

Edwin M. Lee
MAYOR



Mara Rosales
CHAIR

Miguel Bustos
Marily Mondejar
Leah Pimentel
Darshan Singh
COMMISSIONERS

Tiffany Bohee
EXECUTIVE DIRECTOR

101-0192016-002

Agenda Item **5(a)**
Meeting of April 19, 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
15th DAY OF MARCH 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 15th day of March 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 1:13 p.m. Roll call was taken.

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

Vice-Chair 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, April 5, 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 - None

- a) Intentionally Omitted

REGULAR AGENDA

- b) Approving amendments to the Design for Development, Streetscape Master Plan and Major Phase 1 Application for Candlestick Point, and conforming changes to applicable Project Documents, and adopting environmental findings, including amending two adopted mitigation measures, pursuant to the California Environmental Quality Act and to the Disposition and Development Agreement with CP Development Co., LP, subject to City approvals to the extent required by the Interagency Cooperation Agreement and Planning Cooperation Agreement; Bayview Hunters Point and Hunters Point Shipyard Project Areas (Discussion and Action) (Resolution No. 13-2016)

Presenters: Tiffany Bohee, Executive Director, OCII; Lila Hussain, Project Manager, Mission Bay & Hunters Point Shipyard, OCII; Therese Brekke, Director of Planning, Lennar Urban; Noah Rosen, Assistant Development Manager, Lennar Urban; La Shon Walker, Community Outreach, Lennar Urban; Raymond Lee, Contract Compliance Supervisor, OCII

PUBLIC COMMENT

Speakers: Francisco Da Costa, Director, Environmental Justice Advocacy; Pastor Josiah Bell; Linda Richardson, former San Francisco Planning Commissioner; Tom Gilberti, South Beach resident; Dr. Veronica Hunnicutt, Chair, Shipyard CAC

Mr. Da Costa stated he had been following this project since 1998, when Lennar was first incorporated in Sacramento and after that, Lennar had six or seven name changes. Mr. Da Costa stressed Lennar had not been good to the community and was not to be trusted. He recalled at one time there was an organization called Stop Lennar Action Movement, to stop Lennar as a road developer. During Phase I, Mr. Da Costa stated he and his associates went to over 400 meetings linked to the Disposition & Development Agreement (DDA) and reported all the pertinent features of that DDA had been amended. He advised people to go see the movie, The Big Short, to understand what Lennar Urban was really about. Mr. Da Costa noted that nowhere in the conceptual plan is mentioned the high rise level of the sea or liquefaction. Now suddenly buildings that were going to be 85' in height were going to be 120', which would impact the infrastructure as well as City agencies, like the Fire Department. Mr. Da Costa reported these issues have come up before, with no solutions from Lennar or the City. He advised against rubber stamping these issues. He reported that today only 2% of the population of San Francisco was comprised of African Americans; it used to be 25%. Soon he warned there would be no African Americans left in the City.

Pastor Bell was in support of this item. He stated Lennar had proven to be honorable and had lived up to their commitments to the community. He commended Lennar for fulfilling their requirements to the community. Pastor Bell stressed this project had come too far along to stop or alter it now. He reported they had called Lennar in during discussions regarding the drawings and Lennar had made the requested changes. He reported the community at large; the majority of Bayview residents were 100% behind this program. Pastor Bell stated they were pleased with the employment records they had received as well as seeing more minority contractors working than ever before. He urged Commissioners to pass this item.

Ms. Richardson stated as a former San Francisco Planning Commissioner and former Chair of the Land Use Planning and Transportation Committee; she had been involved with the development of the Shipyard for a long time. She reported she had reviewed the DDA, performance schedule and the regulatory approvals which outlined the developer and City obligations. Ms. Richardson affirmed the San Francisco Planning Commission had already approved the tower relocation, the community had approved and supported the project and the developer had met all the requirements. She asked for assistance from OCII to administer the Community benefits because the developer was not involved in that process. Ms. Richardson stated they were at a critical milestone and revisions were normal but the land use plan remained the same. She was excited about this project and asked OCII to fulfill their obligations.

Mr. Gilberti stated it was nice to feel the sun after all the rain. He recalled waiting in the shade on the corner in the City while the sun was on the other side of the intersection. Mr. Gilberti stressed the City needed to protect the sunlight for the community because higher buildings created more shade. He suggested dropping them lower than 85'. He reported an NBC newscast the previous evening regarding the negative readings of radiation in the Shipyard. Mr. Gilberti commented on the lack of a "wow" factor and felt the buildings looked like rows of barracks. He suggested the developer check out other sites along the Embarcadero like Delancey Street, Bayside Village, or Steamboat Point Apartments to see what the "wow" factor could actually be.

Dr. Hunnicutt thanked OCII and staff for working with the community on this project. She reported the modifications and recommendations made by the Shipyard CAC were followed through and the CAC was in support of this project. For the record, she announced that no one on the CAC received any money for their volunteer service at the Shipyard. Dr. Hunnicutt described this project as developing a city within the City and was very pleased with the community benefits, which included affordable housing, use of local contractors, employment opportunities, among other things. She reported they had looked at buildings throughout the City to observe other options to ensure they got that "wow" factor. She urged OCII to approve these amendments.

Commissioner Singh noted that 42% of the units would consist of affordable housing and inquired about how many total affordable housing units that would be; inquired about the income level; inquired about parking.

Ms. Hussain responded that 939 units out of 2,214 would be for affordable housing. She responded the OCII affordable housing units were up to 60% Average Medium Income (AMI); there were also Alice Griffith replacement units and then Lennar's Market Rate (MR) inclusionary units between 80 and 120% AMI. She pointed out the detailed table on slide 17 for the breakdown of AMI by each sub phase. Ms. Hussain responded each unit would have one parking spot. She added here was also retail parking in the structure as well as additional parking for surrounding neighborhood retail use, including the grocery store.

Commissioner Bustos stated they had been promised a center that would include an educational facility focusing on the Ohlone people and inquired about where that was. He reiterated this was a specific center that OCII had committed to providing a long time ago under the Redevelopment Agency with London Breed. He requested Ms. Hussain check into this and report back on that matter.

Ms. Hussain responded this was not part of the Community Benefits package but she would look into this and report back. She mentioned an International African marketplace was being planned.

Commissioner Bustos was pleased that they were almost at 50% affordable units. He recalled when the City population was comprised of 25% African Americans, but explained that redevelopment had pushed many African Americans out of the City. He reminded everyone that their work here was to figure out how to bring them back and this was the time to bring San Francisco families back to the City and allow them to live in the City they were born in. Mr. Bustos stated he liked the suggestion about the tiering of buildings in downtown as mentioned by one of the speakers and that this would add to the “wow” factor. He asked Ms. Hussain to look into that possibility.

Ms. Hussain responded they would be taking sunlight and shading into consideration in the schematic design, because they realized that successful retail with sidewalk potential for outside eating would require some sun.

Commissioner Pimentel referred to Slide 23 and inquired if there was a report that broke down how many students received the scholarship fund, for how much, the Wellness contribution, and how things were distributed; regarding Slide 49, she inquired about how many community members attended the meetings, what was the plan for additional meetings and what were the common themes from those meetings; regarding Slide 33, she inquired about the garden, help with maintenance and providing hands-on experience.

Ms. Hussain responded they had a report from November on the status of the Community Benefits for both Phases I & II and would forward that to Commissioner Pimentel. She explained that Dr. Hunnicutt, Pastor Bell and herself were part of the advisory body of the Legacy Fund and were working on how to disburse the funds. She reported they would be coming before OCII in the spring regarding the proposal on non-disbursed funds. She reported that the first couple of meetings were well attended because Lennar and their consultants had done one-on-one outreach talking to residents. A recent CAC meeting at the Northside Park at Shipyard was attended by over 60 people. Ms. Hussain responded landscaping and greenery were the biggest themes at Gillman. She explained that CAC meeting attendance was irregular and very often depended on what the meeting was about because some people were interested in the big picture only and not the details. She added, however, that very often as the project expanded and more decisions needed to be made, the community became more involved in making those decisions. She deferred to Mr. Rosen to answer the garden question.

Mr. Rosen responded that he had been working with LaShon Walker on finding a new home for the community garden and reported that the Hunters Point family was very involved with the maintenance of that garden. He explained that they were also meeting with Bret Hart School officials to offer the local garden for educational purposes. Mr. Rosen stated he would report back later with more details.

Chair Rosales referred to Slide 23 regarding the Community Benefits Plan. She reported that there had been much interest in the Construction Assistance Fund by Bayview Hunters Point (BVHP) contractors and inquired about how the fund was operated; she inquired about whether the fund went toward Surety Bond Assistance; inquired about credit support contribution; asked for clarification that this was not residential related.

Ms. Walker responded that Commissioners had received previous reports regarding this fund. She explained the Fund dollars supported the Contractor Assistance Program, which was administered by Butler Enterprises and those funds went toward education, software training, technical assistance, among other things, including the Mentorship Protégé Services program. Ms. Walker responded they provided City resources regarding the Surety Bond, but did not actually fund the bond. She explained that as part of the Contractor Assistance Program, they teach contractors how to analyze business finances and how to access capital information. She added the program was behind the implementation of the small contractor mobilization fund. Ms. Walker explained through SFHDC they provided home ownership access information as well. For the record Ms. Walker clarified that Lennar had made a commitment as a developer to honor Certificates of Preference (COP) on their MR homes as well as their below market rate (BMR) homes, so that COP holders would have priority over another buyer for MR homes as well as BMR houses.

Mr. Lee clarified the Surety Bond issue. He explained for Phase I, Lennar had opted to not require surety bonds for their contractors in construction activities. Mr. Lee added that Lennar had made a commitment to funding surety bonding for Phase II but that it was not a requirement.

Chair Rosales inquired about receiving demographic information on the BVHP 94124 zip code and related zip codes because they were interested in keeping BVHP as an African American-centric community.

Ms. Hussain responded she did not have that information but would find out about what information the Planning Department had and forward that data.

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

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS WITH ONE ABSENCE THAT RESOLUTION NO. 13-2016, APPROVING AMENDMENTS TO THE DESIGN FOR DEVELOPMENT, STREETScape MASTER PLAN AND MAJOR PHASE 1 APPLICATION FOR CANDLESTICK POINT, AND CONFORMING CHANGES TO APPLICABLE PROJECT DOCUMENTS, AND ADOPTING ENVIRONMENTAL FINDINGS, INCLUDING AMENDING TWO ADOPTED MITIGATION MEASURES, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND TO THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH CP DEVELOPMENT CO., LP, SUBJECT TO CITY APPROVALS TO THE EXTENT REQUIRED BY THE INTERAGENCY COOPERATION AGREEMENT AND PLANNING COOPERATION AGREEMENT; BAYVIEW HUNTERS POINT AND HUNTERS POINT SHIPYARD PROJECT AREAS, BE ADOPTED.

- c) Authorizing a 75-year ground lease with Mercy Housing California 64, L.P, a California limited partnership, for the construction of an 120 unit (including one manager's unit) very low-income affordable family rental housing development at Transbay Block 7 (255 Fremont/222 Beale Street), and adopting findings pursuant to the California Environmental Quality Act; Transbay Redevelopment Project Area (Discussion and Action) (Resolution No. 14-2016)

Presenters: Tiffany Bohee, Executive Director, OCII; Gretchen Heckman , Development Specialist, Housing Division, OCII; Barbara Gualco, Director, Housing Development, Mercy Housing; William Ho, Senior Project Manager, Mercy Housing; Jeff White, Housing Program Manager

PUBLIC COMMENT

Speaker: Francisco Da Costa, Director, Environmental Justice Advocacy

Mr. Da Costa stated he was there on behalf of the Muwekma Ohlone people and he thanked the Commission for their comments about them. Mr. Da Costa stated the late Dr. Espinola Jackson had also represented the Ohlone people. He reminded Commissioners that all the land in San Francisco and other land in the Bay Area had been stolen from the Ohlone Tribe through treaties between the tribe and the U.S. government, which were not ratified. Mr. Da Costa noted that in all the negotiations going on now in the city, nothing has been reserved for the Indigenous People of the area. He referred to the young men who had recently been shot in the City and stated these incidents were related to the lack of affordable housing. He asked OCII to have compassion for the poor and underserved.

Commissioner Singh inquired about whether they had ever had a 75-year lease before with Mercy because he was not familiar with that length of lease; he inquired about how many projects they had with Mercy.

Ms. Heckman responded that they had a 75-year lease with Mercy for Transbay (TB) 6, the 280 Beale project. She responded that in the past 10 years Mercy had received nine out of thirty different loans from OCII and the San Francisco Redevelopment Agency (SFRA).

Commissioner Bustos stated the City owed much to Mercy and recalled that the original Mercy Sisters had helped serve the people of San Francisco a long time ago. He commended Mercy for offering 23 three-bedroom units because they were much needed. Mr. Bustos inquired about who would be assigned the parking spots and hoped they would be assigned to the families in larger units; he inquired about whether the buildings were actually going to look like the pictures in the presentation, because they all looked gray. He suggested they add some color to them. Overall Mr. Bustos was very pleased with the project. He suggested they start offering COP's to the Ohlone people because they were also a displaced people who had lost their land and this would be a way to pay back.

Ms. Heckman deferred to Mercy to respond to the parking question.

Ms. Gualco responded Commissioner Bustos had a great idea regarding family housing but explained that Transbay 7 did not have parking for the family units due to costs and also because they currently operated four properties that had no parking for families. She added that at Transbay 6 they had been very successful in connecting families to public transportation, car share services and a transit board pilot program. Ms. Gualco clarified also that they had decided to include a childcare center instead of a parking area. She indicated that when they had started marketing for Transbay 6, the garage was not completed and they marketed those units as not having parking and still received thousands of applications anyway. She stressed they would continue to work with families to provide them with transit services.

To the design question, Ms. Heckman responded in the affirmative and pointed out that the final design had been approved in August 2015.

Commissioner Pimentel inquired what percentage of childcare slots would go to the residents; inquired whether this would take into account the ratio of boys to girls; inquired about how they would mitigate traffic around the childcare center; inquired about the cost of childcare.

Ms. Heckman responded that residents of Transbay 7 would be given first preference to filling the 40 childcare center slots. She responded they planned to have a required loading zone on Beale Street near the entrance to the childcare facility. Ms. Heckman responded they would not know about the cost of childcare until they spoke with the childcare operator.

Mr. Ho responded they had tried to arrange for the childcare operator to be present at the meeting, but were not successful. He explained half of the slots had been set aside for low income families and the order of preference would be for Transbay 7 residents, Transbay 6 low-income families, Transbay 6 residents, people that lived and worked in the Transbay district and then the general population.

Chair Rosales inquired about how the marketing efforts were being implemented and what efforts was Mercy undertaking to ensure full participation by COP holders. She recalled that at the 280 Beale development one of the preference requirements was overlooked and inquired about how they would ensure this would not happen again.

Ms. Heckman responded the oversight caused by OCII staff and Mercy at 280 Beale would not be repeated in the future. She explained as part of the loan agreement, developers agreed to follow the marketing procedures listed in the five exhibits and that these efforts started one month after start of construction. She added they were asking developers to create draft marketing plans early in the process, including outreach to COP holders. Ms. Heckman referred to Mr. White for more details.

Mr. White responded that based on Commissioners' comments over a year ago, they had undertaken to improve the marketing protocol, as displayed in the five exhibits, which were now attached to the loan agreement. He explained that the first time they had used those exhibits was for Transbay Block 7, which made the obligations binding for the developer to follow. Mr. White pointed out that Exhibit T3 described how this process worked, which included a series of actions and bullet points of milestone steps accomplished. He explained that once the loan was closed, the marketing plan template was provided to the developer, which most importantly included early outreach. There were six housing provider agencies selected by OCII and MOHCD, which helped the developer to undertake the early outreach to work on credit improvement, assisting with applications, etc.

Then there were five different touch points where COP holders were contacted. He added that once the developer completed the marketing plan, it was approved by OCII and then the developer had to follow that plan. Mr. White ensured there was additional support for COP holders. He explained the development process was very long and pointed out that originally some of their projects did not have the added obligations in place, which started late last summer, so there might be a lag in total implementation of the new plan.

Chair Rosales inquired about whether the new step described on Slide 21 would be coming before the Commission.

Mr. White responded in the affirmative. He added the demographic survey was in process and there would be personal attention to having applicants provide that information, rather than through passive outreach.

Chair Rosales remarked that knowing the preferences of the COP holders would greatly change the results of the report and reiterated that this information would be very helpful.

Commissioner Bustos inquired about why the developer only worked with one of the six housing provider agencies and suggested that the developer work with all six agencies, because each one might have a different strategy and different spheres of influence. This could result in more people becoming qualified for those units and would widen the reach even more. Mr. Bustos inquired about whether that action would cost more.

Mr. White responded that it would cost more because it involved a contract that the developer would have with six agencies instead of just one. He stated that they would look into that.

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

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

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

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS WITH ONE ABSENCE THAT RESOLUTION NO. 14-2016, AUTHORIZING A 75-YEAR GROUND LEASE WITH MERCY HOUSING CALIFORNIA 64, L.P, A CALIFORNIA LIMITED PARTNERSHIP, FOR THE CONSTRUCTION OF AN 120 UNIT (INCLUDING ONE MANAGER'S UNIT) VERY LOW-INCOME AFFORDABLE FAMILY RENTAL HOUSING DEVELOPMENT AT TRANSBAY BLOCK 7 (255 FREMONT/222 BEALE STREET), AND ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; TRANSBAY REDEVELOPMENT PROJECT AREA, BE ADOPTED.

d) Informational presentation from Related California on the status of securing a grocery store tenant in the Transbay Block 8 mixed-income housing development (250 Fremont Street); Transbay Redevelopment Project Area (Discussion)

Presenters: Tiffany Bohee, Executive Director; Shane Hart, Transbay Project Manager; Erica Elliott, Colliers International

PUBLIC COMMENT – None

Commissioner Bustos inquired about whether they were taking price point into consideration because Trader Joe's would be much less expensive than Whole Foods. He added that Bi-Rite was another good grocery store.

Ms. Elliott responded in the affirmative and added Trader Joe's decision would be based upon their survey and she would be happy to come back to report on this. She pointed out that Whole Foods had 75 parking spots and that they did not use one-third of them.

Chair Rosales inquired about the location of the Harvest Urban Market.

Ms. Elliott responded that it was on Harrison and Seventh.

Executive Director Bohee responded it was in a David Baker designed building that was a SFRA funded 100% affordable project at the base.

Chair Rosales thanked staff for the presentation. She announced the morning paper reported that Lumina had landed Woodlands and inquired about Woodlands Market and whether it was high-end.

Ms. Elliott responded that it was like Andronico's with a great produce section and more prepared foods and a grab and go section. She responded that it was high-end.

Commissioner Singh inquired about how the prices of these grocery stores compared to Safeway and Lucky Stores.

Ms. Elliott responded those two stores had not been expanding in that area and that they would reach out to them.

Commissioner Pimentel inquired about whether they had data from the stores in question about whether any low-income families were shopping there.

Ms. Elliott responded in the negative and stated that she would try to find out that information.

Commissioner Bustos noted the classifications of health organic, upscale and independent. He inquired about whether Trader Joe's would be classified as health organic. He remarked that it was important to offer organic foods to these new developments and make organic more mainstream for the health of the community members.

Ms. Elliott responded that she did not have the answer but would try to get it.

- e) Authorizing a 75-year air rights lease with T8 Housing Partners, L.P, a California limited partnership, for the construction of an 80 unit (including one manager's unit) very low- income affordable family rental housing development at Transbay Block 8 (250 Fremont Street), and adopting findings pursuant to the California Environmental Quality Act; Transbay Redevelopment Project Area (Discussion and Action) (Resolution No. 15-2016)

Presenters: Tiffany Bohee, Executive Director, OCII; Benjamin Brandin, Development Specialist, Housing Division, OCII; Chaim Elkoby, Vice President, Development, Related California; Raymond Lee, Contract Compliance Supervisor, OCII

PUBLIC COMMENT – None

Commissioner Singh noted that there was one parking space for four units and inquired about who would be getting the space.

Mr. Brandin responded this particular parking ratio was specified in the initial RFP and they had to adhere to that ratio. He explained they had 20 spaces and typically these were assigned by lottery.

Mr. Elkoby responded the parking garage would be valet-parked and 20 of those spaces would be assigned to the affordable housing component. He explained they had not worked out a system yet, but once they did, the valet operators would make sure that the spaces assigned to OCII were always available and when they were full, they were full. Mr. Elkoby stressed Related would work out a system to make sure that their operators guaranteed those spaces to the affordable component.

Commissioner Pimentel inquired about whether families would get preference for the parking; inquired about which organizations they would be conducting outreach to and how they would analyze that data, for information such as how many people had they contacted, how many had submitted applications, etc. Ms. Pimentel suggested a grassroots effort because many of the people that could not afford to attend the meetings might be interested and needed those affordable housing units.

Mr. Brandin responded that staff would have to work with Related to identify the best means to assign those parking spots and consider the needs of the families. He responded that, as Ms. Heckman and Mr. White had reported earlier, there were certain organizations certified by MOHCD which the development team would be working with. Mr. White added that they were working what information they should be collecting and how to analyze it to bring back to Commissioners.

Chair Rosales stated this project qualified for the "wow" project and commended the architectural team for all the color. She noted that there was a great deal of diversity within the team and applauded that effort as well. Ms. Rosales inquired about progress regarding selection of the developer, the construction subcontractors in the SBE program and compliance on the construction side. She commented that if they were to assign a letter grade in terms of SBE and MBE participation, TB would trail Mission Bay (MB) and BVHP.

Mr. Lee responded there had been great progress. He reported that the developer had selected Webcor Builders as the general contractor (GC) and that OCII had been in contact with Webcor in terms of outlining their solicitation process and selection of subcontractors. He pointed out that they were right on time for this process. Mr. Lee stated that large tower construction was always a challenge, but they were in close communication with the GC.

Mr. Elkoby responded that they had been working closely with Mr. Lee and Mr. Bridges to increase the percentages and their goal was to involve as many SBE's as possible. He explained that they had been following the process of solicitation of bids, meeting with and interviewing subcontractors and their goal was to push the involvement as much as possible.

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

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

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

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS WITH ONE ABSENCE THAT RESOLUTION NO. 15-2016, AUTHORIZING A 75-YEAR AIR RIGHTS LEASE WITH T8 HOUSING PARTNERS, L.P, A CALIFORNIA LIMITED PARTNERSHIP, FOR THE CONSTRUCTION OF AN 80 UNIT (INCLUDING ONE MANAGER'S UNIT) VERY LOW- INCOME AFFORDABLE FAMILY RENTAL HOUSING DEVELOPMENT AT TRANSBAY BLOCK 8 (250 FREMONT STREET), AND ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; TRANSBAY REDEVELOPMENT PROJECT AREA, BE ADOPTED.

f) Authorizing a seventh amendment to the legal services contract with Shute, Mihaly & Weinberger LLP, a Limited Liability Partnership, to increase the contract amount by \$450,000, for a total aggregate amount not to exceed \$2,400,000, to provide specialized legal services related to public trust and state park issues for the Candlestick Point and Hunters Point Shipyard Phase 2 Project; Hunters Point Shipyard and Bayview Hunters Point Redevelopment Project Areas (Discussion and Action) (Resolution No. 16-2016)

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

PUBLIC COMMENT – None

Chair Rosales inquired about whether there were any subcontractors or sub-consultants under this contract; inquired about whether they had other or additional counsel available in the case of a dispute with Shute Mihaly; inquired about whether he was the one referred to in his legal department of one.

Mr. Morales responded in the negative but added that if there were any subcontractors, they would need to contact him and the contract compliance officer to make sure they complied with SBE requirements. Mr. Morales responded that in the past they had reviewed potential disputes with Shute Mihaly and had agreed to limited waiver of those conflicts. He indicated that at the moment they did not have back-up counsel, but would carefully look at any situation that might arise and determine what services might be needed. For the Shipyard he added that they could also use resources from the City Attorney's Office. Mr. Morales responded that he was the one in the legal department of one.

Commissioner Singh inquired about how they determined the amount for compensation.

Mr. Morales responded that it was based on the past level of work and an estimate of work to come for approximately one calendar year. He explained that there were a number of issues, permits and agreements that would need to be addressed over the next year and that they had worked with project management and the law firm to determine this amount.

Chair Rosales motioned to move Item 5(f) and Commissioner Bustos seconded that motion.

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

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

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS WITH ONE ABSENCE THAT RESOLUTION NO. 16-2016, AUTHORIZING A SEVENTH AMENDMENT TO THE LEGAL SERVICES CONTRACT WITH SHUTE, MIHALY & WEINBERGER LLP, A LIMITED LIABILITY PARTNERSHIP, TO INCREASE THE CONTRACT AMOUNT BY \$450,000, FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$2,400,000, TO PROVIDE SPECIALIZED LEGAL SERVICES RELATED TO PUBLIC TRUST AND STATE PARK ISSUES FOR THE CANDLESTICK POINT AND HUNTERS POINT SHIPYARD PHASE 2 PROJECT; HUNTERS POINT SHIPYARD AND BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT AREAS, BE ADOPTED.

6. Public Comment on Non-agenda Items - None

7. Report of the Chair

Chair Rosales stated that she did not have a report.

8. Report of the Executive Director

Executive Director Bohee announced that on April 5 they would begin the first of two budget workshops, typically conducted in April, and then the full budget would come for approval the first meeting in May, so they could then submit it to the Mayor’s Budget Office. Ms. Bohee explained that they had done some preliminary work on this for the Oversight Board approval of the annual ROPS but more refinement would need to be done for the full budget.

PUBLIC COMMENT – None

9. Commissioners' Questions and Matters – None

10. Closed Session

Chair Rosales asked that members of the public not involved in the Closed Session leave the room.

- a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to California Government Code Section 54956.8, a closed session has been calendared to give direction to staff regarding the potential sale of the property described below.)

Property: 200 Main Street (Portion of Block 3739, Lot 008) also known as Transbay Block 4

OCII Negotiators: Tiffany Bohee, Sally Oerth, James Morales, Shane Hart, Jeffrey White, Christine Maher

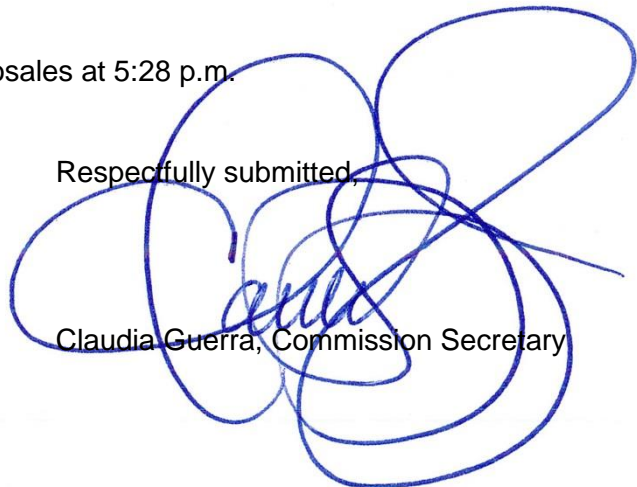
Negotiating Parties: For F4 Transbay Partners LLC, a Delaware Limited Liability Company, a joint venture of Urban Pacific Development, LLC, an affiliate of Hines Interests Limited Partnership, and Broad Street Principal Investments, L.L.C, an affiliate of Goldman Sachs: Christopher Collins and Cameron Falconer

Under Negotiation: ___ Price, _____ Terms of Payment, ___x___ Both (Discussion)

Chair Rosales announced that there were no reportable actions taken in Closed Session.

11. Adjournment

The meeting was adjourned by Chair Rosales at 5:28 p.m.

Respectfully submitted,

Claudia Guerra, Commission Secretary