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Leah Pimentel
Darshan Singh
COMMISSIONERS

Tiffany Bohee
EXECUTIVE DIRECTOR

101-0162016-002

Agenda Item **5(a)**
Meeting of April 5, 2016

**MINUTES OF A REGULAR MEETING OF THE
COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE
OF THE CITY AND COUNTY OF SAN FRANCISCO HELD ON THE
19TH DAY OF JANUARY 2016**

The members of the Commission on Community Investment and Infrastructure of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 1:00 p.m. on the 19th day of January 2016, at the place and date duly established for holding of such a meeting.

REGULAR MEETING AGENDA

1. Recognition of a Quorum

Meeting was called to order at 1:05 p.m. Roll call was taken.

Commissioner Bustos - present
Commissioner Mondejar - absent
Commissioner Pimentel - present
Commissioner Singh - present
Chair Rosales – present

Commissioner Mondejar was absent. All other Commission members were present.

2. Announcements

A. The next scheduled Commission meeting will be a regular meeting held on Tuesday, February 2, 2016 at 1:00 p.m. (City Hall, Room 416).

B. 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 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.

C. Announcement of Time Allotment for Public Comments

3. Report on actions taken at previous Closed Session meeting – None

4. Matters of Unfinished Business – None

5. Matters of New Business:

CONSENT AGENDA

- a) Approval of Minutes: Special Meeting of November 3, 2015

Commissioner Singh motioned to move Item 5(a) and Commissioner Bustos seconded that motion.

Secretary Guerra called for a voice vote on Item 5(a).

Commissioner Bustos - yes
Commissioner Mondejar - absent
Commissioner Pimentel - yes
Commissioner Singh - yes
Chair Rosales - yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS WITH ONE ABSENCE THAT MINUTES FOR THE REGULAR MEETING OF NOVEMBER 3, 2015, BE ADOPTED.

REGULAR AGENDA

Agenda items 5(b) and 5(c) related to the Transbay Redevelopment Plan Amendment were heard together, but acted on separately

- b) Approving the Report to the Board of Supervisors on the Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area to increase the maximum height limit from 300 feet to 400 feet on Block 1 of Zone One of the Transbay Redevelopment Project Area and authorizing transmittal of the Report to the Board of Supervisors; Transbay Redevelopment Project Area (Discussion and Action) (Resolution No. 1 - 2016)
- c) Adopting environmental review findings pursuant to the California Environmental Quality Act and approving the Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area to increase the maximum height limit from 300 feet to 400 feet on Block 1 of Zone One of the Transbay Redevelopment Project Area, referring the Redevelopment Plan Amendment to the Planning Commission for its report and recommendation on the Redevelopment Plan Amendment and its conformance with the General Plan, and recommending the Redevelopment Plan Amendment to the Board of Supervisors for approval; Transbay Redevelopment Project Area (Discussion and Action) (Resolution No. 2 - 2016)

Presenters: Tiffany Bohee, Executive Director, OCII; Marie Munson, Senior Development Specialist, Real Estate Division, OCII; Jose Campos, Manager, Planning and Design Review, OCII; Carl Shannon, Tishman Speyer (TS); Shane Hart, Transbay Project Manager; Kansai Uchida, San Francisco Planning Department; George Bridges, Contract Compliance Specialist

PUBLIC COMMENT

Speakers: Rob Poole, Project Manager, San Francisco Housing Action Coalition (SFHAC); Donald Dunsnap, San Francisco resident/activist and member of SFHAC, SFBARF (San Francisco Bay Area Renters Federation) and the Sierra Club; Greg Oncel, San Francisco resident; Steve Cookson, San Francisco resident; Alyce Desrosiers, resident Rincon Hill and Rincon Point neighborhood; Ken Chiu, San Francisco resident; Lee Robbins; San Francisco resident; Lauren Post, Vice Chair, Transbay CAC & President, Board of Directors, Rincon Hill Community Benefit District and San Francisco resident; Marian Wallace, San Francisco resident; Jerome Dodson, Rincon Hill resident; Peter Harman, Chair, CAC and area resident; Sonja Trauss, founder, SFBARF; Carmen Furnaguerza, potential new Transba resident at 4th and Mission; Robert Devlin, Sales Associate, Polaris Pacific; Kam Chou, Homeowner, 1400 Mission; Mitchell Omerberg, Director, Affordable Housing Alliance; E'Mani Davis, former intern, Tishman Speyer; Tom Fogle, firefighter and board member, Local 798; Victor Eyal, Infinity homeowner; Monica Wilson, SBE consultant; Jon Golinger, San Francisco resident; Oscar James, native resident Bayview Hunters Point (BVHP)

Mr. Poole explained his member-supported non-profit organization advocated for well-designed and well-located affordable housing in San Francisco. He was excited to speak before the Commission for the first time and stated Tishman Speyer had presented their plans in October 2014 and SFHAC supported using the increased height to deliver more affordable housing to the middle class people. Mr. Poole felt what this project could achieve was remarkable and unprecedented: 40% on-site affordable housing in one residential building made possible as a result of the added height, which provided an additional 77 units, 60% of which were BMR. He displayed a chart to show specifically who would benefit by these BMR's, which were in the 80-120% AMI range. The people purchasing these homes between the 80-100% AMI were construction workers, postal clerks, teachers, first responders, electricians, or basically San Francisco's middle class, precisely the group being squeezed out of home ownership in San Francisco, so this was a tremendous benefit to the people of the City. Mr. Poole indicated SFHAC believed the EIR was solid and did not need to be reviewed again and the design and increased height fit very well with the rest of the buildings in the City. He commented that in 10 years this building would not stand out at all in relation to other buildings in the pipeline. They supported the project as it was presented and he hoped OCII would move and pass this item.

Mr. Dunsnap shared a report card from SFHAC. He pointed out in the last November election, 75% of San Francisco residents voted for more dwelling units, acknowledging the emergency housing situation in the City and the fact that urban density for future generations made sense and protected the local environment from climate change, created health and sustainability. Mr. Dunsnap was pleased with the 160 Folsom project for several reasons: it maintained and enhanced public sight lines of the Bay at 400' tall; the BMR units would be mixed throughout the 40-story building instead of only being on lower floors; the developer would subsidize home owner association dues for low income residents so they were not house-poor. Mr. Dunsnap pointed out in this area, where it cost \$1,600/sq. ft. at market rate to own a one bedroom/one bath condo, this kind of project was essential in order to infuse racial diversity and social equity in the Transbay community. None of the surrounding buildings in the area contained any onsite affordable units. Mr. Dunsnap noted 160 Folsom was architecturally compact, mixed-use, diverse, healthy, green, accessible and sustainable with lower than normal traffic impact. Also this project made it affordable for young families to purchase homes in the City and to transition from low-income to working middle class. He urged OCII to pass the item.

Mr. Oncel was not in support of this item. He stated he lived in the Infinity Building and by increasing the height of the building from 300 to 400 square feet it would add more residents, cars and traffic making the situation worse. Mr. Oncel reported it already took him 25 minutes to drive two blocks in the area and was concerned worsening traffic. He indicated he walked from the Bay Bridge to the Ferry Building every day and wanted to see the City the way it was now and not see a wall in its place.

Mr. Cookson stated he had watched the shadow animation and thought it was interesting. However, he pointed out shadows do not confine themselves to streets but cover buildings, surfaces, and public areas, which was not represented in the animation. He explained that the Spear Street plaza was right in the center of the Infinity complex, which was where people ate their lunch and enjoyed the sunshine. He added 1,400 people lived in the Infinity Building, had invested in their units and had not anticipated a 400 foot tower going up next door. At the time he was considering moving from Los Angeles to San Francisco, he was shown a diagram by the Developer's agent, which showed a 300 foot tower going up nearby. He figured that on the 42nd floor he would not have a problem with his view and moved from LA to San Francisco based on that assumption. The developer initially had a plan to build a 300 foot tower there. Mr. Cookson acknowledged that affordable housing was needed in the City, but only about 30-40 families would benefit from this and everyone else living in the Infinity Building would be impacted and their quality of life would be affected in a negative way. Mr. Cookson inquired about whether it was really worth compromising everyone's quality of life for a handful of affordable units. He asked OCII to take that into consideration when making its decision.

Ms. Desrosiers exhibited letters from 10 other residents unable to be present at the meeting, who were all in opposition of this project, because of the negative effect the tower would have in Rincon Hill. She stressed the shadow ordinance prevented buildings from shading public parks and City land and pointed out if Rincon Park were on City land, the proposed project at 160 Folsom would be illegal. Ms. Desrosiers displayed a shadow study done by Rincon Hill residents with whom they had discussed with OCII staff. The height increase of the building from 300 to 400 feet substantially increased the amount of shadow onto Rincon Park, which would reduce the enjoyment and use of the Park for residents and visitors alike. Ms. Desrosiers reminded Commissioners the project was about what was best for the public good. The neighborhood was already affected by gridlock traffic from Monday through Friday from 3:00-7:00 PM. The approximately seven new high-rise buildings in the pipeline would add to the current gridlock situation. Ms. Desrosiers remarked state law required developers provide 35% affordable housing and this deal provided 40%, which was an additional 5%, a fact not known by the public.

Mr. Chiu stated he was a resident in the area and was not in support of the project. He expressed concern about the land purchase price of \$19 million dollars which seemed very low, compared to Parcel F which was selling for \$165 million. He remarked if the City were to sell this land at the real market price, they could pocket the extra \$100 million and use that money to build significant amounts of affordable housing elsewhere. He noted there had been auctions for this land, because it was probably the most valuable land being so close to the waterfront. Mr. Chiu commented that this area would probably continue to be built higher and soon local parks would not be very attractive to anyone, if there was no sunshine in the area at all.

Mr. Robbins stated he had lived in New York until about 20 years ago and was concerned about the "Manhattanization" of San Francisco. He commented on the nonsense of the arguments surrounding this issue. One argument was that a 400 foot building would blend in with recent development. Mr. Robbins stated he would prefer a building built at 200 feet rather than 300 feet and stated that they are not doing a variation, but rather an amendment. This did not make it better, but made it worse.

Ms. Post stated she was thrilled to see this building being built and wouldn't mind if it were even higher. She indicated the concessions by the developer were amazing, including having the affordable units sprinkled throughout the building and the developer covering HOA dues for those that could not afford them and amenities for all the residents living in this building. She felt the effects of shadowing would be minimal. Ms. Post believed this project would be in the interest of all San Francisco residents and would serve as a model for all other buildings in the City.

Ms. Wallace inquired about why all of the assets of the building presented at 400 feet could not still be available at 300 feet. She commented on the number of luxury condos in the City that weren't even occupied most of the time but were only used when residents visited the City and that this crowded out any housing. Ms. Wallace felt that there was no reason to make the building taller in order to provide more affordable housing when the same amount of affordable housing should be made available at 300' or lower. Making this building taller would only allow by extension all the future buildings to be even taller than this one. The increased height would undoubtedly cast more shadows and long-lasting shadows; however, she felt there was no reason to make the building taller but that there was plenty of reason to provide more affordable housing at a lower height.

Mr. Dodson was opposed to the additional 100'. He displayed the shadow study which he claimed was never released with two examples of shadowing over Rincon Park all the way to the Bay. It showed shadows at 300' but less than at 400'. Mr. Dodson expressed concern that the increased height would shade five different parks in the area, make the neighborhood dark and windy, and create serious negative consequences in the neighborhood. He remarked that all the buildings in the neighborhood were at 300' height or less and a building at 400' would create an eyesore and be out of character with the rest of the buildings. At 300' it would blend in better with the rest of the buildings of the neighborhood. He asked Commissioners to leave the height at 300', which is what the building was zoned for in the first place.

Mr. Hartman stated that the previous week the Transbay CAC had considered the amendment and had voted to approve it 7-1 with one abstention. Concerns by members included the short period of time for consideration of the EIR and the additional building height. However, they overwhelmingly decided that the 73 extra units, 60% of which would be affordable, were more important than the 100' additional height. The CAC felt that providing housing for 73 households would be very beneficial for the City and that the environmental concerns and urban design concerns had been adequately addressed by staff. Mr. Hartman commended staff for their work on this project and stated that with all the changes that had taken place in the neighborhood, the 400' building would fit in very well with the current and future changes to that area and the enhanced height would be a beautiful addition to the San Francisco skyline.

Ms. Trauss stated that the housing shortage was always a renters' issue. She felt that increasing the height limit of buildings was absolutely appropriate if it resulted in more housing capacity for all the people that wanted to live in San Francisco. Ms. Trauss added that this was a beautiful building and would benefit the City by adding subsidized units and increasing property taxes by as much as \$2-3 million. She addressed the concerns about shadows and indicated that one solution to the shading problem would be to build a public park on the top of the building. Ms. Trauss felt strongly that 30 extra subsidized units was indeed worth increasing the building by ten stories for working people to be able to live in San Francisco. She pointed out that this project was unprecedented and would create an economically integrated building forever because the 40% BMR residents will be mixed with the market rate residents on the condo association and would create some real economic integration. It was an opportunity to afflict the comfortable and comfort the afflicted.

Ms. Furnaguerza stated that she was a project engineer working in the Transbay Bay Terminal, helping to build the City, and was interested in buying one of the units. She would not be able to consider living in San Francisco if not for this program. Ms. Furnaguerza explained that she was a comedian working at night as well and made people laugh and that other people like her would be moving into those affordable units. Because of this project forty-four more families would be able to live in the City and they should not worry about shadows.

Mr. Devlin worked at 1400 Mission and had one of the best jobs ever because he gave keys to people like Ms. Furnaguerza, who were moving into the neighborhood. He read a letter from a new BMR buyer at 1400 Mission, a teacher who was unable to attend the meeting but was in support of the new building with 40% BMR units. The letter stated that this was a huge opportunity for residents like herself to be able to stay in the City. Higher rents would mean that she would eventually have to leave the City because of the inadequate supply of real estate in San Francisco. Mr. Devlin read another letter from a teacher who stated that she would not be able to consider being a homeowner without the BMR project, which would allow middle class families to live in the City. Mr. Devlin urged OCII to keep the program alive and support the project.

Mr. Chou stated that he was from Cambodia, had lived in the Tenderloin for 30 years and had worked at the post office for 27 years. He thanked OCII for the BMR program because without it he would not be able to own a home in the City.

Mr. Omerberg stated that he had founded the Alliance in 1981, which was San Francisco's oldest tenants' rights pact, continually operating since that time. He explained the Alliance's concern about renters having access to vibrant unshaded public space and parks, which was particularly important because renters tended to live in multi-unit buildings in smaller and smaller units. Mr. Omerberg recalled that in 1982 he got involved in campaigning for Prop K, the Sunshine Act, working with Supervisor Maher. Under that proposition, voters voiced their opinion that they did not want shaded parks. Rincon Park, however, did not fall under the Sunshine Act, because the Port owned Rincon Park. Mr. Omerberg felt strongly that there was a quality of life issue in this case and that it should not be just about constructing more and more buildings to solve the City's housing crisis with Soviet style block housing. He explained that there was a long history of fighting for renters and for affordable housing in San Francisco. However, in this case, he did not think that the modest increase of 5% in affordability was worth the significant shadowing of Rincon Park, a park used by all City residents, as well as other smaller parks around the City.

Ms. Davis stated that she had worked with Tishman Spayer the previous summer as an intern on the Block 1 project. She was in support of the height increase because it would allow many families to stay in the City. Ms. Davis indicated that she was a former youth commissioner in District 10, worked with Malia Cohen, had served on the Housing Environmental & City Structure Committee, and had worked on the ongoing affordable housing issue facing the City. She felt that this project had made efforts to address this issue and that TS had done a remarkable job by being the first to combine MR and BMR housing units. This project would set an example in providing diversity across racial and socio-economic lines. Ms. Davis felt that providing more affordable housing to San Francisco resident's far outweighed concerns about traffic, shadows and views.

Mr. Fogle explained that Local 798 represented the firefighters at Fire Station 35, which was adjacent to Rincon Park at Pier 22 ½ on the Embarcadero. He stated that Local 798 members had no objection to the shadow that this building with the increased height would cast. They were aware that as a result of the increased height, more affordable housing would become available to people who would otherwise, like himself, be priced out of the City.

Mr. Fogle stated that the San Francisco housing crisis needed to be kept at a level where people who actually worked in the City could stay and live there as residents. He reported that the Fire Department was planning on hiring another 200 new firefighters in the coming years and that this project would be an excellent way for these firefighters to stay and live in San Francisco. Local 798 was in support of this project and Mr. Fogle urged Commissioners to move forward with the height increase.

Mr. Eyal stated that while he was sensitive to the housing shortage crisis in San Francisco, he felt he needed to look at the issue from a micro point of view rather than a macro point of view. He explained that he lived in the northwest part of the Infinity Building. Mr. Eyal indicated that one solution to the objections regarding shading and eyesore would be to turn the building away from the Bay; in effect, to turn the building around. He displayed a model to provide visual effect. Mr. Eyal was pleased with the look of the building. However, he expressed concern that approval of this project without the process of variance was inappropriate in this case.

Ms. Wilson was in support of TB Block One. She had been working with TS for the last year on their Small Business Enterprise (SBE) commitments, including professional services, and reported that they had created an incredible training program, which could serve as a model for future projects in the City. Ms. Wilson explained the four SBE components, which were professional services, trainee program, construction and workforce. She stated that the trainee program component had been immediately embraced by TS and they had designed and delivered an internship program, which she described: 8 internship positions, including two community based partners, SeeWee and the Unified School District. 100% of the students were of color, 90% went to high school in San Francisco and 75% were going to school in the greater Bay Area. Ms. Wilson stated that the TB Block One experience included first generation college students exclusively with six firms participating, four of which were Local Business Enterprises (LBE's) and the participation of senior LBE's with roots in San Francisco for a long time. She stated that they had put together a very innovative team. She felt that TS's commitment to the LBE community had been consistent since the beginning of the project, implementing a successful grass roots outreach. Ms. Wilson explained that they had a handful of LBE's totaling 100 years of commitment with an average of 15 years and the numbers of LBE's participating was over 50%.

Mr. Golinger stated that he worked with Rincon Park and had been following the issues around this project for many years. He talked about three secrets regarding the developer that were not discussed during the presentation. First, he reported that 35% affordable housing was required by state law already on this site, so the additional 5% was not a remarkable increase by this developer and he felt that this percentage should be increased. Second, he explained that this project consisted of two buildings and that another 10 floors were being proposed for the next building without any affordable housing units being made available. Mr. Golinger suggested that they build extra floors in the "podium" building and mix in affordable units there rather than rezone the site. He contended that this would not happen because the developer wanted to have 10 floors of exclusive penthouses in the highest building in San Francisco. Mr. Golinger pointed out that only slide 12 talked about money and noted that, under this deal, the developer would get a parcel of public land worth \$19.2 million for free in exchange for 5% affordable housing. He expressed concern regarding the EIR, cited Chapter 29 of the Administrative Code and inquired whether this project was subject to the Fiscal Feasibility ordinance and if not, inquired why.

Mr. James requested confirmation regarding the statement by Mr. Golinger that the developer was being given a parcel land in San Francisco for free in exchange for 5% affordable housing. Mr. James inquired about why there were not more affordable units being offered in this project.

Chair Rosales recalled one of the comments about why all the benefits of affordable housing were not being made available at the 300' level but only at the 400' level and asked for clarification on this point.

Executive Director Bohee responded that in the fall of 2014, OCII had approved an exclusive negotiations agreement for two projects, one at 300' and one at 400'. She explained that due to stakeholder engagement and direct feedback, they had substantially enhanced the public benefits since that ENA approval. At that time, the affordable units were going to be located only on the lower floors of the Tower, which was wholly subsidized by the developer. Like all TB blocks, the podium buildings required some subsidy. Some blocks were 100% affordable and some blocks had mixed income buildings, like the Golub and Mercy projects. Ms. Bohee stressed that the benefits were provided for in the 300' building but now the units would be dispersed throughout the project, which was different. They looked at the HOA structure and the AMI's were set starting at 80% AMI to 100% AMI, which was in the 300' scenario. However, because of the redevelopment plan and AB 812, this scenario required a district-wide 35% affordable housing requirement rather than for each individual project.

Ms. Munson reported that of the 80 affordable units in the tower, 30 would be available to households earning 120% AMI and 50 would be available at 100% AMI. She clarified that the 35% affordable housing requirement was across the TB redevelopment project area and not for individual projects. She added that materials and videos from this presentation were currently available on the website.

Chair Rosales again asked why those benefits were not available at the 300' level.

Ms. Munson deferred to Carl Shannon to answer the question.

Mr. Shannon responded that the 300' building was the required zoning, which stipulated that the podium building be 100% affordable and the tower be 15% affordable. He stated that they had reached beyond that for the 400' tower in order to be able to provide the additional benefits. He compared this project to 5M and the Giants, where they were doing 40% offsite and explained that this was onsite, so in reality was 60% of the MR units. In other words, the number of BMR's was equal to 60% of the MR units, if the math was done in the same way that 5M and Mission Rock had done the math. Mr. Shannon stressed that it was important to have enough MR units to make the project economically viable. It was their preference to see this come forward with the 400' tower and the additional affordable units. However, he stated, that if it were not possible, they would move forward with the 300' tower.

Commissioner Bustos recalled that when this item was first brought before the Commission, he was concerned about the Manhattanization of San Francisco and stressed that what made San Francisco special was that it was not spread out like Los Angeles or crazy like New York. He was offended by the level of elitism from some of the speakers with comments about views or that 40% was not enough and whether 5% really made a difference. He wanted to remind people that 5% affordable housing was a lot because it would allow people to come back to San Francisco and live in the City that they worked in. Regarding shading, Mr. Bustos responded that unless someone sat in the park for 24 hours/day there would always be shadows and darkness. He asked people to be mindful of how they were thinking about these issues and that they needed to do whatever was necessary to keep diversity in the City.

Commissioner Pimentel thanked Ms. Furnaguerza for providing a working class perspective to this issue. Ms. Pimentel thought about the number of people moving into the project who could not take off from work to give public comment at the meeting. She stressed that these potential residents needed to be viewed as people rather than spots and that it was important to understand the struggles of working class people in San Francisco. Ms. Pimentel noted that her son's classmates and families were leaving the City every day and moving to other cities because they could not afford to live in San Francisco any longer. She described her own view as other people's houses with broken gates and dilapidated fences and stated that ambulances and fire trucks went by her house every day. But this was her home and the views did not matter. Ms. Pimentel stressed that this project would allow 40 families to stay in the City, families that added value to the City, not just by working in the City and providing services to residents, but by diversity. She was pleased that the parking discussion included car-sharing, biking, etc. because it was important to have as many parking options as possible in these developments.

Commissioner Singh inquired about the \$19 million parcel of land being given away to the developer. He stated that he was pleased that affordability of the project had increased by adding another 40 units with the 100' height increase.

Ms. Munson responded this was the estimated value of the land that the developer was originally going to pay at closing. At that point, OCII was going to pay a \$275,000 subsidy for each podium unit, which amounted to \$20.9 million. Now the developer would not pay cash for the land at closing and would also not be receiving a cash subsidy from OCII when building the podium units, which would amount to a \$1.7 million savings for OCII. Ms. Munson stressed that the land was not being given away and that under state law, it could not be given away. She added that the Board of Supervisors would make a determination that the land would not be sold for less than fair market value.

Chair Rosales stated that she avoided driving through TB because of the traffic problems and that it seemed that construction projects were going up without any rhyme or reason. Since TB was under their jurisdiction, she inquired about what authority OCII had to discuss some kind of traffic coordination plan or traffic mitigation program.

Ms. Munson deferred to Shane Hart for more detail on this question.

Mr. Hart responded that a traffic study had been undertaken for the original TB EIR relating to traffic impacts. He explained that because of the unit count analyzed in the redevelopment EIR, the impacts turned out to be much less with this project than what was initially anticipated. Mr. Hart added that this issue had been brought up at the Infinity Town Hall meetings because of concerns relating to traffic and noise. They were working with the City and the developer to provide hotlines that people could call regarding noise and were also in discussion with the City about mitigation of the temporary traffic problems caused by construction. Mr. Hart reported that the City Planning Department was analyzing a street plan for the entire TB Rincon area and reviewing the traffic situation. He added that once those studies were released, they would be able to start resolving some of these problems.

Ms. Munson deferred to Mr. Uchida for additional comment.

Mr. Uchida responded that he had prepared the addendum to the EIR for the proposed height increase and project modification. He explained that the way they analyzed traffic for the 2004 TB EIR was to look at the potential square footage and dwelling unit increase as a result of the redevelopment plan, which would correspond to the number of new vehicle trips being added to the TB area. He stated that on this site the total number of dwelling units, even with the 400' version of the project, would not exceed the number of dwelling units or the square footage of retail space that was anticipated for the site and analyzed in the 2004 EIR. Therefore, the project would not result in more traffic than was previously analyzed. As far as pre-existing conditions which were studied for traffic in 2004 and modelled for the year 2025 cumulative scenario, including the impacts of this project and all the other projects in the pipeline, that analysis did show that traffic would increase over time and that this project along with the other projects would cause congestion to worsen over time. However, Mr. Uchida announced, because of what was described above, the traffic contribution from this project would not be any greater than what was previously studied even with the 100' height increase.

Commissioner Singh inquired about the parking ratio.

Ms. Munson responded that parking in the tower would be 1 to 1 or one parking space for each unit. In the podium, the ratio would be 1:4, which was the same policy for other TB blocks.

Chair Rosales recalled shadow drawings presented by speakers and which supposedly were shown to staff who agreed that the depiction of shadow was accurate. She inquired about whether those comments were accurate; inquired about the public comment regarding the fact that if this property was owned by San Francisco Park & Rec Department under Prop K, the impact would be deemed illegal and the requirements would contravene those of Prop K.

Ms. Munson deferred to Mr. Campos for more detail on this matter.

Mr. Campos responded that staff had seen the shadow impact analysis on Rincon Park in the worst case scenario. He explained that when they met with the speakers who demonstrated the diagrams at this meeting, staff agreed that on the surface, without actual technical analysis, they matched similar worst case scenarios to what had been presented in the shadow study and the video presented at the meeting. He responded that when Prop K was voted in, there was a list of parks under the jurisdiction of the City Parks & Rec Department and a shadow budget was developed for each of the parks. This allowed development to happen and allowed shadowing to a certain point. Mr. Campos explained that when a proposal actually exceeded that budget, it would require an amendment of the shadow budget was only possible via a joint hearing of the Planning Commission and the Parks & Rec Department. However, he added, this only happened with certain parks on the list but not with Rincon Park, because Rincon Park did not have a shadow budget. Mr. Campos indicated that staff had followed the methodologies of Prop K and Section 295 of the Planning Code and, in particular, the theoretically available annual sunlight analysis on how to measure what impact this height increase would have on shadowing of open space. He concluded that the methodology used was the same but the shadow budget did not exist in the SOMA area.

Commissioner Singh inquired about SBE, WBE & MBE workforce compliance.

Mr. Bridges responded that to date the developer had completed the outreach program that they typically did. He explained that they were currently achieving over 50%, that SBE credit was close to 83% and WBE and MBE were both high and showed good diversity. Mr. Bridges indicated that the developer had made good faith effort. They had brought in Studio Gang Architects, which was a women-owned business out of Chicago and there were two local associate architects working with Studio Gang, Perry Architects and Barcelon and Jang. Mr. Bridges was hopeful that they would all be working collaboratively on this project along with other diverse consultants. He added that they would bring the full team before the Commission when they returned for schematic approval.

Chair Rosales mentioned that there were three native San Franciscans on this Commission and she echoed the sentiments of the other Commissioners. She explained that she was born and raised in the Mission and in Bernal Heights and felt that San Francisco was her City and that she could travel anywhere for great views. Ms. Rosales added that they really needed to maintain diversity in this area and build housing for the middle class and that this project offered the opportunity to do that in an exciting area of the City. She was in support of these items and hoped the other Commissioners would pass them.

Commissioner Singh motioned to move Item 5(b) and Commissioner Pimentel seconded that motion.

Secretary Guerra called for a voice vote on Item 5(b).

Commissioner Bustos - yes
Commissioner Mondejar - absent
Commissioner Pimentel - yes
Commissioner Singh - yes
Chair Rosales - yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS WITH ONE ABSENCE THAT RESOLUTION NO 1-2016, APPROVING THE REPORT TO THE BOARD OF SUPERVISORS ON THE AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE TRANSBAY REDEVELOPMENT PROJECT AREA TO INCREASE THE MAXIMUM HEIGHT LIMIT FROM 300 FEET TO 400 FEET ON BLOCK 1 OF ZONE ONE OF THE TRANSBAY REDEVELOPMENT PROJECT AREA AND AUTHORIZING TRANSMITTAL OF THE REPORT TO THE BOARD OF SUPERVISORS; TRANSBAY REDEVELOPMENT PROJECT AREA, BE ADOPTED.

Commissioner Singh motioned to move Item 5(c) and Commissioner Pimentel seconded that motion.

Secretary Guerra called for a voice vote on Item 5(c).

Commissioner Bustos - yes
Commissioner Mondejar - absent
Commissioner Pimentel - yes
Commissioner Singh - yes
Chair Rosales - yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS WITH ONE ABSENCE THAT (RESOLUTION NO. 2-2016), ADOPTING ENVIRONMENTAL REVIEW FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE TRANSBAY REDEVELOPMENT PROJECT AREA TO INCREASE THE MAXIMUM HEIGHT LIMIT FROM 300 FEET TO 400 FEET ON BLOCK 1 OF ZONE ONE OF THE TRANSBAY REDEVELOPMENT PROJECT AREA, REFERRING THE REDEVELOPMENT PLAN AMENDMENT TO THE PLANNING COMMISSION FOR ITS REPORT AND RECOMMENDATION ON THE REDEVELOPMENT PLAN AMENDMENT AND ITS CONFORMANCE WITH THE GENERAL PLAN, AND RECOMMENDING THE REDEVELOPMENT PLAN AMENDMENT TO THE BOARD OF SUPERVISORS FOR APPROVAL; TRANSBAY REDEVELOPMENT PROJECT AREA, BE ADOPTED.

- d) Adopting environmental findings pursuant to the California Environmental Quality Act, and approving amendments to the Open Space and Streetscape Master Plan and Streetscape and Open Space Schematic Design Plans for Phase 1 of the Hunters Point Shipyard; Hunters Point Shipyard Redevelopment Project Area. (Discussion and Action) (Resolution No. 3-2016)

Presenters: Tiffany Bohee, Executive Director; OCII; Lila Hussain, Project Manager, Mission Bay & Hunters Point Shipyard, OCII; Frankie Arias, Lennar Urban; Jennifer Ng, CMG Landscape Architects; Tamsen Drew, Senior Project Manager, Hunters Point Shipyard/Candlestick Point Redevelopment Project

PUBLIC COMMENT

Speaker: Oscar James, native resident, BVHP

Mr. James commented this project was close to his heart because he was born on Navy Road. He was pleased with the project and liked the benches but would prefer they be made out of wood and not concrete. He stated he would like for the trees coming into the Shipyard to be palm trees like they have on the Embarcadero and for the trees around the housing to be trees that did not drop leaves during the winter. Mr. James also requested that when planting the trees they put holes in the pipes so that there would be proper drainage so the roots did not expand and break up the sidewalks and become an obstacle to pedestrians.

Commissioner Pimentel inquired about whether they would be working with artists from the 91424 area on the public art installation.

Ms. Hussain responded there would be a plaque describing the views over the outlook, but this was not part of the art program. She added there would be other opportunities as part of the larger Phase II to bring in more commemorative artwork for the greater Shipyard to cover the larger area.

Commissioner Bustos responded to Mr. James' comment that palm trees attracted rats and he wanted to make sure that they planted the trees properly with proper drainage so that they did not break up the sidewalk. Mr. Bustos inquired about whether they were coordinating with the Parks & Rec Department on this matter.

Ms. Hussain responded that the City required maximum clearances between utilities and street tree plantings to avoid up-rooting. She added there were also other treatments for trees such as root barriers where the tree is planted in a partial bucket to keep the roots from spreading. Ms.

Hussain explained that the palm tree comment had come up for industry but not for neighborhood streets with lower density housing. She stated that the tree issue would be discussed later during the streetscape plan presentation, but noted that the trees in the plan were deciduous and would have leaves coming down because many of the residents commented that they wanted to see colors and feel the changing of the seasons. Ms. Hussain added that maintenance staff would take care of the trees. She explained that in Phase I this was OCII property and, as part of the Property Management Plan, it would go to the Department of Real Estate. Ms. Hussain indicated that there could be many different configurations for management and that it might not necessarily be Parks & Rec., much like Yerba Buena. She added that they had consulted with the Bureau of Forestry and Public Works, so there was City Agency review.

Commissioner Bustos commented that during the redevelopment era, there was much discussion about art in this area. He requested that they make sure that local artists were used for the artwork. He recalled that they wanted the community facilities to be designed in honor of the Ohlone people and that they be reflected in the artwork and requested that they stick with that idea, which was one of the many reasons why they had supported the project.

Commissioner Singh reported that he remembered that discussion as well.

Ms. Drew responded with an update on the public art project, a Phase I community benefit project, which included 9 pieces of art commissioned by OCII with federal grant dollars. She explained that it included a piece honoring the Ohlone people, which was a canoe, and which had been installed at the Innes Court Park. She stated that to date all nine pieces had been completed and installed on the Phase I parks and Open space. Ms. Drew added that the BV horn was another piece which had been installed at the Storehouse Plaza.

Commissioner Bustos reiterated that the idea was for a museum at the storefront where people could go and learn more about the Ohlone people and he requested that this idea be fulfilled.

Ms. Drew responded that she would have to do more research. She explained that the art programmed for the Storehouse and installed for that purpose was the BV horn and inside the Storehouse there were some commemorative quilts to be installed on the walls, but nothing specific to the Ohlone people.

Commissioner Bustos requested that Ms. Drew review the earlier transcripts of early meetings, where this discussion came up over several meetings. He stated that this would be a great tribute to the original people of the area. He requested that Ms. Drew check on this and report back to the Commission.

Commissioner Bustos motioned to move Item 5(d) and Commissioner Singh seconded that motion.

Secretary Guerra called for a voice vote on Item 5(d).

Commissioner Bustos - yes
Commissioner Mondejar - absent
Commissioner Pimentel - yes
Commissioner Singh - yes
Chair Rosales – yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS WITH ONE ABSENCE THAT (RESOLUTION NO. 3-2016), ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING AMENDMENTS TO THE OPEN SPACE AND STREETScape MASTER PLAN AND STREETScape AND OPEN SPACE SCHEMATIC DESIGN PLANS FOR PHASE 1 OF THE HUNTERS POINT SHIPYARD; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA, BE ADOPTED.

- e) Delegating to the Executive Director of the Successor Agency the authority to settle claims in an amount not greater than \$50,000.00 (Discussion and Action) (Resolution No. 4-2016)

Presenters: Tiffany Bohee, Executive Director; Jim Morales, General Counsel and Deputy Director

PUBLIC COMMENT – None

Commissioner Singh inquired about whether or not they had already approved this in 2002.

Mr. Morales responded that in 2002, OCII approved increasing the Executive Director’s authority to approve contracts for \$50,000 or less under the purchasing policy, which included professional services contracts and other types of contracts that the Agency entered into, but not for litigation. This resolution would extend her authority to all claims and settlements in cases that OCII entered into, whether OCII was suing another party or being sued by another party without having to go to the Oversight Board and the Department of Finance. Mr. Morales recalled that the limit before that was \$20,000, so the idea was to delegate to the director the authority to follow the purchasing policy and to be able to make a decision on smaller contracts. He added that this decision was consistent with those previous decisions.

Chair Rosales commented that she felt this was good public policy and mirrored what other City department heads had. She stated, however, that she thought \$50,000 was too low.

Commissioner Bustos motioned to move Item 5(e) and Commissioner Pimentel seconded that motion.

Secretary Guerra called for a voice vote on Item 5(e).

- Commissioner Bustos - yes
- Commissioner Mondejar - absent
- Commissioner Pimentel - yes
- Commissioner Singh - yes
- Chair Rosales - yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS WITH ONE ABSENCE THAT (RESOLUTION NO. 4-2016), DELEGATING TO THE EXECUTIVE DIRECTOR OF THE SUCCESSOR AGENCY THE AUTHORITY TO SETTLE CLAIMS IN AN AMOUNT NOT GREATER THAN \$50,000.00, BE ADOPTED.

- f) Workshop on the July - December 2015 Reports on OCII Small Business Enterprise and local hiring goals practices (Discussion)

Presenters: Tiffany Bohee, Executive Director; Raymond Lee, Contract Compliance Supervisor; Kasheica McKinney, Contract Compliance Specialist, OCII

PUBLIC COMMENT

Speaker: Oscar James, native resident, BVHP; Pete Varma, National Association of Minority Contractors

Mr. James voiced two concerns. One was the ability of minority contractors to get paid within 45 days so that they could pay their employees and staff. He stressed that if they wanted minority contractors to become self-sustaining, they would have to be able to pay their own bills on time. Mr. James also voiced concern about ex-prisoners coming home from jails and penitentiaries and requested that a special program be set up for them. He pointed out that many of them had skills, like plumbers and architects, and needed to be able to get into the unions and be able to pay their union dues. Mr. James reported that Manpower had a program to help ex-detainees get into the union and into the trades once they completed their time served, especially African Americans and Mexican-Americans in the Bay Area. Mr. James believed that helping ex-offenders would help youth to get off the streets because if they saw their parents going to work, it would inspire them to get out and go to work as well.

Mr. Varma stated that he had reviewed the minority contractor reports, especially those based in San Francisco, LBE certified and also minority suppliers, of which there were many in the BV. First he thanked Mr. Lee for his collaboration. Mr. Varma related a story about one contractor, Presidio Builders, who had not been able to win contracts in the BV, but was eventually successful in signing a contract with one of the general contractors (GC) after Mr. Lee and his staff met with the GC and talked to them about using local minority contractors. With collaboration such as that, Mr. Varma felt the 50% goal would be met; 50% for minority contractors and suppliers. However, he stressed that contractors and suppliers needed to be separated from each other as categories, because they were different. He explained that suppliers were non-union, bought materials from manufacturers and were paid within 45-60 days by contractors. Contractors were union, paid their dues, were based in San Francisco and hired workers. Mr. Varma noted that suppliers also hired workers and as work increased, they would be able to hire more workers for sourcing, procurement, delivery and administrative work. He offered to work with OCII staff to help them implement programs that would help both sides and also the small minority contractors because it was time to bring this to another level. The percentages he reviewed were smaller compared to Small Business (SBE) because SBE had self-certification and Mr. Varma contended that anybody could be a small business, but minority companies had to pay to get certified as minority-owned. He requested that OCII look at these certifications because the minorities had to spend money to get certified. Mr. Varma added that the minority supplier had to have a warehouse with materials in stock so they had to make an investment before becoming certified. To solve some of these issues, he had been meeting with many of the minority contractors and suppliers and announced that they were about to launch an organization consisting of a large minority GC and developer to secure some of these OCII projects and included over 100 minority contractors from the Bay Area. Mr. Varma stressed that if they did not step up as a trade association to help minority contractors, they would continue to be subcontractors forever and only be able to handle small projects. However, he added, if they could manage large contracts, then they could hire all minority contractors and meet 100% goal. Mr. Varma explained that they had decided to do this because of the struggle fighting against the large GC's. He stated that once the license agreement was signed and certifications approved, he would come back before OCII to report further.

Commissioner Singh referred to Slide 7 of the presentation and inquired about why there was such a big difference between male and female numbers. He asked Mr. Lee to make sure that this was increased by at least 1%; inquired about certification.

Mr. Lee responded that the figure shown on Slide 7 was \$43 million total SBE's and that minority and female would be the difference between \$43 and \$25 or \$18 million. Mr. Lee clarified that the difference between non-minority female and non-minority male was \$25 million, so non-minority male was getting \$25 million more. He responded that this specifically corresponded to construction and added that getting women into construction was and had always been a great challenge and that the solution was to have more women enter the unions into construction trades and then become business owners. He pointed out that non-minority female participation in profession services was much greater but construction had always been low. To the comment about certification, Mr. Lee clarified that OCII no longer certified but they also do not accept self-certification.

Every business had to be certified through a governmental entity, which was important, because this helped weed out fraudulent firms that by appearance were managed by a figurehead but in reality were operated by someone else. Mr. Lee explained that the certification programs under governmental agencies looked closely at ownership, management and control of the firms. Because of a lack of staff resources, OCII had passed this function onto other governmental entities and now OCII accepted their certifications. For example, they accepted certifications from the Cal Public Utilities Commission (PUC), the WMBE Clearinghouse program, through the Department of General Services, from the Office of Small Disabled Business through the California Unified Certification Program, and from the U.S. Department of Transportation Disadvantaged Business Program. Mr. Lee stipulated that OCII required that the firm's revenue meet the size standards established by OCII. He explained that they confirmed a firm's size standards by looking at their last three years tax returns and then took the average to ensure their revenue met OCII size standards.

Commissioner Singh recalled that they used to accept certification through the San Francisco Human Rights Commission and then the Redevelopment Agency started their own certification. He inquired why OCII could not do this again. He stated that there should be an easier way for small businesses to get certified because it would be difficult for a small firm to go before the Cal PUC.

Executive Director Bohee explained that it was more than just a lack of resources. For an SBE professional services or construction, the firm would be certifying and presenting tax returns to multiple agencies, such as the City and County of San Francisco, the feds, the State and then the Agency again. She reported that feedback found that it was too burdensome for the business owners to do this over and over again and they requested that the Agency accept the same information from other agencies that they had just submitted.

Mr. Lee added that they encouraged small businesses to seek City certification and OCII provided assistance with that when they could. It seemed overwhelming but they encouraged small firms to try to streamline the process by keeping a current copy to submit to multiple entities. He explained that OCII provided guidance as far as who to talk to directly in the agency in question in order to cut through the process.

Mr. Bridges followed up that they worked very closely with Ryan Young, who was the certification manager of the Contract Monitoring Division of the City and constantly checked in with him to find out who had submitted a certification application and would then follow up on that information. However, he clarified that OCII required tax returns if the firm was from outside the City and if OCII was not sure about their programs. For example, the LSBE program out of Oakland was local in Oakland and therefore, in that case, they would need to check the firm's size standards. Then that information was added to the OCII database so they had the firm's tax returns and they knew the firm met OCII standards.

Commissioner Pimentel inquired about whether there were any plans to contact more female contractors; for example, Local 261, which has a specific group of women in construction; inquired about what type of other advertising they were doing to cast a wider net and recruit more people.

Mr. Lee responded that they would love to connect with the local union. He reported that they had contacted the PUC Women in Construction group and that they tried to outreach when they could. Mr. Lee responded that the outreach listed in the presentation was a partial listing and often it depended on the developer and the GC. He added that OCII advertised directly in a number of ethnic papers, such as the Sun Times, the Bayview, the World Journal for Chinese language, and several Spanish papers. He reported that Lennar also advertised in local ethnic papers. Mr. Lee indicated that there was no hard requirement that other contractors advertise with all media, so it was at their discretion. But usually it was at a minimum through email and directed to the relevant small business at hand, such as the small business exchange.

Commissioner Bustos recalled that they had requested biographical information on new businesses in San Francisco to ascertain how long businesses had been in San Francisco. He referred to Ms. Wilson when she spoke about the number of years that the services had been around and he wanted to make sure that long-term San Francisco businesses got the benefit of these opportunities. Mr. Bustos stipulated that now that they had succeeded this far with the numbers, they wanted to move toward the next step and get information on the business history itself. Mr. Bustos stated that it was also important to give equal opportunity for women to benefit from these programs as well for balance and equity in the City. If women were able to get the contract, they could hire more people from San Francisco and the trickle effect would be put into motion.

Mr. Lee responded that they had not been able to include biographical information on these businesses as the projects were coming up for consideration, but would try to go back and add that data for the report by adding another column.

Commissioner Bustos requested that they share OCII's desire for this information with the project sponsor.

Chair Rosales referred to Slide 8 regarding six months of activity and asked for clarification that it reflected both professional services and construction combined. Ms. Rosales asked for clarification that the SBE availability numbers had been taken from the local business certification information from CND. She clarified further that a firm not certified with CND, but that was a certified firm working on an OCII project would be included in these counts. She requested clarification that in the CND database, the specializations that were germane to OCII contracts were picked up because the database contained 1,300 and there were only 700 listed there; asked for clarification that non-minority female were white Caucasian women because there would be minority women within the other counts; asked for clarification that according to the table, 17% of the SBE market was Asian Pacific American; asked for clarification in reading other numbers in Slide 8. She commented that it appeared there was room for Asians, that African Americans were doing well and that Latinos were on par.

Mr. Lee concurred with the first question. To the second question, he responded in the affirmative and added that it was supplemented from the CND database with the contracts that OCII had awarded. Mr. Lee responded in the affirmative and added that there were about 50 in total that they had added to the db. Mr. Lee concurred. Mr. Lee concurred and added that minority women were classified within the ethnic category. He stated that there was a lot of effort undertaken in recruiting local businesses from the BVHP area for particular projects. Mr. Lee cautioned that this represented a snapshot but was not a full disparity study.

Chair Rosales pointed out that non-minority male small business firms owned by Caucasian males were receiving 51% but only represented 43% of the market. She remarked that she did not understand that dynamic and inquired about how it was possible that, with so many people in the market and under a small business lens, white males continued to benefit disproportionately.

Mr. Lee responded that he had not broken it down between professional services and construction. He pointed out that non-minority males were probably on an equal level in professional services but where they really stood out was in construction. He added that there were a few large construction firms outside of San Francisco that might skew that number. This involved the type of firm and where it might be based because some of the more successful construction firms were not based in San Francisco due to the cost of doing business and the cost of land, etc. Therefore, the disparity with non-minority male stemmed from the fact that they had a few large non-minority construction contractors based outside of San Francisco.

Chair Rosales inquired about whether that was even with the 10%.

Mr. Lee responded in the affirmative.

Chair Rosales stated that they did not have enough time to discuss this further but she would like to have an offline conversation with Mr. Lee about what counties these firms were being pulled from.

Mr. Lee responded that they were predominantly from Alameda County and Sonoma County.

Chair Rosales inquired about the possibility of requiring developers/GC's to use the Elation product on the payment side, if the Elations product did not work for OCII, because they were not hiring directly. She asked Mr. Lee to think about this. Ms. Rosales inquired about the unemployment numbers in San Francisco.

Mr. Lee responded that they needed to get more people into the unions.

Mr. Pat Mulligan responded that he wanted to thank OCII and staff support for the success in workforce development. He reported that of all the City departments that they tracked workforce data and placement from, there were more referrals from their system into placements on OCII construction projects than any other Chapter 6 department, the MOHCD or private development in San Francisco. He added that this was important to note. Mr. Mulligan stressed that it was difficult to track all the private development in San Francisco although they did have data on all new construction projects. Because they did not have certified payroll or the benefit of Elations, they tracked new placements and he stated that it would be fair to say that OCII really won in fiscal year 2014/15. With regard to placement of individuals who might seem suitable for gainful employment, Pat stressed that they could only do so much to entice people into the training program. The industry standards for OCII required applicants to have a high school diploma or GED as basic requirements and most of the apprenticeship programs also required this, even though they received some criticism for that.

He reported that they were working with other departments and state entities to maximize the amnesty period to support applicants getting their California driver's license (CDL). He specified that most construction contractors would require a CDL for obvious reasons and added that most public works and infrastructure projects required drug screening, which could present an employment barrier for some individuals. Pat addressed the question brought up regarding the formerly incarcerated and stressed that they were a top priority in their program and well-represented in all training programs. However, he pointed out that there were challenges regarding the barriers. They had MOU's in place with the SF District Attorney's Office, Adult Probation and the Five Keys Charter School, which supported high school diploma and GED completion in the San Francisco jail system. He explained that all the service providers OCII worked with supported ex-offenders, but one in particular, Anders and Anders, serviced ex-offenders exclusively. It was founded by Terry Anders, who had received the Jefferson Award last year. Mr. Mulligan explained that sometimes people faced multiple barriers regarding employment and that OCII provided sufficient support of services to address these barriers. However, not everybody sought these types of employment. For example, although construction offered a great career path, they often had refusal to calls for some types of jobs because not everyone wanted to do construction work. It was hard work, physically challenging with long hours.

Chair Rosales thanked everyone for their work on this presentation.

- g) Workshop on the Recognized Obligation Payment Schedule for July 1, 2016 through June 30, 2017 (ROPS 16-17) (Discussion)

Presenters: Tiffany Bohee, Executive Director; Sally Oerth, Deputy Director

6. Public Comment on Non-agenda Items

Speakers: Clyde Miller, Astron Development; Pete Varma, National Association of Minority Contractors; Oscar James, native resident, BVHP

Mr. Miller reported that he had come before the Commission about five months before to request the Commission's help because had had an issue with the HP Block 50 & 54 projects. He explained that his firm, a small minority contractor, had worked on a project for GC Robert Obayashi and developer Lennar, but never got paid and eventually got put off the job. He wrote a letter to OCII on November 9, 2015, but had not received any response. Mr. Miller contended that any dispute between contractors and subcontractors had to go to arbitration or mediation for resolution, but this never happened. He explained that this issue started in 2013 and has strongly impacted his company because for the past 1 ½ years, they have not been able to bid on other projects because they have been working on this matter. Mr. Miller reported that they originally had a \$250,000 line of credit to work on this project but now were ready to close their doors. He was requesting help from OCII to resolve this matter. Mr. Miller stated that now that the Redevelopment Agency was dissolved, there was no oversight between GC and subcontractors relations and actions. He contended that it was too expensive for a small minority contractor to bring a large GC to court and he was before the Commissioners to request intervention from an unbiased third party help settle this matter.

Mr. Varma reported that the construction industry was thriving but felt that the OCII programs could be improved. He stated that the challenge was that while OCII emphasized the use of local San Francisco first for contractors and suppliers, that sentiment fell on deaf ears on many of the large GC's. He stressed that this policy needed to be more than just a conversation, but rather enforcement of real collaboration with the large construction firms. Mr. Varma also promoted partnerships between two small firms, which he stressed would give the small firm the opportunity to grow and learn from their peers. He reiterated the fact that 85% of construction business went to white male contractors but he wanted to see this change and opportunities open up for minorities and women.

Mr. James announced that he had two concerns, the first one raised by Mr. Miller. He recalled that at one time he himself was a GC with a trucking company and that he had also been played by a larger company. He felt that it was important for OCII to get involved in these kinds of issues between GC's and subcontractors. Mr. James also requested a breakdown on women minority contractors, because most were white female contractors and they needed to fight for more minority women in construction. Lastly, Mr. James reported that Dr. Espinola Jackson was on her death bed and asked that they pray for her. He stated that Dr. Jackson had been a long-time fighter for the people of the Bayview community as well as a spokesperson for the Ohlone tribe. He wanted her to be remembered in people's prayers at this time.

7. Report of the Chair

Chair Rosales stated that she did not have a report.

8. Report of the Executive Director

Executive Director Bohee stated she did not have a report.

9. Commissioners' Questions and Matters - None

10. Closed Session

- a) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. (Pursuant to California Government Code Section 54956.9(d)(1)), Mission Bay Alliance and Jennifer Wade v. Office of Community Investment and Infrastructure et al., Case No. 34-2016-800002271 (Sacramento Superior Court, filed Jan. 7, 2016) (Discussion)

11. Reconvene in Open Session

Chair Rosales announced that there were no reportable items.

12. Adjournment

The meeting was adjourned by Chair Rosales at 5:54 p.m.

Respectfully submitted,


Claudia Guerra, Commission Secretary