

# SAN FRANCISCO PORT COMMISSION

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Willie Adams, Commissioner  
Stephen Engblom, Commissioner  
Steven Lee, Commissioner

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## AGENDA PORT COMMISSION MEETING

MONDAY, NOVEMBER 25, 2024  
1:30 P.M. CLOSED SESSION  
2:15 P.M. OPEN SESSION

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

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

### TO STREAM THE LIVE MEETING:

<https://sfgovtv.org/sfgovtv-live-events>

### TO LISTEN TO THE LIVE MEETING AND MAKE PUBLIC COMMENT REMOTELY:

Dial 1-415-655-0001 United States Toll (San Francisco)  
Access Code: 2663 980 1404 ##

Dial \*3 to be added to the public comment queue for the  
item you would like to speak on.

If you are in the public comment queue, an  
audio prompt will indicate when it is your  
turn to speak.

Public comment is limited to 3:00 minutes  
and must be in respect to the current  
agenda item.

When making public comment, please:

- Ensure you are in a quiet location
- Turn off any TV's or radios around you
- Speak Clearly

*The Port Commission Agenda as well as Staff Reports and other Explanatory Documents provided to the Port Commission are available for public inspection at the Pier 1 Reception Desk and posted on the Port's website at <https://sfport.com/about/port-commission>.*

**1. CALL TO ORDER / ROLL CALL**

**2. APPROVAL OF MINUTES – OCTOBER 8, 2024**

**3. PUBLIC COMMENT ON EXECUTIVE SESSION**

**4. EXECUTIVE SESSION**

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

(1) CONFERENCE WITH 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: Piers 30/32 and Seawall Lot 330

Person Negotiating: Port: Mike Martin, Assistant Port Director, Scott Landsittel, Deputy Director, Real Estate and Development, Wyatt Donnelly-Landolt, Development Project Manager, Christine Maher, Development Project Manager

Negotiating Parties: Jesse Blout, 550 The Embarcadero Property, LLC

Under Negotiation: ☐ Price ☐ Terms of Payment ☒ Both

In this executive session, the Port's negotiators seek direction from the Port Commission on factors affecting the price and terms of payment, including price structure, financing, and other factors affecting the price and terms of payment of the proposed Piers 30/32 and SWL 330 development. 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 the People of the State of California.

**5. RECONVENE IN OPEN SESSION**

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

**6. RAMAYTUSH OHLONE LAND ACKNOWLEDGEMENT**

## **7. PLEDGE OF ALLEGIANCE**

## **8. 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.

## **9. 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))

## **10. EXECUTIVE**

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

## **11. CONSENT**

- A. Request retroactive approval for members of the San Francisco Port Commission to travel with Port staff to Boston, Massachusetts on October 27-30, 2024 to attend the American Association of Port Authorities Annual Convention. (Resolution 24-52)
- B. Request approval to adopt the 2025 Port Commission calendar which sets dates outside of regular meetings held on the second Tuesday of each month, and on the fourth Tuesday during the months of February and April. (Resolution 24-53)

**12. WATERFRONT RESILIENCE PROGRAM**

- A. Informational presentation regarding the recommended contracting strategy to advance the Waterfront Resilience Program.
- B. Request authorization to advertise a request for proposals for a 5-year, \$40 million contract, with an option to extend for up to 5 years and up to an additional \$40 million, to support the Waterfront Resilience Program. (Resolution 24-54)
- C. Request for approval and appropriation of the third bond issuance in the amount of \$124.0 million of 2018 Proposition A General Obligation Bonds, known as the Embarcadero Seawall Earthquake Safety Bonds, to support program advisory services, early projects, and the San Francisco Waterfront Coastal Flood Study General Investigation ("Flood Study"). (Resolution 24-55)

**13. MARITIME**

- A. Informational Presentation on Responses to the Port's Request for Interest from Maritime Dredging and Construction Firms.

**14. FINANCE & ADMINISTRATION**

- A. Informational Presentation on the Port's Economic Recovery Efforts.

**15. NEW BUSINESS**

**16. ADJOURNMENT**

**PROPOSED FUTURE AGENDA  
SUBJECT TO CHANGE**

**DECEMBER 10, 2024**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Interagency work to align with Waterfront Plan	Information	Informational presentation and update on interagency work with the San Francisco Planning Department on amendments to the San Francisco General Plan and Planning Code, and the San Francisco Bay Conservation and Development Commission (BCDC) on amendments to the Waterfront Special Area Plan, to align these documents with the Port's Waterfront Plan.
2	300 Jefferson Street	Action	Request approval of a ten (10) year lease with two (2) five-year options at 300 Jefferson Street.
3	Amador Street	Action	Request authorization to award Construction Contract No. 2852R Amador Street Infrastructure Improvements.
4	Portwide	Action	Amendment to the Feasibility Cost Sharing Agreement between USACE & the Port.
5	Islais Landing	Action	Request for approval of a retroactive license for a term of 10 years with Kayaks Unlimited for space at Islais Landing.
6	Heron's Head Park	Action	Request Authorization to Award Professional Service Contract 1000034740, Request for Proposals for Heron's Head Park Biological and Physical Monitoring to Environmental Science Associates, in the amount of \$679,232.
7	Portwide	Action	Request approval for members of the San Francisco Port Staff and Port Commission to travel to Paris in 2025 for the following goals: (1) to deliver abandoned property (historical artworks) to a cultural institution for preservation, study, and public display, (2) engage with representatives at the Port of La Havre, France, and (3) research activation/placemaking concepts in Paris, France.

**DATE TO BE DETERMINED**

	<b>FACILITY/POLICY</b>	<b>ITEM</b>	<b>TITLE</b>
1	Pier 70, Parcel K North Plaza	Information	Presentation of the Schematic Design of the Parcel K North Plaza located at the southeast corner of 20th and Illinois Streets.

2	Portwide	Information	Presentation on competitive solicitation for operation of Port's parking lots, located throughout the waterfront.
3	Pier 70 Historic Core	Action	Request approval for the formation of a new Community Facilities District for the Pier 70 Historic Core with Historic Pier 70, LLC (aka, Orton Development, Inc.) under Port's Lease Disposition and Development Agreement and Master Lease L-15814, each with Historic Pier 70, LLC.
4	Pier 70 Shipyard	Action	Request approval to advertise Pier 70 Shipyard shoreline and sediment remediation.
5	Pier 33.5	Action	Request approval of a fifteen (15) year lease with two (2) five-year options with Kuleto's Bayside Bistro LLC at Pier 33.5.
6	Portwide	Information and Possible Action	Informational presentation to consider and possible action to approve Fiscal Year 24/25 Parameter Rent modifications.
7	Portwide	Action	Request authorization to advertise a request for proposals for Program Advisory Services under a \$40 million, five-year contract, with an option to extend.
8	340 Jefferson Street	Action	Request approval of a ten (10) year lease with two (2) five-year options at 340 Jefferson Street.
9	Central Embarcadero Safety Project	Information and Possible Action	Informational presentation to consider and possible action to approve a proposed Central Embarcadero Safety Project and other proposed changes, between Broadway and Brannan Street, per the San Francisco Municipal Transportation Agency's Embarcadero Enhancement Program in support of the City's Vision Zero traffic safety goals.
10	498 Jefferson Street, SWL 303	Action	Request approval of a Settlement Agreement with Mama Franceschi's, L.P., operating Capurro's, Lease No. L-8993, for Premises at 498 Jefferson Street, SWL 303 San Francisco, CA 94109.

11	Pier 50, Sheds A and C, 401 Terry Francois Blvd, and Pier 9	Information	Informational Presentation on Status of Settlement and New Lease Negotiations with a Possible Request for Approval of a Settlement Agreement and Terms of a New Lease with Bauer Intelligent Transportation, Inc. (Bauer) under Lease No. L-15004 (Pier 50, Sheds A and C), Lease L-16206 (401 Terry Francois Blvd – terminated) and a Parking License (Pier 96).
12	Piers 38/40	Information	Informational presentation on Piers 38/40 development and ENA status.
13	Mission Rock	Information and Possible Action	Informational presentation to consider and possible action to approve the acceptance of Port-owned infrastructure constructed at Mission Rock, and recommendations that the Board of Supervisors take certain actions to accept City-owned infrastructure constructed at Mission Rock.
14	SWL 330	Information and Possible Action	Informational presentation on updates to the Piers 30-32 & SWL 330 Projects with possible action related to the ENA and Term Sheet.
15	Mission Rock, Pier 70, Potrero Power Station	Action	Request the Port Commission recommend that the Board of Supervisors (BOS) amend the Public Works Code and Port Code to exclude Port-owned City-accepted rights-of-way from certain Public Works permits including: 1) Café Tables and Chairs Permits, 2) Display Merchandise Permits, and 3) Love Your Neighborhood Permits thereby establishing the Port as the agency with sole jurisdiction for licensing these activities within the Mission Rock, Pier 70 and Potrero Power Station Special Use Districts.

**DECEMBER 2024, JANUARY 2025, AND FEBRUARY 2025  
CALENDAR OF UPCOMING PORT MEETINGS – OPEN TO THE PUBLIC**

DATE	TIME	GROUP	LOCATION
DECEMBER 10	2:00 PM Closed Session 3:15 PM Open Session	Port Commission	Port Commission Hearing Room (Ferry Building)
JANUARY 14	2:00 PM Closed Session 3:15 PM Open Session	Port Commission	Port Commission Hearing Room (Ferry Building)
FEBRUARY 11	2:00 PM Closed Session 3:15 PM Open Session	Port Commission	Port Commission Hearing Room (Ferry Building)

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

**Date of Report: November 21, 2024**

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

<b>DIVISION</b>	<b>TITLE</b>	<b>PUBLICATION DATE</b>	<b>CONTRACT MANAGER</b>
Real Estate and Development	Restaurant Spaces Solicitations - Ferry Plaza East Building	2/3/2023	Ricky Tijani through Real Estate Division
WRP	RFP for Three Embarcadero Early Projects	Upcoming	Carlos Colon, Brad Benson, Steven Reel, Alysabeth Alexander-Tut
Planning and Environment	As-Needed Hazardous Waste	Negotiating Contracts	Alysabeth Alexander-Tut and George Bibbins
Real Estate and Development	Restaurant Spaces Solicitations - Piers 33 1/2	Advertised	Sandra Oberle through Real Estate Division
Engineering	Ice Machine Design and Build	Upcoming	Simon Betsalel and Alysabeth Alexander-Tut
Maintenance, Real Estate, Security	Security Cameras, Security Gate, Key Card System	Upcoming	Alvin Sonza, Kyle Thomas, Jennifer Gee, Alysabeth Alexander-Tut, Patricia San Agustin
Engineering	RFI For Buy America Products	Upcoming	Noel Aquino and Alysabeth Alexander Tut
Finance and Administration	RFI: Overhead CAP	Pre-Award	Peter Leung and Alysabeth Alexander-Tut
Executive	As-Needed Equity RFQ	Advertised	Toni Autry, Tiffany Tatum, Alysabeth Alexander-Tut
Engineering	Amador Street Improvements	Pre-Award	Noel Aquino and Tim Leung
Engineering	Crane Cove Park Playground & Security Fencing	Awarded	Erica Peterson and Tim Leung
Engineering	Heron's Head Physical and Biological Monitoring	Pre-Award	Erica Peterson and Alysabeth Alexander-Tut
Communications	As-Needed Communications and Public Relations	Upcoming Advertisement	Eric Young and Alysabeth Alexander-Tut
Maritime	Dry Dock/Construction	Upcoming Advertisement	Nate Cruz, Andre Coleman, Alysabeth Alexander-Tut
Maintenance	Gangway Contract	Negotiations	Tim Felton and Alysabeth Alexander-Tut
Maritime	Shore Power System	Negotiations	Joe Monroe and Alysabeth Alexander-Tut
WRP	Project Advisory Services	Upcoming Advertisement	Brad Benson



## **NOTES**

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

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

The Fisherman's Wharf Advisory Committee (FWAC) has been established and meets the first Wednesday of each odd numbered month from 9:00 a.m. to 11:00 a.m. Contact Ming Yeung at [ming.yeung@sfport.com](mailto:ming.yeung@sfport.com).

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

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

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

The Waterfront Design Advisory Committee (WDAC) meets virtually, as needed, jointly with the Design Review Board of the Bay Conservation and Development Commission on the first Monday of the month. The Committee meets virtually as needed on the fourth Monday of the month at 6:30 p.m. Contact Ryan Wassum at [ryan.wassum@sfport.com](mailto:ryan.wassum@sfport.com).

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

## **ACCESSIBLE MEETING INFORMATION POLICY**

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

### **DISABILITY ACCOMMODATIONS**

To request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please contact Melanie Kung, Port's ADA Coordinator at (415) 629-4461 or via email at [melanie.kung@sfport.com](mailto:melanie.kung@sfport.com) or Jenica Liu at (415) 274-0406 or via email at [jenica.liu@sfport.com](mailto:jenica.liu@sfport.com) at least 72 hours in advance of the hearing. The Port's TTY number is (415) 274-0587.

### **LANGUAGE ASSISTANCE**

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

To request an interpreter for a specific item during the hearing, please contact Port's Language Access Liaison, Lucinda Hom at (415) 274-0400 or email her at [lucinda.hom@sfport.com](mailto:lucinda.hom@sfport.com) at least 48 hours in advance of the hearing.

#### **SPANISH:**

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

#### **CHINESE:**

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

#### **TAGALOG:**

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

#### **RUSSIAN:**

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

## **NOTICES**

### **Know Your Rights Under the Sunshine Ordinance:**

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

### **Prohibition of Ringing of Sound Producing Devices:**

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

### **Lobbyist Registration and Reporting Requirements:**

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

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

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

### **Prohibited Contributions by Persons with Pending Land Use Matters:**

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