

Edwin M. Lee  
MAYOR



Marilyn Mondejar  
CHAIR

Miguel Bustos  
VICE-CHAIR

Leah Pimentel  
Mara Rosales  
Darshan Singh  
COMMISSIONERS

Nadia Sesay  
EXECUTIVE DIRECTOR

**MINUTES OF A REGULAR MEETING OF THE  
COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE  
OF THE CITY AND COUNTY OF SAN FRANCISCO HELD ON THE  
3<sup>rd</sup> DAY OF OCTOBER 2017**

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 3<sup>rd</sup> day of October 2017, 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 1:03 p.m. Roll call was taken.

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

All Commission members were present.

**2. Announcements**

A. The next scheduled Commission meeting will be a regular meeting held on Tuesday, October 17, 2017 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**

## **REGULAR AGENDA**

Agenda Items 5(a), 5(b), and 5(c) related to the Appointment of the Executive Director will be presented together, but acted on separately

- a) Amending Resolution No. 27-2017 governing classifications of positions and compensation schedules for Successor Agency staff to establish compensation for the position of Executive Director of the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (Discussion and Action) (Resolution No. 34-2017)
- b) Appointing Nadia Sesay as Executive Director of the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (Discussion and Action) (Resolution No. 35-2017)
- c) Authorizing execution of an employment agreement with Nadia Sesay for the position of Executive Director of the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (Discussion and Action) (Resolution No. 36-2017)

Presenters: Monica Davis Stein, HR Administrative Services Manager

## **PUBLIC COMMENT**

Speakers: Max Barnes, Project Associate, PR, Media Relations and Real Estate, OCII and representative for Local 1021; Elizabeth Collomello, Senior Development Specialist, Housing Division; Sally Oerth, Deputy Director

Mr. Barnes stated that on behalf of Local 1021 he was expressing full support for the appointment of Ms. Sesay as Executive Director and congratulated her on the appointment.

Ms. Collomello stated that she was speaking on behalf of Local 21 and was in support of the appointment of Ms. Sesay to Executive Director. She added that she had fully enjoyed working with Ms. Sesay during her term as interim Executive Director and looked forward to working with her in the future.

Ms. Oerth stated that with great enthusiasm she urged Commissioners to approve these resolutions to be able to welcome Ms. Sesay to OCII as Executive Director.

Vice-Chair Bustos stated that he would compare OCII staff against the staff of any other agency in the country as far as competence and effectiveness. He stressed that the work they were doing was so important for the City that they needed a leader who was fair and just. He was thrilled that Ms. Sesay would be the new leader, a compassionate, fair person who possessed the values that truly represented San Francisco.

Commissioner Singh was very happy that Ms. Sesay had agreed to become Executive Director after serving in the interim status position for six months.

Commissioner Rosales concurred with other Commissioners and welcomed Ms. Sesay as Executive Director. She requested that correction be made to Resolution 35-2107 to properly indicate that the salary shown was the bi-weekly salary and not the salary.

Ms. Davis-Stein agreed that what was indicated was the bi-weekly salary.

Commissioner Pimentel stated that they were very excited to finally be able to welcome Ms. Sesay as Executive Director.

Chair Mondejar thanked Executive Director Sesay for her responsiveness and help during her tenure as Vice-Chair and then Chair. She commended Ms. Sesay's leadership and constancy in serving the City and moving forward with San Francisco and OCII goals.

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

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

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

**ADOPTION:** IT WAS VOTED UNANIMOUSLY BY FIVE COMMISSIONERS THAT RESOLUTION NO. 34-2017, AMENDING RESOLUTION NO. 27-2017 GOVERNING CLASSIFICATIONS OF POSITIONS AND COMPENSATION SCHEDULES FOR SUCCESSOR AGENCY STAFF TO ESTABLISH COMPENSATION FOR THE POSITION OF EXECUTIVE DIRECTOR OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO, BE ADOPTED.

Vice-Chair Bustos motioned to move Item 5(b) and Commissioner Singh seconded that motion.

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

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

**ADOPTION:** IT WAS VOTED UNANIMOUSLY BY FIVE COMMISSIONERS THAT RESOLUTION NO. 35-2017, APPOINTING NADIA SESAY AS EXECUTIVE DIRECTOR OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO, BE ADOPTED.

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

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

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

**ADOPTION:** IT WAS VOTED UNANIMOUSLY BY FIVE COMMISSIONERS THAT RESOLUTION NO. 36-2017, AUTHORIZING EXECUTION OF AN EMPLOYMENT AGREEMENT WITH NADIA SESAY FOR THE POSITION OF EXECUTIVE DIRECTOR OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO, BE ADOPTED.

(applause)

Chair Mondejar invited Executive Director Sesay to speak on this item.

Ms. Sesay stated that she was humbled and honored to be able to serve the agency in this capacity and very happy for this opportunity. She added that it had been a pleasure to work with the agency staff since January 2017 and that guidance from Commissioners had been amazing.

- d) Authorizing a Personal Services Contract with Forster & Kroeger Landscape Maintenance Inc., a California Corporation, for an Initial Term of three years, with one Three-Year Option to Extend the Contract, in an amount not to exceed \$249,436 with a contingency of \$25,000 for extra work on an as-needed basis for a total aggregate amount not to exceed \$274,436 to provide Landscape Maintenance Services in Community Facilities District No. 1; Rincon Point-South Beach Project Area (Discussion and Action)(Resolution No. 37-2017)

Presenters: Nadia Sesay, Executive Director; Max Barnes, Project Associate, PR & Media Relations and Real Estate; Raul Garcia, President, Forster & Kroeger Landscape Maintenance Inc.

**PUBLIC COMMENT – None**

Commissioner Singh inquired about whether Forster & Kroeger had any previous experience with the City; inquired about whether they were present at the meeting. .

Mr. Barnes responded in the affirmative and stated that Forster & Kroeger has had this contract in South Beach for the past 12 years. He asked Mr. Garcia to come to the podium.

Mr. Garcia stated that they had been working with the City for the past 12 years and described their working style as trying to involve the neighborhood and the public as well as the management of the South Bay Marina apartments to get their input on ideas. Mr. Garcia stated that this had resulted in a good working relationship with them over the past years.

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

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

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

**ADOPTION:** IT WAS VOTED UNANIMOUSLY BY FIVE COMMISSIONERS THAT RESOLUTION NO. 37-2017, AUTHORIZING A PERSONAL SERVICES CONTRACT WITH FORSTER & KROEGER LANDSCAPE MAINTENANCE INC., A CALIFORNIA CORPORATION, FOR AN INITIAL TERM OF THREE YEARS, WITH ONE THREE-YEAR OPTION TO EXTEND THE CONTRACT, IN AN AMOUNT NOT TO EXCEED \$249,436 WITH A CONTINGENCY OF \$25,000 FOR EXTRA WORK ON AN AS-NEEDED BASIS FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$274,436 TO PROVIDE LANDSCAPE MAINTENANCE SERVICES IN COMMUNITY FACILITIES DISTRICT NO. 1; RINCON POINT-SOUTH BEACH PROJECT AREA, BE ADOPTED.

- e) 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: Nadia Sesay, Executive Director; Shane Hart, Transbay Project Manager; Jonathan Shum, Senior Project Manager, Related Companies

## **PUBLIC COMMENT – None**

Commissioner Pimentel referred to Slide 4 and inquired about whether the affordable units were rentals or for purchase. She referred to the slide displaying “possible grocery stores” and stated that she had heard on the news that Andronico’s was being bought out by Safeway. Ms. Pimentel inquired about whether, as a result, this would be a Safeway store instead of Andronico’s. She noted that last week on the news it was indicated that they were considering turning Andronico’s into a Safeway community market. Ms. Pimentel commended staff on the presentation and added that she liked the colors.

Mr. Shum responded that they were rental. He responded that they were not yet sure if the Andronico brand and concept would be continued. They were monitoring this situation and added that one of the concerns that Safeway had expressed with this location was the lack of parking.

Vice-Chair Bustos commended staff on the presentation and stated that he was pleased that they were considering small, San Francisco-based companies for this location. He was pleased with the community-based idea.

Commissioner Rosales referred to what was indicated as the “Market Hall” in the presentation and stated that she did not recognize what this was.

Mr. Shum responded that one currently existed at the bottom of the Twitter Building.

Commissioner Singh pointed out that there was no parking in the area and inquired whether this would be a store just for the neighborhood.

Mr. Shum responded in the affirmative. He added that per the DDA and according to the project area guidelines, parking was only allowed for residents of the property and not for transitory in order to promote TOD and pedestrian oriented development, so basically just for residents.

Chair Mondejar pointed out that there were 3 or 4 small grocery stores in Transbay (TB) near Lumina but that she did not see them in the presentation. She stated that she had spoken to several of the small grocers in the area and they expressed concern that they would be driven out of business with the new bigger groceries coming in. Ms. Mondejar informed that these were small, local, San Francisco-based companies that had been serving the area since the beginning when SOMA was created. This potentially negative impact on smaller groceries would be a concern for OCII and she inquired about whether Related had reached out to them; she inquired about whether he could share the criteria of selection or whether they were still in research phase.

Mr. Shum responded that Chair Mondejar might be referring to the boutique groceries in the area. He explained that boutique stores tended to occupy only 2,000 to 2,500 sq. ft. and would not be able to accommodate the demand needed for this area. By comparison Bi-Rite occupied 5,500 to 6,000 sq. ft. and Trader Joe’s occupied approximately 12,000 sq. ft. and would be able to meet the demand anticipated in this area. Mr. Shum reported that they might be able to include some of the boutique groceries later. He responded that this was good information for Related and he would bring it back to the company. He reported that they were trying to understand the entire retail environment of the neighborhood and would factor this into the overall vision for programming of the area. Mr. Shum responded that they were still in the research phase obtaining tangible feedback and trying to do a comparison between potential tenants. He reported that the intent was to share this information with tenants.

Chair Mondejar thanked Mr. Shum for his presentation and stated that she looked forward to his next update.

## 6. Public Comment on Non-Agenda Items

Speakers: Eric Vanderpool, Shipyard resident and homeowner; Shannon Hetrick, Shipyard resident; David Springer, Shipyard resident; Oscar James, native resident Bayview Hunters Point (BVHP); Jason Fried, Shipyard resident and homeowner

Mr. Vanderpool recalled that at the last meeting, Commissioners had voted to request that Lennar respond to concerns about certain misrepresentations that Lennar had made regarding development of Blocks 52 & 54 in the Shipyard. He was eager to learn how Lennar was going to respond to this since Lennar sales representatives had told at least 50 different sets of home purchasers that Blocks 52 & 54 would be developed into parks and Lennar sales material showed the same. It appeared that Lennar's response, which was in Commissioners packets, was not from the sales reps who had lied to residents, but rather from Lennar's attorney and focused on portions of three documents purportedly given to residents when they purchased their homes. Mr. Vanderpool stated that he had received only two of the three documents and the few pages referenced were less than clear on the issue. Missing was any explanation as to why the marketing materials and videos in question that were distributed to residents indicated that these areas would be parks. Mr. Vanderpool added that sales reps had responded that these areas would be parks when asked what these undeveloped areas would become. Mr. Vanderpool indicated that the issue of insufficient disclosures would be handled in a court of law and there was strong indication that this was not legal. Mr. Vanderpool stressed that the Hunters Point (HP) Shipyard project was an OCII project and Lennar was a partner of OCII. The lies told to potential residents tarnished not only Lennar's reputation, but OCII's as well. He reported that Lennar had failed in its obligation to be forthright and transparent in its development of the Shipyard. Now it was up to OCII and residents to hold Lennar responsible. Mr. Vanderpool asked OCII to not allow this issue to be dropped. He requested that OCII put this issue on the agenda for a future meeting and require Lennar to be present at the meeting to explain not only why its marketing materials and sales reps had misrepresented its purpose to potential homeowners but also what they intended to do to rectify this situation. Mr. Vanderpool asked OCII to act to make sure Lennar did not do this again as the project moves forward.

Ms. Hetrick echoed Mr. Vanderpool's sentiments. She explained that they had come as a community to the last meeting to bring this issue to the attention of the Commission. However, she recalled that they were accused by Commissioners of being NIMBY and not being open to new residents. She stressed that this issue had nothing to do with who this project was being built for but rather what was being built. Ms. Hetrick reported that the purchase prices of their homes had reflected the addition of these parks and influenced their decisions to buy. Homeowners were there because they had been sold parks on those lots. Ms. Hetrick felt that they would be irresponsible if they did not highlight the duplicity of the developer, who was also OCII's partner. She requested that OCII participate in addressing this duplicity by Lennar and also asked that OCII use its considerable influence to accelerate the progress of facilities, transit and services in the Shipyard to be able to accommodate new residents, which currently it could not do. If those services were not going to be there in time, then consider swapping parcels. Ms. Hetrick requested that OCII drive change and build something that the community could support.

Mr. Springer's concern over Lennar's response was that Lennar appeared to not be aligned with OCII's agenda. He explained that instead of celebrating the inclusion of mixed use housing at the Shipyard, Lennar hid this fact with lies. Mr. Springer reported that one of the reasons that he had bought his home at the Shipyard was because he wanted to be with mixed income families. He asked that OCII not accept Lennar's response. He stressed that Lennar was going behind OCII's back with misinformation and lies. As an example, he pointed out that as soon as affordable housing was purportedly going in, Lennar announced they would be dropping the price of adjacent housing by \$30,000 per unit. This happened coincidentally when Lennar had to make public that there was going to be a five-story building on the location where they had previously been saying

that it was going to be a park. Mr. Springer also inquired about when groceries, daycare centers and transit centers would be coming into the Shipyard. He had just heard a presentation about services being provided to TB, but inquired about why these services were still lacking at the Shipyard.

Mr. James stated that he was at the last Shipyard CAC meeting and interviewed a woman who was doing a buy-up there and it was being reported that CAC members were getting pay-offs. He wanted it stated for the record that this was not true. He was tired of the lies coming from community members regarding CAC and OCII Commissioners being accused of taking kickbacks. Mr. James stated that they were trying to improve the Shipyard and clean up the toxins and make the community clean. They had moved the sewage treatment plant, the slaughterhouses, PG&E and other companies that dirtied up the area. He wanted to clarify the situation for the record.

Mr. Fried stated that he had been present at the last meeting as well. He felt that they needed to have a more robust discussion with Lennar present in person about this item perhaps at night so that all residents could attend to reveal the full story. Mr. Fried explained that this issue was creating more problems for OCII in the future. He reported that the written response by Lennar was not enough. Mr. Fried referred to his suggestion for a land swap at the last meeting. He displayed an overhead regarding the area for the possible land swap and pointed out that the location he had suggested for the land swap was right next to his building and that, therefore, NIMBY accusations by Commissioners had not been appropriate. Mr. Fried pointed out the land swap area was being slated for 250 market rate units, but he suggested that they use that location for the affordable housing units, which would appear so much better. Mr. Fried suggested that any extra costs involved could be covered by Lennar after all the lies they had handed out to date.

## **7. Report of the Chair**

Chair Mondejar stated that she had no report.

## **8. Report of the Interim Executive Director**

Executive Director Sesay stated that she had no report.

## **9. Commissioners' Questions and Matters**

Commissioner Rosales commented on the response that they had received from Lennar regarding public comments about misrepresentations at the Shipyard, which she felt was basically a non-response. She suggested that perhaps Lennar had not been clear about what OCII had expected from them. Ms. Rosales reiterated that what she had requested from Lennar in the face of the public concerns was an explanatory report and what they had received was not adequate at all. Ms. Rosales requested that this issue be calendared in order for there to be a more robust conversation with Lennar present at the meeting to directly address the questions raised. She proposed that the Commission place this item on the agenda for a future meeting, which was what she had requested at the previous meeting.

Chair Mondejar vocalized the motion for a response from Lennar to concerns by Shipyard residents as an informational discussion at a future meeting with full attendance by Commissioners.

Commissioner Rosales motioned to place on the agenda for a future meeting an informational discussion regarding Lennar's response to public concerns about what was being developed at the Shipyard. Commissioner Singh seconded that motion.

Secretary Cruz called for a voice vote on this motion.

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

The motion carried.

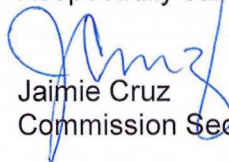
**10. Closed Session – None**

**11. Adjournment**

Motion to adjourn was made by Commissioner Singh and seconded by Commissioner Rosales.

The meeting was adjourned by Chair Mondejar at 2:11 p.m.

Respectfully submitted,



Jaimie Cruz  
Commission Secretary