandon: Vice President Gilman?

Vice President Gilman: I just wanted to say to Tiffany and Toni we've come so far from when we first had our working group that myself and President Brandon helped facilitate. So I just want to say how proud I am of all the work you've done. You're a model for other city departments, I think, and for nonprofit institutions throughout San Francisco. So thank you so much. And I support the item.

President Brandon: Thank you. I just wanted to say, regarding your question, so when you -- this is to create a pool of individuals who will be ready to do the work. But those individuals will still have to -- we will still have to approve whatever contracts they get?

Alysabeth Alexander-Tut: Thank you for the question. The way that the term pool gets used can mean two very different things. So sometimes, you create a qualified pool. And then, you just have a bunch of qualified vendors. And then, you have to go back to that pool to solicit a new contract. That's not what we're doing here.

President Brandon: Okay.

Alysabeth Alexander-Tut: What we're doing here is very similar to the as-needed engineering contracts, the as-needed environmental contracts, the as-needed real estate contracts where these are contracts that we will award. We will come to you expect -- we're hoping in November. It might be December.

But we're hoping in November to come before you with the awardees, with their full teams. You'll get to see who the LBEs are that they -- you know, how the -- the evaluation program, the full teams. And then, we'll vote f -- you'll have the opportunity to consider the contracts for full award.

And then, once they're awarded, then at the contract-service-order level, that's when the project managers will be able to actually assign different projects to these contracts but once they're awarded.

President Brandon: Okay. Okay. Thank you. Tiffany and Toni, thank you so much for the presentation. You guys are doing amazing work. And it's hard to believe that we are where we are today. And it's really a testament to our leadership because Elaine has embraced equity like no other department head in this city.

And she has just made it a comfortable space for everyone here at the Port. And I remember Toni was hired right as COVID was happening, right before COVID. So then, it took time to transition and for you to even get to know people because everybody was working remotely.

And Tiffany, you know, came in as an intern. And look at her now. And so this is equity, you know. This is what we are trying to do. And we would love the rest of the city to adopt what we're doing here at the Port because there is room for growth. There is room to blossom, to do something other than just a dead-end job, you know.

And Director Forbes just has created such a wonderful workplace for everyone here at the Port, which is why we have such an amazing staff, as I always say. But you two are doing a great job. And thank you for this presentation. And thank you for the work you continue to do.

Tiffany Tatum: Thank you.

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

Resolution 24-36 passed unanimously.

12. REAL ESTATE & DEVELOPMENT

A. Request Approval of Proposed Rental Assistance Program for Pier 54 Tenants Relocating on Port Property Due to Closure of the Pier. (Resolution 24-37)

Kimberley Beal: Good afternoon, President Brandon, Vice President Gilman, commissioners, Executive Director Forbes. My name is Kimberley Beal. I'm the assistant deputy director for real estate. And today, I'm joined by Karen Chan, Jennifer Gee and Scott Landsittel. And we are seeking the Port Commission's

approval of a rental assistance program for Pier 54 tenants that will be affected by the Pier's closure and wish to relocate to similar space on Port property.

And so I just want to point out, in the staff report, there was a transition of numbers in one area where it said 45. So just to be clear, we are talking about closure of Pier 54. So as background, a rapid structural assessment report, or an RSA, was completed in 2017 by Moffatt and Nichol engineers which designated portions of the pier as red, meaning they were unsafe.

All tenants at the time were notified of the condition and advised that there were no plans for repairs and that the substructure would continue to be monitored. For this reason, we also stopped entering into any new leases at that location.

A new RSA was completed in January of 2023 by Ryan Joyce Structural Design, which designated additional sections of the pier as red. Port engineering has expressed concerns about ongoing safety of anyone occupying the pier given the substructure condition and, with no plans to repair, have recommended closure.

So with this, we are looking at complete closure. We are not looking to do work going forward. So it will unfortunately remain closed. The closure will affect a total of 11 tenants, many who have been with the Port for a decade or more. All leases are currently month to month and can be terminated with 30 days' written notice.

And under the California relocation-assistance guidelines, Port is not required to pay relocation costs because the pier is not being closed due to a development project. Due to the dilapidated condition of the pier, rents are low relative to other Port locations and substantially less than current parameter for similar-sized space.

For tenants wishing to relocate on Port property, this will create a hardship. Port staff is therefore proposing a rental-assistance program, which would delay rent increases, allowing tenants additional time to budget for the higher rent or additional time to find space elsewhere at a rental rate sustainable for their business operations.

So to participate in this program, tenants must be in good standing. And the space must be for the same use. So someone can't have office space, and all of a sudden they decide they want to do something in a shed. Permitted subtenants wishing to enter into direct deals with the Port will also be eligible.

Tenants will be given a five-year lease. So this is with four one-year options. So essentially, it's a one-year lease with four one-year options so a total of five years. For the first year of the new lease, the square -- the rent per square foot would remain the same as under their existing lease.

In year two, it would increase by 5 percent. And then, in years three to five, it would be structured similar to our current ramp-up program approved by the Port Commission. So for leases of three years, rent has been 70 percent of parameter, 80 percent and then up to 100.

So the way -- an example of this is -- let's say we have a tenant who has office space at Pier 54. Rent for office space at the Ag Building, let's say, is \$3.60. So for the first year, they would continue to pay that \$2.13 per square foot. If they exercise the option in year two, it would increase to \$2.24, 5 percent more than what they are currently paying.

If they exercise the option in year three, it would then go to: 70 percent of parameter at that location or 70 percent of \$3.60, increasing then to \$2.52; 80 percent in year four to \$2.88; and then, in that final year, it would be the \$3.60. So this provides flexibility for those tenants. Again if they feel that the rent is too high, they have the ability to find space and move elsewhere or, again, to budget accordingly for the higher rent.

So to show what this looks like, the amount to be waived in year one given this type of scenario would be approximately \$178,000. And that compares to the revenue loss we will see at that pier with the complete closure, which is \$180,000 a year.

So approving this program would meet the Port's economic recovery objective by stabilizing Port revenue, by avoiding the immediate drop in revenue Port will experience with the closure of the pier. It will also facilitate occupancy of currently vacant Port property.

The Port's equity objective will also be met, as many of the tenants at the pier are either small women or minority-owned local business enterprises, nonprofits or arts related. This program will enable those businesses to remain on Port property, actively fostering equity and diversity along the waterfront.

A relocation-assistance program, as outlined, would allow Port to retain stable, long-standing tenants and provide a path to fill smaller vacancies where there has not been a high demand. The program would also allow the Port to retain a revenue stream that will otherwise end with the closure of the pier.

Port staff recommends the Port Commission adopt a resolution approving the rental assistance program for Pier 54 tenants relocating to other Port locations as a result of the closure of the pier. That concludes my presentation. And I welcome your questions.

President Brandon: Thank you, Kim. Can I have a motion?

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

No Public Comment on Item 12A.

Commissioners' Discussion on Item 12A:

Commissioner Engblom: Being new to the conversation, I'm just -- I guess I have a question about the location. How likely is it that the 11 tenants have a place that would be appropriate for them?

Kimberley Beal: So we have been actively working on finding alternate locations. Currently, there are two tenants who will be vacating. So one actually has already terminated. We have four tenants that we have identified alternate locations for. And they have -- some have already completed their lease applications pending what happens with this program.

We have two that have found tentative locations and then another three that are undecided. So it is a little challenging. These are very small tenants. I would say, on average, office space is like 200 square feet. So it's very challenging to find spaces that small. And then, for the shed space, I would say, you know, the tenants average around 1300 square feet.

The largest tenant at that location would be Chinese Chamber or their subtenant, The Parade Guys. And so again, they are the largest tenant. So it's a little different than the averages that I just provided. But we have found an alternate location for them pending what the commission decides on this program.

Commissioner Engblom: Thank you.

President Brandon: Commissioner Lee?

Commissioner Lee: No questions. I mean, this program definitely will help them move because it is very costly to relocate. I'm just worried that finding the right space for them is going to be an issue. But if you can locate it -- I mean, I totally agree with this program because it's kind of not their fault. So -- yeah. Let's just do it.

President Brandon: Thank you.

Commissioner Lee: I'm agreeing.

President Brandon: Okay. Let's do it. Commissioner Adams?

Commissioner Adams: Thank you, Kimberley. Excellent report. First of all, far and foremost, this is a safety issue. And this pier is going to be closed down. And that's our number-one responsibility. One of the responsibilities at the Port is

safety and the responsibility of trying to remove people to other places and things like that.

We want them to be safe. So I really appreciate the Port doing this and showing the good-neighbor policy and showing that we're trying to help them but also looking out for their safety. I just wish that maybe, in the years to come, we have the money that we can put into our piers to restore them. But something like this will be condemned. And we don't want any -- God forbid -- any accidents. So I'm in support. Thank you.

President Brandon: Thank you. Vice President Gilman?

Vice President Gilman: Thank you, Kimberley, for the report. And I'm supportive of the item. But I have one request. I was hoping maybe, as we get closer to option two, which is the first big jump in the rent, if we could just get a report back to the commission on how tenants are doing, if folks have exited their lease.

And part of this is just to mitigate having those tenants come back again and ask for a different adjustment or a different relief as we're trying to get everyone throughout our portfolio to get to parameter rent when possible. So I would just love a circle back with the commission. But I support the item.

Kimberley Beal: Thank you.

President Brandon: Thank you. Kim, thank you so much for the report. And I know that we've discussed this a lot. So Pier 54 -- I know we're going to condemn it. But we're just going to leave it there? [laughs] I mean --

Commissioner Adams: [Good question].

President Brandon: -- are we going to -- I know we don't have the funds now. But is that a pier we want to save? Or is that a pier we're going to take down? I mean -- I know this is a new development. And it's unsafe. But I think we should start thinking long term. What are we actually going to do with that? It seems like prime real estate.

Director Forbes: We believe we will condemn the pier and remove the pier. We believe the pier should be removed. We need to talk with you about those kinds of decisions more formally when we do our rapid assessment and we think through which of our piers we -- and as you said, Commissioner Adams, we can't afford to take care of all our piers. And the sadness is that we have to condemn our facilities as a result or yellow tag them like next door with fencing.

So the public cannot be in those locations. Pier 54 is not a historic facility. It is not one of our key development sites. It is not one that we've prioritized or

have plans to put out for RFP. And truthfully, if we had all the staff in the world to do development, I don't think we would put this one out for development.

So it has been on the do-not -- we call it inside the do-not-resuscitate list. It's very small. It has been on that list since I've joined the Port in 2010 and I was in Nate's chair. And we've never found a funding plan for that pier yet. Or I don't think we should find -- let me say it more affirmatively. I don't think that's the pier we should be investing in or pursuing development for at this period.

President Brandon: Thank you.

Commissioner Lee: Can I make a quick -- can we make sure that it's locked up safe though? Because unlike Pier 90 and th -- where those skateboarders like to go over the fence -- because it is actually a nice property.

President Brandon: Mm-hmm.

Commissioner Lee: And to the general eye, it looks like it's inhabitable. So I mean, you could still do your thing there. So I just want to make sure it's locked up very well.

Kimberley Beal: So to that point and your request, staff is working. We do have an internal working group where we have pulled in security, engineering to think about removing utilities, so we don't have people getting in the building and plugging things in and --

Commissioner Lee: Right.

Kimberley Beal: -- trying to access the pier with no eyes on it. So that is something that we are working on. So again, once we don't have anyone there any longer, we at least have cameras or some way to try to make certain that the facility is secured.

One of the pluses of that location is there is at least a gate that closes off the pier. But it doesn't prevent folks from coming by water, which we've seen. So I'm sure it will remain a challenge. Ideally, if we could remove the building itself where we had an open pier, that would be ideal. But you know, as was said, we just don't have the funding. So we are trying to be proactive and think about how to make certain it stays secure once closed.

Commissioner Lee: Thank you.

President Brandon: Thank you. My next question is parameter rent. What if parameter rent goes up in year five?

Kimberley Beal: If it goes up in year five?

President Brandon: Meaning it's no longer \$3.60. It's \$4.00.

Kimberley Beal: So again, this program -- well, again, if they have entered into a lease and those are the terms of the lease, it's benefitting them --

President Brandon: It's whatever parameter is at that time.

Kimberley Beal: It depends on how we write the agreement. But again, right now, we were looking at having stepped increases so that it is very clear we are basing it on current parameter. So again, this is really trying to help those tenants at this location, recognizing, as Commissioner Lee said, it is costly to move. We're not paying for them to move. Those are costs they have to bear and also recognizing that their rent is going to increase.

So this is really designed to be very favorable to try to help these tenants. So they don't have to exercise the option. If it is something where it's going to increase to a point where they can't afford it, they can leave.

But then, it also -- there is that possibility where parameter might increase. You know, we hope that it does because that means that conditions have improved, that the economy has improved. They reap the benefit. But then again, we are looking at some very small spaces here. We're talking 200 square feet, 1200 square feet, 1300 square feet.

President Brandon: Thank you.

Vice President Gilman: Can I ask a question?

President Brandon: Sure.

Vice President Gilman: Can you just remind me -- how often do we set parameter?

Kimberley Beal: We typically set it annually. So we're --

Vice President Gilman: Thank you.

Kimberley Beal: -- a little behind this year. But typically, it's done on an annual basis.

Vice President Gilman: Okay. Thank you.

Kimberley Beal: You're welcome.

Commissioner Adams: I have one more question, President Brandon. How many other piers do we have that are in this condition? And will any other piers like this be coming to the commission?

Director Forbes: I was honestly just -- per our conversation, I was trying to go through those in my own mind because I was thinking about what a serious issue it is when we close a pier off like Pier 38 and how poorly it deteriorates once we stop the tenanting.

And we learned from Pier 38. And that's why we're doing a better job at 54 to ensure that we have that planned exit, so our facility is in the safest condition possible. But there's no doubt that having a vacant facility that's deteriorating is a terrible fact for our assets. It's terrible for our organization.

But until we have demolition dollars, we want to put the money elsewhere where we can turn some activation or open a restaurant. So we're struggled. So let me tell you about the facilities. And we're going to follow up. I'm going to, under new business, recommend we do a rapid assessment report and just talk about how the facilities are doing and put them on a map for you and show you because it's been a little while since we've done that.

So I'm going to recommend that on new business if you don't mind. We have Pier 54. We have Pier 35. Pier 35 is challenged. And we've been hearing that from labor -- not great conditions, leaking. It's been leaking for a long time. We plan to not have that as a cruise ship terminal.

Michelle is going to ask me to agendize this. So we're going to agendize this topic. [laughter] I was thinking about it a lot. But it's going to be for another conversation. Thank you. [laughter] Deputy City Attorney Sexton.

President Brandon: Thank you. Any other questions or comments? Thank you, Kim. We have a motion and a second. All in favor?

Resolution 24-37 passed unanimously.

13. NEW BUSINESS

Director Forbes: I have recorded several items for new business, Madam President. I have us working with the Pier 23 tenants and coming back on that in the near term. I have report back to the commission on Pier 54 that you requested, Vice President Gilman. And then, I have added an update with how the facilities are doing, what's looking like it may be yellow tagged or red tagged and what plans we have and money we have for demolition and what we're doing otherwise. So I will include that as well. Is there any other new business?

Commissioner Lee: Just a follow-up on the last one I asked for, doing a little special meeting with the fishermen --

Director Forbes: Yes.

Commissioner Lee: -- I did talk to Assemblyman Phil Ting. He happens to be on the Coastal Commission. He said he wants to help. But he wants to know what they want. So I think a conversation just to see how we can help them for a shorter fishing season that they can survive would be great.

Director Forbes: Thank you.

President Brandon: Any other new business? I think that's it.

14. ADJOURNMENT

ACTION: Commissioner Adams moved to adjourn the meeting. Vice President Gilman seconded the motion. All commissioners were in favor.

The meeting was adjourned at 4:25 p.m.