

SAN FRANCISCO PORT COMMISSION

Leslie Katz, President
Willie Adams, Vice President
Kimberly Brandon, Commissioner
Mel Murphy, Commissioner
Doreen Woo Ho, Commissioner

Monique Moyer, Executive Director Amy Quesada, Commission Secretary
Phone: 415-274-0400; Fax 415-274-0412 Phone: 415-274-0406; Fax 415-274-0412

SPECIAL MEETING AGENDA **TUESDAY, SEPTEMBER 9, 2014** **1:45 P.M. CLOSED SESSION** **2:45 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 – August 12, 2014**
- 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: Pier 38, located at Delancey Street and The Embarcadero
Person Negotiating: Port: Byron Rhett, Deputy Director, Planning and Development; Jonathan Stern, Assistant Deputy Director of Planning and Development

*Negotiating Parties: TMG Pier 38 Partners, LLC: Michael Covarrubias

Under Negotiations: ___ Price ___ Terms of Payment Both
The Port and TMG Pier 38 Partners, LLC (“TMG”) are negotiating a lease for the Pier 38 Bulkhead Building Rehabilitation Project. In this executive session, the Port's negotiator seeks direction from the Port Commission on factors affecting the price and terms of payment, including price structure, financing mechanisms and other factors affecting the form, manner and timing of payment of the consideration for the property interests. The executive session discussions 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 S

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. PUBLIC COMMENT ON ITEMS NOT LISTED ON THE AGENDA

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 Public Comment Period. A member of the public has up to three minutes to make pertinent public comments. 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. No Commission action can be taken on any matter raised during the public comment period for items not listed on the agenda 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))

9. EXECUTIVE

A. Executive Director's Report

- *Chinese Whispers*: Bay Chronicles at Heron's Head Park– September 13, 2014 at 12:30 p.m.
- Coastal Clean Up Day – September 20, 2014 at 9:00 a.m. to 12 noon
- Port Commission Meeting Offsite – September 23, 2014 at 1800 Oakdale Avenue, San Francisco
- Arrival of the Pier 27 James R. Herman Cruise Terminal Gangway
- Pier 27 James R. Herman Cruise Terminal Opening – September 25, 2014 at 12 noon
- Waterfront Land Use Plan Public Comment Deadline Extension – November 30, 2014
- In Memoriam:
 - George Pasha III, Chairman of the Pasha Group
 - Patrick J. Flanagan, Fisherman's Wharf Merchant Association, Past President
 - Harry Kim, Fisherman's Wharf Merchant Association Member

B. Commissioners' Report

10. MARITIME

- ### **A. Request approval of changes to Port Tariff No. 5, Section 8 – Fisherman's Wharf, conducting non-sport fishing trips, and Section 10 – Passenger Fees. (Resolution No. 14- 51)**

11. FINANCE & ADMINISTRATION

- ### **A. Informational presentation on the Port's Year-End Report on Contracting Activity for the Fiscal Year 2013-14 (July 1, 2013 through June 30, 2014).**

12. PLANNING AND DEVELOPMENT

SPECIAL ORDER - ITEM 12B WIL BE HEARD AT A TIME CERTAIN OF 4:00 P.M.

- A. Informational presentation by the San Francisco Planning Department Director regarding interagency coordination with the Port of San Francisco for waterfront planning and urban design.
- B. Joint Presentation by John Englander and Will Travis on Sea Level Rise.

13. NEW BUSINESS

14. ADJOURNMENT

**Correspondence to the Port Commission
August 8 to September 4, 2014**

- From Port staff, copy of letter to Superior Court Presiding Judge and Response Matrix to 2013-14 Civil Grand Jury's Report: *The Port of San Francisco Caught Between Public Trust and Private Dollars*

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

PLEASE NOTE CHANGE OF MEETING LOCATION

**SEPTEMBER 23, 2014 - SOUTHEAST COMMUNITY FACILITY, 1800 OAKDALE AVENUE
SAN FRANCISCO**

	FACILITY/POLICY	ITEM	TITLE
1	Portwide	Informational	Review of June 2014 Civil Grand Jury Report: <i>The Port of San Francisco Caught Between Public Trust and Private Dollars</i>
2	Southern Waterfront	Informational	Presentation on the Southern Waterfront Maritime & Land Use Strategy
3	Blue Greenway	Informational	Presentation on the status of the Port's Blue Greenway Projects
4	Portwide	Action	Authorization to issue an informal bid for a Financial Advisor Contract
5	Portwide	Action	Authorization to enter into an Architectural/Engineering Services Contract for the Completion of an Assessment of the Port's Seawall
6	Brannan Street Wharf	Action	Authorization to approve plaque installation and pathway naming at Brannan Street Wharf located on The Embarcadero Promenade between Piers 30-32 and Pier 38
7	Third Street and Cargo Way	Action	Approval of First Amendment to the Memorandum of Understanding between the Port and the San Francisco Fire Department for Station House No. 25 at Third Street and Cargo Way, MOU No. M12364

OCTOBER 14, 2014

	FACILITY/POLICY	ITEM	TITLE
1	Portwide	Informational	Presentation by City Controller on Best Practices for Public Works Contracts
2	Pier 38	Informational	Presentation on Pier 38 Bulkhead Building Rehabilitation Project with TMG Pier 38 Partners, LLC, located at Delancey Street and the Embarcadero.
3	Seawall Lot 324	Informational	Presentation Regarding a Prospective Sole Source Commercial Lease between the Port of San Francisco and Teatro Zinzanni for Premise at SWL 324
4	Portwide	Action	Authorization to enter into a contract for Youth Employment Services

5	Portwide	Action	Authorization to enter into a contract for Emergency Operations Training
6	Southern Waterfront	Action	Approval to issue RFP for Consultant to update Southern Waterfront Environmental Impact Report

OCTOBER 28, 2014

	FACILITY/POLICY	ITEM	TITLE
1	Pier 33½	Informational	Approval of staff recommendations to award the RFP for retail opportunity at Pier 33½ to most qualified bidder and to direct staff to negotiate a lease
2	Portwide	Informational	Presentation on Finger Pier Exiting Code Analysis/Model Guidelines

NOVEMBER 18, 2014 – SPECIAL MEETING

	FACILITY/POLICY	ITEM	TITLE
1	Portwide	Informational	Presentation on Water Taxi Operations at the Port
2	Pier 96	Action	Authorization to advertise and issue a Request for Proposals (RFP) soliciting a developer and operator for a Bulk Export Maritime Terminal Operation at Pier 96
3	Pier 29	Action	Approval to issue a Request for Proposals (RFP) for a Retail Leasing Opportunity at the Pier 29 Bulkhead Building, located at Chestnut Street and The Embarcadero.
4	Pier 94/96, Pier 48/50 Marginal Pier, and SWL 318 Round House Building	Action	Authorization to award Construction Contract No. 2769, Port Security Fences, Phase IV

DECEMBER 16, 2014

	FACILITY/POLICY	ITEM	TITLE
1	Pier 80	Informational	Presentation on Cargo Marketing Plan for Pier 80 in conjunction with Metro Ports and the International Longshore and Warehouse Union
2	Pier 33½	Action	Approval of Lease for Retail Location at Pier 33½

DATE TO BE DETERMINED

	FACILITY/POLICY	ITEM	TITLE
1	SWL 337	Informational	Presentation regarding a special event in excess of 90-days at Port property at Seawall Lot 337, including a review of the special event's proforma, pursuant to Lease No. L-14980 between Port and China Basin Ballpark Company, LLC.
2	Piers 30-32	Informational	Presentation of alternatives for reuse of Piers 30-32
3	Portwide	Informational	Presentation on quality of Port's office space portfolio & required improvements
4	Portwide	Informational	Presentation of Public Comments and Recommendations on the Waterfront Land Use Plan Review Report
5	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
6	Pier 31	Action	Authorization to advertise for competitive bids for Construction Contract No. 2762, Pier 31 Building and Roof Repairs
7	Pier 70	Action	Authorization to advertise for competitive bids for Construction, Crane Cove Park Project Phase 1
8	Pier 94 and 96	Action	Authorization to advertise for competitive bids for Construction, Pier 94-96 Storm Drain and Outfall repairs
9	Loading Dock near Tulare Street	Action	Authorization to advertise for competitive bids for Construction, Copra Crane Refurbishment
10	3rd Street & Cargo Way Triangle and Cargo Way	Action	Authorization to advertise for competitive bids for Construction, Quint Street Lead Improvement Project
11	Pier 35	Action	Authorization to advertise for competitive bids for Construction, Pier 35 Substructure Repairs
12	Pier 29	Action	Approval to issue a Request for Proposals for new tenant(s) for Pier 29 bulkhead
13	Pier 31	Action	Authorization to award Construction Contract No. 2762, Pier 31 Building and Roof Repairs
14	Daggett Street	Action	Approval of Memorandum of Understanding between the Port and the City's Real Estate Department authorizing the jurisdictional transfer of the Daggett Street Right-of-Way from the Port to the City for a transfer fee of \$1.6 Million

SEPTEMBER/OCTOBER 2014
CALENDAR OF UPCOMING PORT MEETINGS – OPEN TO THE PUBLIC

DATE	TIME	GROUP	LOCATION
September 23	2:00 PM Closed Session	Port Commission	Southeast Community Facility, Alex L. Pitcher, Jr. Community Room, 1800 Oakdale Avenue, San Francisco CA 94124 (Phone 415-821-0921)
	3:15 PM Open Session	Port Commission	Southeast Community Facility, Alex L. Pitcher, Jr. Community Room, 1800 Oakdale Avenue, San Francisco 94124 (Phone 415-821-0921)
October 14	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
October 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

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.

Disability Accommodations:

To request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please contact Wendy Proctor, Port's ADA Coordinator at (415) 274-0592 or Amy Quesada, Commission Secretary, at (415) 274-0405 or via email at amy.quesada@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 gratuity / 無料の言語支援 / 무료 언어 지원 / ភ្នំ ១ “ង” “ង” “ង” ‘ ១ / Libreng tulong para sa wikang Tagalog

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 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 sotf@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>.

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.

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.