

SAN FRANCISCO PORT COMMISSION

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AGENDA TUESDAY, MAY 14, 2013 2:00 CLOSED SESSION 3:15 P.M. OPEN SESSION

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

The Port Commission Agenda as well as Staff Reports/Explanatory Documents available to the public and provided to the Port Commission are posted on the Port's Website at www.sfport.com. The agenda packet is also available at the Pier 1 Reception Desk. If any materials related to an item on this agenda have been distributed to the Port Commission after distribution of the agenda packet, those materials are available for public inspection at the Port Commission Secretary's Office located at Pier 1 during normal office hours.

1. **CALL TO ORDER / ROLL CALL**
2. **APPROVAL OF MINUTES** – April 23, 2013
3. **PUBLIC COMMENT ON EXECUTIVE SESSION**
4. **EXECUTIVE SESSION**
 - A. Vote on whether to hold closed session.
 - (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:
 - a. Property: AB 4052; 4111, lots 3 and 4; also known as Pier 70 Waterfront Site, located near the intersection of 22nd Street and Illinois
Person Negotiating: Port: Byron Rhett, Deputy Director, Planning and Development

*Negotiating Parties: Forest City Development California: Kevin Ratner, Alexa Arena and Jack Sylvan

Under Negotiations: ___ Price ___ Terms of Payment Both
Pursuant to Resolution No. 11-49, the Port Commission awarded to the non-Port party an exclusive negotiation agreement with the Port for the lease and development of the property. In this executive session, the Port's negotiators seek direction from the Port Commission regarding price and/or terms of payment, including rent structure, financing mechanisms, and other factors affecting the form, manner and timing of payment of the consideration for the property interests. The executive session will enhance the capacity of the Port Commission during its 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.

- b. Property: Piers 30/32 and Seawall Lot 330
Person Negotiating: Port: Byron Rhett, Deputy Director, Planning & Development and Brad Benson, Special Projects Manager
OEWD: Jennifer Matz
*Negotiating Party: Golden State Warriors and GSW Arena LLC: Rick Welts, Ellen Warner, Jesse Blout, Michael Cohen

Under Negotiations: ___ Price ___ Terms of Payment Both
Pursuant to Resolution No. 12-61, the Port Commission awarded GSW Arena LLC an exclusive negotiation agreement for the potential lease, disposition and development of real property interests in Piers 30-32 and Seawall Lot 330. In this executive session, the Port's negotiators seek direction from the Port Commission regarding price and/or terms of payment, including rent structure, financing mechanisms and other factors affecting the form, manner and timing of payment of the consideration for the property interests. The executive session will enhance the capacity of the Port Commission during its 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. 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, 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 of or use of a cell phone, pager, 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 pertinent public comments on each agenda item unless the Port Commission adopts a shorter period on any item.

8. EXECUTIVE

- A. Executive Director's Report
 - Fisherman's Wharf Wax Museum's 50th Anniversary – May 12, 2013
 - Pier 70 Crane Cove Park Plan Community Workshop at 699 Illinois Street- May 18, 2013 from 9:45 a.m. to 12 noon
 - CUESA Farmer's Market 20th Birthday Bash - May 18, 2013 from 9:00 a.m. to 12 noon, Ferry Building (farmersmarketbirthdaybash.eventbrite.com)
 - Port of San Francisco's Foreign Trade Zone No. 3 approved for expanded service area
 - Port Bi-annual Budget Hearing at Budget and Finance Committee of the Board of Supervisors - May 29, 2013 at 1 p.m.
 - Recap of Port's 150th Anniversary and Committee Recognition
- B. Informational presentation introducing the Respondents to the Request for Proposals for Cruise Terminal Passenger Operations, Parking and Conference and Special Event Management for the James R. Herman Cruise Terminal at Pier 27.

9. CONSENT

- A. Request authorization to accept and expend \$616,534 in grant funds from the California Coastal Conservancy for the restoration of the Copra Crane and removal of pile supported wharf at Pier 84 on Islais Creek at the southern terminus of Indiana Street. (Resolution No. 13-18)

10. PLANNING & DEVELOPMENT

- A. Informational presentation on updated architectural design for the Golden State Warriors Multi-Purpose Venue and Arena Project at Piers 30-32 and Seawall Lot 330.
- B. Informational presentation of the Term Sheet between the Port and Forest City Development California, Inc. for the mixed-use development of the Pier 70

Waterfront Site, bordered generally by 20th Street, Michigan Street, 22nd Street, and the San Francisco Bay.

11. FINANCE AND ADMINISTRATION

- A. Request approval of (1) the financial plan to issue 2013 Port Revenue Bonds in an amount not to exceed \$25.3 million for Phase II of the James R. Herman Cruise Terminal Project and Northern Waterfront Historic Pier Structures Repair Project; (2) reallocation of \$7.3 million of 2010 Port Revenue Bonds Series 9A and 9B, \$1.8 million of Series 12B 2013 Certificates of Participation, and \$0.5 million of Port Capital Funds to the James R. Herman Cruise Terminal project and the Northern Waterfront Historic Pier Structures Repair Project; and (3) recommendation to the Board of Supervisors for an appropriation ordinance that allocates 2013 Port Revenue Bond proceeds and reallocates 2010 Port Revenue Bonds, 2013 COPs and capital funds to said projects. (Resolution No. 13-19)

12. NEW BUSINESS

13. PUBLIC COMMENT

Public comment is permitted on any matter within Port jurisdiction and is not limited to agenda items. Public comment on non-agenda items may be raised during New Business/Public Comment. A member of the public has up to three minutes to make pertinent public comments before action is taken on any agenda item and during the new business/public comment period. It is strongly recommended that public comments be submitted in writing so they can be distributed to the Commissioners for their review. Please fill out a speaker card and hand it to the Commission Secretary. If you have any question regarding the agenda, please contact the Commission Secretary at 274-0406.

14. ADJOURNMENT

Adjourn the meeting in memory of Andrew "Bart" Simpson, member of Artemis Racing

**FORWARD CALENDAR
(TARGETED COMMISSION MEETING, SUBJECT TO CHANGE)**

MAY 28, 2013

	FACILITY/POLICY	ITEM	TITLE
1	Portwide	Informational	Presentation regarding the Fiscal Year 2013-14 Monthly Rental Rate Schedule, Monthly Parking Stall Rates, Special Event and Filming Rates, and the Port of San Francisco's Standard Real Estate Leasing Policy and Procedures
2	Pier 70	Action	Endorsement of Forest City's term sheet for the Pier 70 Waterfront Site
3	Pier 27	Action	Authorization to negotiate the James R. Herman Cruise Terminal management agreement with the highest ranked management team bidder
4	Jefferson Street	Action	Approval of Port Harbor Traffic Code amendment for the Jefferson Street Improvement Project

JUNE 11, 2013

	FACILITY/POLICY	ITEM	TITLE
1	Pier 38	Informational	Presentation introducing the bidders for the rehabilitation of Pier 38
2	Portwide	Informational	Presentation on Port's wetland habitat preservation sites and environmental education programs
3	Portwide	Action	Approval of the Fiscal Year 2013-14 Monthly Rental Rate Schedule, Monthly Parking Stall Rates, Special Event and Filming Rates, and the Port of San Francisco's Standard Real Estate Leasing Policy and Procedures
4	Pier 9	Action	Request approval to rescind the 2011 RFP and issue a new RFP for an excursion boat operator at Pier 9
5	295 Terry Francois Boulevard	Action	Approval of a Retail Lease No. L-15255 between the Port of San Francisco and East Street San Francisco, a Limited Liability Company for a term of 15 years, with one (1) five-year renewal option for the development and the operation of the restaurant site located at 295 Terry Francois Boulevard, subject to the Board of Supervisors' approval
6	Southern Waterfront	Action	Authorization to Award Construction Contract No. 2761, Blue Greenway Signage Project

JULY 9, 2013

	FACILITY/POLICY	ITEM	TITLE
1	Brannan Street Wharf	Informational	Update regarding the Brannan Street Wharf project, located along the Embarcadero Promenade between Pier 30-32 and Pier 38 at Brannan Street
2	Pier 27	Action	Approval of the James R. Herman Cruise Terminal management agreement with the highest ranked management team
3	Fisherman's Wharf	Action	Approval of a resolution replacing Port Commission Resolution 95-56 to approve street artists spaces for the Fisherman's Wharf area under the City's Street Artist Program and adopting conditions and limitations on such use
4	Fisherman's Wharf	Action	Approval of an amendment to the Street Performer Program for the Fisherman's Wharf area
5	Heron's Head Park at Cargo and Jennings Street	Action	Authorization to Negotiate and Execute a Mutual Termination Agreement with Literacy for Environmental Justice for Termination of Lease L-13816, which includes the "EcoCenter at Heron's Head Park" and surrounding 6,058 square feet of non-exclusive license area, subject to Board of Supervisors' approval of the Mutual Termination Agreement

AUGUST 13, 2013

	FACILITY/POLICY	ITEM	TITLE
1	Portwide	Action	Authorization to award the contract for As-Needed Environmental and related Professional Services for three contracts at \$1 million each, totaling \$3 million

DATE TO BE DETERMINED

	FACILITY/POLICY	ITEM	TITLE
1	South Beach	Action	Port Commission's consideration of agreements between the Port Commission and the Successor Agency to mutually terminate 13 ground leases in the South Beach project area and set business terms for the transfer of the South Beach Harbor Program

2	Portwide	Action	Approval to enter into agreements with the San Francisco Municipal Transportation Agency and the regional bike share program operator to use Port property for the Bay Area Regional Bike Share Pilot Program
3	SWL 351	Action	Approval of resolution recommending that the Board of Supervisors form a City and County Infrastructure District No. 2 and adopt the Infrastructure Financing Plan included in Appendix C which will capture tax increment from the Seawall Lot 351 project (commonly known as the 8 Washington Street project) for site open space improvements, the Cruise Terminal project, under-pier utilities and pier substructure repairs; and authorizing the Port's Executive Director to enter into a Memorandum of Understanding with the City and County of San Francisco acting through the Controller's Office to implement the District
4	Pier 70	Action	Approval of Federal Cost Sharing Agreement between the Port of San Francisco and the U.S. Army Corps of Engineers for study of the Central Basin Dredge Project

COMMUNICATIONS TO PORT COMMISSION
From April 9-May 9, 2013

- From Jon Golinger, Waterfront Committee Chair, regarding Northeast Wharf Plaza at Pier 27

**MAY/JUNE 2013
CALENDAR OF UPCOMING PORT MEETINGS – OPEN TO THE PUBLIC**

DATE	TIME	GROUP	LOCATION
May 28	2:00 PM Closed Session	Port Commission	Port Commission Hearing Room at the Ferry Building
	3:15 PM Open Session	Port Commission	Port Commission Hearing Room at the Ferry Building
June 11	2:00 PM Closed Session	Port Commission	Port Commission Hearing Room at the Ferry Building
	3:15 PM Open Session	Port Commission	Port Commission Hearing Room at the Ferry Building

NOTES:

The San Francisco Port Commission meets regularly on the second and fourth Tuesday of the month at 3:15 p.m., unless otherwise noticed. The Commission Agenda and staff reports are posted on the Port's Website @ www.sfport.com. The Port Commission meetings can be viewed online at

http://sanfrancisco.granicus.com/ViewPublisher.php?view_id=92. The Port Commission meetings are also broadcasted on the 2nd & 4th Thursday of the month at 9 p.m. on Comcast Cable Channel 26 or Astound Cable Channel 78 (formerly RCN Cable). Contact Amy Quesada at 274-0406 or amy.quesada@sfport.com

The Fisherman's Wharf Waterfront Advisory Group (FWWAG) meets regularly on a bi-monthly basis, on the third Tuesday of the month. The regular meeting time and place is 9:00 a.m. at Scoma's Restaurant, Pier 47 at Fisherman's Wharf. Contact Rip Malloy @ 274-0267 or rip.malloy@sfport.com

The Maritime Commerce Advisory Committee (MCAC) meets every other month, on the third Thursday of the month, from 11:30 a.m. to 1:00 p.m. @ Pier 1. Contact Jim Maloney @ 274-0519 or jim.maloney@sfport.com

The Mission Bay Citizens Advisory Committee meets on the second Thursday of the month at 5:00 p.m. in the Creek Room at Mission Creek Senior Building located at 225 Berry Street in San Francisco (along the Promenade just beyond the library.) Contact Catherine Reilly at the former Redevelopment Agency @ 749-2516 or catherine.reilly@sfgov.org

The Northeast Waterfront Advisory Group (NEWAG) meets regularly on a bi-monthly basis on the first Wednesday of the month from 5:00 p.m. to 7:00 p.m. in the Bayside Conference Room @ Pier 1. Contact Jonathan Stern @ 274-0545 or jonathan.stern@sfport.com

The Central Waterfront Advisory Group (CWAG) meets monthly on an as-needed basis, generally on the third Wednesday of the month from 5 to 7 p.m. in the Bayside Conference Room at Pier 1. Contact Mark Paez @ 705-8674 or mark.paez@sfport.com

The Southern Waterfront Advisory Committee (SWAC) meets every last Wednesday of the month from 6:15 to 8:15 p.m. Location to be determined. Contact David Beaupre @ 274-0539 or david.beaupre@sfport.com

The Waterfront Design Advisory Committee (WDAC) meets jointly with the Design Review Board of the Bay Conservation and Development Commission on the first Monday of the month at BCDC, 50 California Street, Rm. 2600, at 6:30 p.m. The Committee meets as needed on the fourth Monday of the month at 6:30 p.m. in the Bayside Conf. Rm. @ Pier 1. Contact Dan Hodapp @ 274-0625 or dan.hodapp@sfport.com

ACCESSIBLE MEETING INFORMATION POLICY

FERRY BUILDING:

The Port Commission Hearing Room is located on the second floor of the Ferry Building. The main public entrance is from the west (Embarcadero) side and is served by a bank of elevators adjacent to the historic staircase. Accessible public restrooms are on the first floor at the northeast end of the building as well as on the second floor across the lobby from the Port Commission Hearing Room. The main path of travel to the Port Commission Hearing Room is equipped with remote infrared signage (Talking Signs). The Port Commission Hearing Room is wheelchair accessible. Accessible seating for persons with disabilities (including those using wheelchairs) is available. The closest accessible BART and MUNI Metro station is Embarcadero located at Market & Spear Streets. Accessible MUNI lines serving the Ferry Building area are the F-Line, 9, 31, 32 and 71. For more information about MUNI accessible services, call (415) 923-6142. The nearest accessible parking is provided in the following off-street pay lots: 3 spaces in the surface lot on the west side of the Embarcadero at Washington Street.

Hourly and valet parking is available in the Pier 3 lot. This lot is accessed through the Pier 3 bulkhead building entrance on the east side of the Embarcadero. This lot is located on the pier deck; adjacent to the ferry boat Santa Rosa. Additional covered accessible off-street pay parking is available in the Golden Gateway Garage, which is bounded by Washington, Clay, Drumm and Battery Streets. Entrance is on Clay St. between Battery and Front Streets. There is no high-top van parking. Metered street parking is available on the Embarcadero, Washington, Folsom & Drumm Streets.

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.

A sign language interpreter and alternative format copies of meeting agendas and other materials can be provided upon request made at least 72 hours in advance of any scheduled meeting. Contact Wendy Proctor, Port's ADA Coordinator, at 274-0592, the Port's TTY number is (415) 274-0587.

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 Chris Rustom by mail: 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 soft@sfgov.org. Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from Mr. Rustom or by printing Sections 67.1 et seq. of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>.

NOTICES

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.