



## MEMORANDUM

May 8, 2020

**TO:** MEMBERS, PORT COMMISSION  
Hon. Kimberly Brandon, President  
Hon. Willie Adams, Vice President  
Hon. Gail Gilman  
Hon. Victor Makras  
Hon. Doreen Woo Ho

**FROM:** Michael Martin DocuSigned by:  
Acting Executive Director *Michael Martin*  
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**SUBJECT:** Request approval of waiver of special event rent for Seawall Lot 337 Associates, LLC under Lease L-16417, for the San Francisco-Marin Food Bank's use of a portion of Seawall Lot 337 for Pop-Up Pantry events from May 15, 2020 until no later than the termination of the Mayor's Emergency Declaration, as a component of the City's public health response to the COVID-19 crisis. (Resolution 20-25)

**DIRECTOR'S RECOMMENDATION:** Approve the Attached Resolution

### **Executive Summary**

In the time since Mayor London Breed issued a declaration of emergency on February 25, 2020, the City and County of San Francisco (the "City") has been engaged in an escalating battle to slow the spread of the virus that causes Novel Coronavirus 2019 Disease ("COVID-19"). One key initiative in this effort is the requirement to shelter in place. Unfortunately, a consequence of this action has been the growth of food insecurity as many are faced with hunger for the first time due to a loss in wages. Others who face this challenge daily are further challenged by a lack of access to regular resources as many pantries have temporarily closed.

**THIS PRINT COVERS CALENDAR ITEM NO. 11B**

Seawall Lot 337 Associates, LLC, an affiliate of the Mission Rock Partners joint venture between the San Francisco Giants baseball club and Tishman Speyer, is the tenant at SWL 337 and has been asked by the San Francisco-Marin Food Bank (“SFMFB”) for permission to use Parking Lot A (SWL 337) for weekly “Pop-Up Pantry”. SFMFB has played an important role in the City and County of San Francisco’s response to the COVID-19 pandemic by operating Pop-Up Pantries throughout the City in coordination with the Office of Emergency Management to provide free food to residents in need. SFMFB would like the opportunity to use SWL 337 without payment of rent. Port in turn has been asked by the tenant to waive rent for this use as SFMFB will incur substantial expenses in operating the program. Port staff recommends that the Port Commission issue such a waiver and that the Port track these waived revenues in an effort to recover relief funds reimbursing these costs.

### **Strategic Objectives**

Port staff has determined that this use will support the goals of the Port’s Strategic Plan as follows:

Equity - This program will advance equity and public benefit by providing free food to address the needs of the community.

Resiliency – This project will improve the Port and the City’s response to natural and human-made risks.

Stability – Port staff will take steps to seek external reimbursement sources for the amounts waived.

### **Background**

In the weeks of the COVID-19 pandemic, food insecurity has grown rapidly. SFMFB is currently serving 20,000 more households per week than the organization was before the pandemic. Traffic to the organization’s online Food Locator has grown eightfold, and the organization’s San Francisco CalFresh team is fielding almost 10 times more calls than its previous average. In addition, 90 of the organization’s 275 regular food pantries have had to temporarily close due to incompatibility with social-distancing and other public health precautions, and SFMFB has had to ramp up home deliveries to serve 11,000 seniors who normally need to leave their homes to go to a pantry but are advised to reduce trips outside the home to reduce potential exposure to the virus.

In coordination with the Office of Emergency Management, SFMFB is proposing to operate a Pop-Up Food Pantry at SWL 337 to help residents in need. The parking lot provides them with an ideal location with sufficient space to operate responsibly with strict adherence to social distancing and other health and safety protocols.

### **Logistics**

The Pantry will operate on Fridays from 9 a.m. to 1 p.m. with the goal of serving between 300 and 1,200 families on the site during each session. No reservations will be required. As many as 60 total volunteers (divided into two shifts) will work each

Pantry session overseen by approximately five staff members from SFMFB. Should the demand exist and staff and resources become available, a second day per week may be added in the future.

For health and safety reasons, the Pantry initially proposes to operate as a drive-through-only site. This will allow staff and volunteers to adhere to social distancing guidelines and allow attendees to remain safely in their vehicles with food being loaded directly into their trunks. This distribution model will also allow larger quantities of food per family to be disbursed.

The schedule for each Pantry session is as follows:

- 7-7:30 a.m.: First food truck(s) arrive(s) – each truck contains approximately 300 portions arranged in palettes organized by food item. The initial trucks also bring any equipment (i.e. tables, chairs, pop-up tents) needed for the Pantry.
- 7:30-9 a.m.: Volunteers sort first portions into carry-out bags, organize and get ready for opening by setting up all equipment.
- 9 a.m. – 1 p.m.: Pantry opens to the public; some volunteers load pre-packed shopping bags, while other volunteers sort additional arrivals of unsorted supplies.
- 1-2 p.m.: Pantry operation wraps up, equipment is torn down and loaded onto trucks, and volunteers and staff complete clean-up.

Attachment A shows the site logistics plan. Pantry operations would be in a partially fenced area toward the center of the southern half of SWL 337, just south of the Mission Rock construction fence. Participants will be directed to access the lot via the ramp to/from Mission Rock Street. The Food Bank will establish line-up protocols that use the parking striping in the lot (which are approximately eight feet apart) to establish appropriate social distance between participants.

### **COVID-19 Precautions**

The SFMFB will be responsible for ensuring that all operations are in accordance with applicable local and state ordinances and orders addressing the COVID-19 pandemic. Pantry organizers will ensure that the Pantry is executed in a way that maintains social distancing between employees, volunteers, and participants and takes measures recommended by the Centers for Disease Control and Prevention and the San Francisco Department of Public Health to avoid transmission of the virus. This includes but is not limited to: cleaning and disinfecting surfaces that are touched often, directing all volunteers and employees to wash their hands with soap and water for at least 20 seconds, requiring all employees or volunteers to stay home if feeling sick and requiring the same to certify that they are not experiencing symptoms prior to working or volunteering, requiring all employees and volunteers to wear a facemask and gloves during operations, and provide training and/or direction to employees and volunteers regarding how to help prevent the spread of COVID-19.

Pantry organizers have been coordinating closely with the San Francisco Police Department at other pantry sites, and they have continued to do so in organizing the SWL 337 Pantry. SFPD has committed to having officers stop by the site around the

beginning and conclusion of service each week. SWL 337 is located immediately across the street from the Public Safety Building, and as such, SFPD says response times in the event of any safety incidents should be rapid.

### **Staff Analysis**

Under Lease L-16417 (the "SWL 337 Lease") with Seawall Lot 337 Associates, LLC, the Port receives rent for parking and other uses on SWL 337. Special events are allowed under the SWL 337 Lease as an ancillary permitted use.

The tenant will allow SFMFB site access to provide services at no charge to the public that are in greater demand as a result of COVID 19 and as such, the tenant has requested that the Port waive the special event rent.

Under the SWL 337 Lease, the Pop-Up Pantry is an allowed use and would qualify as a Minor Special Event, with a rent of \$0.0087 per square foot per day. With a footprint of 18,185 square feet and a maximum of eight events per month with expanded operations, the Pantry would generate approximately \$1,260 in fees per month that the Port would be foregoing with the recommended rent waiver.

Port staff recommends that the Port Commission provide a waiver of special event rents due Port for uses at SWL 337 related solely to the SFMFB Pop-Up Pantry for providing food distribution in coordination with the Office of Emergency Management. To receive the waiver, the SWL 337 Tenant must provide detailed layouts of the area of SWL 337 being used and a calculation of the waived rents according to the rent that would have been payable to Port for a minor special event using the square footage occupied under the terms of the SWL 337 Lease. Port staff recommends limiting this waiver to the period of the Mayor's Emergency Declaration, and only to those situations where rent is waived by the SWL 337 Tenant for the end user as well.

### **RECOMMENDATION**

Port staff recommends approval of Resolution 20-25 for the reasons described above.

Prepared by: Kimberley Beal  
Senior Property Manager

For: Michael Martin  
Deputy Director Real Estate and Development

Attachments:

Site Plan

**PORT COMMISSION  
CITY & COUNTY OF SAN FRANCISCO**

**RESOLUTION NO. 20-25**

- WHEREAS, Charter Section B3.581 empowers the Port Commission with the power and duty to use, conduct, operate, maintain, manage, regulate and control the Port area of the City and County of San Francisco; and
- WHEREAS, On February 25, 2020, Mayor London Breed issued the Proclamation by the Mayor Declaring the Existence of a Local Emergency (as supplemented, the "Mayor's Emergency Declaration") under Sections 8550 et seq. of the California Government Code, Section 3.100(14) of the San Francisco Charter, and Chapter 7 of the San Francisco Administrative Code, establishing the existence of an emergency within the City and County of San Francisco (the "City") due to the ongoing spread of the virus that causes Novel Coronavirus 2019 Disease ("COVID-19"); and
- WHEREAS, In the weeks of the COVID-19 pandemic, food insecurity has grown rapidly due to the temporary closure of food pantries due to incompatibility with social-distancing and other public health precautions; and
- WHEREAS, The San Francisco-Marín Food Bank in coordination with the Office of Emergency Management is proposing to operate a Pop-Up Food Pantry at Seawall Lot 337 to provide free food to residents in need; and
- WHEREAS, The San Francisco-Marín Food Bank will incur substantial expenses in operating the program and has requested the opportunity to use Seawall Lot 337 without paying rent; and
- WHEREAS, Seawall Lot 337 Associates LLC is the tenant at SWL 337 (the "SWL 337 Tenant") under Lease L-16147 (the "SWL 337 Lease"); and
- WHEREAS, After consultation, staff of the Port and the SWL 337 Tenant agreed to seek required approvals to waive their respective rent requirements for the area where the Pop-Up Food Pantry will occur at SWL 337; and
- WHEREAS, Under various state and federal relief programs, the Port may be eligible for disaster relief funds in reimbursement of the rent that is waived for these urgent public health-related activities; and

WHEREAS, Port staff will be tracking the waived rent for each event noted above for purposes of filing a subsequent claim for reimbursement from available relief sources; now, therefore be it

RESOLVED, That the Port Commission hereby approves of the Executive Director, or her designee, prospectively waiving rent due and payable by the SWL 337 Tenant to Port under the SWL 337 Lease for uses at SWL 337 directly related to a Pop-Up Pantry providing food distribution in coordination with the City Emergency Operations Center, with such waiver to expire upon termination of such uses or the Mayor's Emergency Delegation, whichever is earlier, subject to the SWL 337 Tenant waiving any rent otherwise payable by such user to the SWL 337 Tenant and the provision by the SWL 337 Tenant of detailed information as to the space used and the rent otherwise due to Port under the SWL 337 Lease for the referenced use; and be it further

RESOLVED, That the Port Commission directs staff to track and account for all waived rent directly related the COVID-19 pandemic, including the waived rent due Port under the SWL 337 Lease; and be it further

RESOLVED, That the Port Commission directs staff to apply for and diligently work to obtain disaster relief funds from various state and federal relief programs the Port may be eligible for, in reimbursement of the rent that is waived for these urgent public health-related activities, including the waived rent due Port under the SWL 337 Lease.

***I hereby certify that the foregoing resolution was adopted by the Port Commission at its meeting of May 12, 2020.***

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Secretary

DRAFT

# Lot A: Pop-Up Pantry Footprint & Circulation

*Not to precise scale*

