



Waterfront Plan Working Group
Land Use Subcommittee Meeting
Meeting Notes: March 15, 2017

Present: Alice Rogers (chair), Kirk Bennett, Jon Golinger, Ellen Johnck, Ron Miguel, Stewart Morton, Karen Pierce, Jasper Rubin, Corinne Woods, Dee Dee Workman

Not Present: none

Other Working Group and Advisory Team Members Present: Stan Hayes, Ellen Lou, Nathan Nayman, Amy Patrick, Howard Wong

Port Staff: Diane Oshima, Kari Kilstrom, David Beaupre, Brad Benson, Keven Brough, Anne Cook, Norma Guzman, Mark Paez, Byron Rhett, Phil Williamson

Agency Staff: Ben Botkin (ABAG)

1. **Acceptance of the [Draft Meeting Notes](#) from the February 8, 2017 Land Use Subcommittee Meeting ([final version here](#)).**
2. **Subcommittee Review and Discussion of [Draft Recommendations on Open Space Activation](#).** The goal of the Recommendations on Open Space Activation is to provide policy guidance regarding open space policies for Port staff when drafting amendments to update the Waterfront Plan. The Subcommittee heard and discussed each one of the draft recommendations, and made recommendations for text changes.
 - Two public members expressed gratitude for the existing open space and waterfront access opportunities for underprivileged groups. Lee Radner, of Friends of Golden Gateway (FOGG), expressed appreciation for the current Port administration, and described FOGG's fundraising efforts to sponsor low-income children for summer camp programs at the Bay Club. He suggested that Port open space areas could be utilized for similar activities. Mark Bruno of North Beach recognized the transcendent beauty of the waterfront, a place of gathering for rich or poor, and his support for youth programs.
 - The Subcommittee reviewed and suggested revisions to the Draft Open Space recommendations; another draft highlighting these edits will be provided to the Subcommittee for discussion/acceptance at the March 22, 2017 Land Use Subcommittee meeting.
3. **[Presentation on Development Public Engagement Process, Part 1](#).** Diane Oshima gave a presentation on the Port's [existing development process](#) and lessons learned from [various](#)

[projects](#) on Port property. The Waterfront Plan sets forth an early public engagement process with community advisory groups to solicit input about project objectives before development RFPs are released. This process does not always guarantee successful projects. Diane reviewed some projects that were successfully completed while others failed due to political controversy, permitting entitlement or financial feasibility challenges. The Waterfront Plan did not establish a process for “sole source” development projects that do not come from a competitive RFP process. The meeting discussion was focused on soliciting initial comments and feedback about the quality and challenges of the public engagement process for waterfront projects to flag issues for deeper discussion at a later sub-committee meeting.

- Pursuant to the Waterfront Plan, the Port formed a community advisory group (CAG) each time it prepared for a competitive RFP process for a long-term development opportunity, and excused the CAG once the developer selection process was completed. This became cumbersome and the Port moved to establish standing advisory groups for each subarea of the waterfront. These now meet on a regular basis and provide an important conduit to exchange information about Port activities and community questions and concerns. Port advisory groups report to Port staff, not the Port Commission; they are informal groups not subject to the Brown Act regulations. Advisory committees created by the Board or Supervisors or Commissions—such as the Piers 30-32 CAC—ARE subject to Brown Act meeting rules which impose public comment time limits and do not allow the interactive exchange and dialog that is allowed in Port’s CAGs, which include the Waterfront Plan Working Group.

The Subcommittee members shared observations and comments about public process and community communications for Port projects, which were summarized in the following initial ideas to improve public engagement in the Port’s development process.

- 1. Avoid public meeting rules that limit public dialogue and a robust exchange of ideas.** For example: Brown act meeting requirements limit speaking time, and don’t allow ‘cross-talk’ type and answer exchange between all participants).
- 2. Review/evaluate Port Advisory Group process.** Discuss value of voting to take positions on proposals vs. operating on a consensus-building, non-voting basis; consider whether membership adequately represents community stakeholders.
- 3. Review Civil Grand Jury report finding related to the Port public engagement.** 1) Public awareness of project alternatives; 2) role of Mayor’s office in Port projects; 3) seeking City-wide input along with CACs
- 4. The RFP process generally works (e.g. Pier 30-32 Bryant Street Pier project), but the Waterfront Plan Update should delineate rules of engagement for Unique/Sole Source projects**

5. **Best process is one that develops consensus.** Key features are bringing together affected stakeholders early in the process; bringing 'technical advisors' to the community, if needed (e.g. all day training on odor-issues); and taking the time necessary to forge consensus.
6. **Port should assert its authority, and its public engagement process, with other agencies that also have a role in reviewing Port projects.**
7. **Development process should be designed to advance the objectives of the Waterfront Plan and Public Trust.** Waterfront Plan is not a zoning ordinance, it is a vision. How to institutionalize a process that advances what the community has already spent years discussing? Ideas to consider: 1) Define project concepts that are consistent with the Plan, but remain "open" to new, feasible ideas that were not/cannot be anticipated; 2) RFPs should not be too structured; seek proposals that achieve overarching objectives; consider performance goals vs project specifics
8. **Process should foster enhanced public communication.** Community recognizes the need for Port staff to prepare, and to inform the Port Commission. Seek ways for Advisory Committees to weigh-in before projects move down the line of approvals.
9. **City organizations that are "conveners" could host stakeholder meetings to reach a broader cross-section of citizens.** The Chamber of Commerce (or similar) may be an added forum to reach people that may not be engaged or informed about the Port
10. **Early stakeholder engagement is important.** Learning about projects at the conceptual level allows public engagement that is geared toward having some effect on the final outcome. Dozens of organizations in the City may be placed on a Port mailing list, for early notification.
11. **Examine developer selection process.** Port has been inclusive, with CAC member on selection panel. There must be confidentiality between selection panel and Port Commission. Is there opportunity to discuss recommended developer before Port Commission makes its final approval?
12. **Consider ongoing Port community outreach.** Someone could have the job of doing ongoing public outreach, specifically to see how the Waterfront Plan is being implemented, to inform the 5-year review/update of the Waterfront Plan.
13. **Development process should include formal findings to reflect how projects meet goals, policies and standards in the Waterfront Plan.**
14. **Consider ways to insulate the Port from City political influence.**

15. Examine/revise the level of detail placed in Requests for Proposals. Experience shows that overly-specific and prescriptive RFPs, and related community expectations, establish a fixed “idea” for project that may not be feasibly delivered. When developer proposals include alternative programs that are financially feasible, an inherent conflict occurs between a hoped-for project and one that is possible.

4. Meeting Conclusion. The next Land Use Subcommittee meeting topics are:

- March 22: Rebecca Benassini, Port Assistant Director of Development, and representatives from the EPS Economic and Planning Systems will give a presentation on the preliminary results of a model analysis of leasing and development scenarios. Staff will also provide updated Recommendations on Draft Open Space Activation.
- April 12: representatives from the State Lands Commission will be at this meeting
- May 10: topic TBD
- Ron Miguel will not be able to attend the next meeting