

**MINUTES OF A REGULAR MEETING OF THE  
COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE  
OF THE CITY AND COUNTY OF SAN FRANCISCO HELD ON THE  
16th DAY OF APRIL 2013**

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 16th day of April 2013, 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.

Madame Chair Christine Johnson - present  
Theodore Ellington – present  
Marily Mondejar – present  
Vice-Chair Mara Rosales - present  
Darshan Singh – present

**2. Announcements**

Madame Secretary Jones read announcements regarding the following:

- A. The next scheduled Commission meeting will be a special meeting held on Tuesday, April 30, 2013 at 4:00 p.m. at Mission Creek Senior Community Center, Swift Conference Center, 3<sup>rd</sup> floor, 930 4<sup>th</sup> Street, San Francisco.
- B. Announcement of Prohibition of Sound Producing Electronic Devices during the Meeting
- C. Announcement of Time Allotment for Public Comments

**3. Report on actions taken at previous Closed Session meeting, if any – None.**

**4. Matters of Unfinished Business – None.**

**5. Matters of New Business:**

**CONSENT AGENDA**

**ALL MATTERS LISTED HEREUNDER CONSTITUTE A CONSENT AGENDA, ARE CONSIDERED TO BE ROUTINE BY THE COMMISSION, AND WILL BE ACTED UPON BY A SINGLE VOTE OF THE COMMISSION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A MEMBER OF THE COMMISSION OR THE PUBLIC SO REQUESTS, IN WHICH EVENT THE MATTER SHALL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED AS A SEPARATE ITEM:**

- a) Approval of Minutes: Regular Meeting of March 5, 2013
- b) Approval of Minutes: Regular Meeting of March 19, 2013
- c) Approval of Minutes: Regular Meeting of April 2, 2013

PUBLIC COMMENT

Speaker: Robert Woods, Black Human Rights Leadership Council of San Francisco

Mr. Woods stated that the community was not happy with the lack of communication with the Navy and that the community needs to be informed on what is taking place in the Bayview Hunters Point.

Madame Chair Johnson suggested that Mr. Woods contact one of the Commissioners with his concerns.

Commissioner Singh motioned to move Items 5 (a), (b), & (c) and Commissioner Rosales seconded this motion.

Commissioner Rosales had a correction on the minutes of March 19 where her name was shown as Ms. Morales instead of Ms. Rosales.

Madame Secretary Jones called for a voice vote on this item.

Commissioner Ellington - yes

Mondejar - yes

Rosales - yes

Singh - yes

Johnson - yes

**ADOPTION:** IT WAS VOTED BY 5 COMMISSIONERS AND UNANIMOUSLY CARRIED THAT THE MINUTES FOR THE REGULAR MEETINGS OF MARCH 5, MARCH 19 AND APRIL 2, 2013, BE ADOPTED.

**REGULAR AGENDA**

Madame Secretary Jones announced that Items 5 (d) and 5 (e) would be discussed together and voted on separately.

- d) Conditionally approving, pursuant to the Transbay Implementation Agreement, the schematic design for a proposed high-density residential project on Transbay Blocks 6/7, located on Folsom Street between Fremont and Beale Streets, and making environmental findings pursuant to the California Environmental Quality Act; Transbay Redevelopment Project Area. (Discussion and Action) (Resolution No. 9-2013)
- e) Conditionally authorizing, pursuant to the Transbay Implementation Agreement and the Option Agreement, the Executive Director to exercise an option to purchase Blocks 6/7 (Block 3738, Lot 004), located on Folsom Street between Fremont and Beale Streets, from the Transbay Joint Powers Authority and to execute a Disposition and Development Agreement with Golub Real Estate Corp., an Illinois corporation, and Mercy Housing California, a California non-profit public benefit corporation, for a proposed residential project with 409 market-rate and 70 affordable units on Block 6, and adopting environmental findings pursuant to the California Environmental Quality Act; Transbay Redevelopment Project Area. (Discussion and Action) (Resolution No. 10-2013)

Presenters: Tiffany Bohee, Executive Director; Mike Grisso, Sr. Project Manager, Transbay; Doug Shoemaker, President, Mercy Housing California; Brian Lorenc, Development Manager, Golub Real

Estate Corporation; Chris Pemberton, SCB Architects; Bruce Prescott, Santos Prescott and Associates; George Bridges, Contract Compliance Specialist

**PUBLIC COMMENT**

Speaker: Brian Lorenc, Golub Real Estate Corporation

Mr. Lorenc had neglected to thank Mike Grisso and his staff for their invaluable assistance in guiding Golub through the public approval process and stated that he looked forward to continuing working with the CCII staff.

Madame Chair Johnson inquired as to whether the DDA for Block 6 was only with Golub or Golub and Mercy together. Ms. Johnson also asked whether the total site plan for Block 6 and 7 was inclusive of the planned traffic changes after all the scheduled road work is finished. Ms. Johnson went on to inquire about the plan and the ideal outcome for Block 7 given that the affordable housing fee does not cover 100% of the affordable housing on Block 7.

Mr. Grisso responded that it was Golub and Mercy together. He responded that this project was not adjacent to but across the street from the off-ramp. Mr. Grisso responded that the fee is already larger than what the normal city fee would be for the number of market rate units that are being built. Mr. Grisso explained that the plan for Block 7 is to use other sources of funding to pay for the rest, which could be bonds that are issued under the Commission's enforceable obligations, which are now finally and conclusively determined or it could be some potential savings from the Block 11 project, which may come in soon, and added that there are many options; however, they have not been able to secure the full funding yet. Mr. Grisso added that they are confident they will be able to secure funding by the time this parcel is ready to be developed and indicated that, in either case, the developer was going to have to use Block 7 for staging for the first few months to build Block 6 especially during the garage construction. Mr. Grisso stated that Block 7 was always going to be a few months behind Block 6 and was confident that it wouldn't be more than a year or so before Block 7 obtains the necessary funding.

Madame Chair Johnson inquired about whether the design for Block 7 might be changed based on the funding sources coming in the future.

Mr. Grisso responded that he did not think that was very likely since the project is well designed and meant to be integrated with Block 6 and added that Block 7 would not be changed unless necessary and indicated that the funding sources would probably not be a reason to change Block 7. He indicated that if there were any changes to Block 7, it would have to come back to the Commission for approval.

Ms. Bohee added that it was not uncommon at this stage of pre-development to have an unidentified gap. She added that Mercy, a non-profit developer, is adept at doing this kind of funding.

Madame Chair Johnson inquired about the open space available for Blocks 6 and 7. Ms. Johnson inquired about the impact of the Block 6 construction on the operation of the temporary transit center and the Casual Carpool and whether they had received any feedback from the residents living across

the street. Ms. Johnson stated that she had noticed there were many one-bedrooms for the market rate units and was surprised to not see more two-bedrooms listed and inquired as to whether that could be changed. Ms. Johnson added that she was aware of the demand for larger units in San Francisco and indicated that the area gets very rarefied when a family that is not a childless couple is trying to find a place to live.

Mr. Grisso responded that there is a very prominent paseo from Folsom to Clementina Streets, which is Block 6, and indicated that this paseo as well as the ground floor open space to the left of it will be open to the public. Mr. Grisso added that Block 7 will have a gate and will not be open to the public because it will have residences and childcare use. Mr. Grisso responded that there will not be any impact on the operation of the transit center but there will be impact on the Casual Carpool, which was moved across the street and will have to be moved again when construction begins.

Mr. Lorenc responded to the unit question, stating that they had commissioned a market study and based on that and their experience in other cities, they felt that this was an appropriate mix. He indicated that very often this comes to an affordability issue as the rents get to be too high with the larger units and they wanted to maintain affordability. He added that the financial return of the program is based on the unit mix they have right now so they would have to take a serious look at the financial consideration if they were going to change it.

Commissioner Singh inquired about the lack of minority contractors and inquired if any of them were present at the meeting.

Mr. Grisso deferred to Golub to respond to that question but added that he was aware that Golub has employed a lot of certified agency small business enterprises which is what the Commission contracting policies require.

Mr. Lorenc responded that on the consultant side, they had achieved over 50% SBE participation so far. He continued to read off some of the companies already brought in for this project: for Block 7, Vibro-Acoustics as physical consultant, UDC as civil consultant, Bhatia Associates. as electrical design consultant, Merrill Morris, a women-owned firm for landscaping, SDE for structural engineering; for Block 6, Treadwell & Rollo for environment and geo-tech, Scaffold Inspection Technology for exterior maintenance, OLMM in conjunction with MKA as structural engineers, Tommy Siu for mechanical engineer, Parisi Portfolio-Marie Fisher, a women-owned firm, for interior design, Francis Krahe as lighting consultant and Lynn Sedway for the market study. Mr. Lorenc added that for contractors they have brought in the joint venture of Balfour Beatty and Cahill Construction, who are committed to the SBE and local hiring requirements. Mr. Lorenc stated that they have not hired any subcontractors yet.

Commissioner Rosales inquired as to how quickly the process will move forward, given that in the memo it was stated that construction is anticipated as soon as fall 2013. Ms. Rosales also inquired about whether the construction phase dealing with the subcontractors was a process between the developer and the community and the Commission.

Mr. Grisso responded that this would be the last action that the Commission would need to take related to Block 6 and after this it would involve the staff working with the developer to finish the construction documents, get those approved, and then conduct a closing, where the developer would pay the purchase price and the affordable housing fee, the land would then be transferred and construction would begin. Mr. Grisso further responded that the subcontracting construction phase is between the developers working with the Commission's contract compliance staff and which is something that Commission staff is continually monitoring.

Commissioner Mondejar inquired about open space and whether there were any plans for artwork within this construction. Ms. Mondejar also inquired about the management of the buildings after construction and specifically about the mix of affordable and market rate in both projects.

Mr. Grisso responded that there are no requirements for public art within this project; however, they do have a public art program for the project area in the public parks for which they have funding set aside. Mr. Grisso stated that this project does not have any strictly art displays because they consider the project itself, a beautiful building that is visible on the skyline, a form of art. Mr. Grisso responded that these will be privately-owned buildings; Golub will own and manage the market rate project and Mercy Housing will own and manage the affordable housing project. He added that the affordable housing will be on an air-rights parcel that the Commission or perhaps an entity of the City will continue to own in the future, so there will be some oversight on the ongoing ownership and management of the affordable project. The market rate project is a privately developed building and will be just like any other private apartment building in the City. Mr. Grisso added that on Block 6 there are 70 affordable units which will be owned and managed by Mercy but they will be under an air-rights lease with the Commission or another entity of the City, which provide ongoing oversight on those units.

Executive Director Bohee clarified that the Block 7 building is a typical ground lease structure where the partnership owns the building and there is a public entity that owns the fee, which is typical of what the former Agency did with all of its land dispositions. She stated that there is a subdivision, an air-rights parcel that is created within Block 6, comprised of 70 affordable units and that the parcel will be owned by the public entity and the improvements would be owned by Mercy as a third party responsible for managing it. Ms. Bohee added that upon dissolution, all the built affordable buildings, the fee and the ground leases transferred to the Mayor's Office of Housing as the housing successor and this project would follow a similar model, so that once built and completed, it would transfer from the Commission who owns the fee to the Mayor's Office of Housing to ensure long-term compliance with the broad portfolio.

Commissioner Mondejar inquired as to whether this process is the same for all the buildings that the Commission will be approving. Ms. Mondejar inquired about whether there are affordable commercial spaces or is whether they are all market rate.

Ms. Bohee answered in the affirmative that all affordable housing units will be completed and transferred to the Mayor's Office of Housing.

Mr. Grisso responded that commercial spaces are all market rate and that this is a legal issue because there is no commercial rent control and the Commission has no power to require or negotiate that. He added that they do have workforce goals for the permanent workforce including the retail spaces and have many design controls to encourage small retail units, which is how they secure the type of retail that they want.

Commissioner Mondejar stated that she did not see a representative from the jobs community and inquired as to whether they are working with an organization to make sure that jobs are local.

Executive Director Bohee responded in the affirmative that the DDA provides for a means to meet those goals as required under SBE and the other permanent workforce goals. The OCII staff helps the developers to obtain a pipeline for that through the CityBuild Organization which works with both public and private organizations to help manage that pipeline for the entire City. She added that CityBuild works with Mission Hiring Hall, Young Community Developers, Goodwill and other CBO's that are a part of the job readiness and permanent workforce spectrum.

Commissioner Singh stated that he did not see any mention of any African American contractors in this project and inquired as to the status on that.

Mr. Bridges responded that currently there is a budget of about six million dollars for consultants and they are achieving over 56% SBE. He indicated that of the SBE total, there are currently about 15 consultants who are either minority or women-owned and as far as diversity, there were only three African American firms that submitted qualifications, two of which are being considered. Mr. Bridges added that they have not gotten to that part of the contracting yet and assured the Commission that they do want a diverse pool of consultants which would include African Americans and Latin firms.

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

Madame Chair reminded Commissioners that in the memo there were some conditions of approval that do have to happen prior to construction commencement of the project.

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

Commissioner Ellington - yes  
Mondejar - yes  
Rosales - yes  
Singh - yes  
Johnson - yes

**ADOPTION:** IT WAS VOTED BY 5 COMMISSIONERS AND UNANIMOUSLY CARRIED THAT RESOLUTION NO. 9-2013, CONDITIONALLY APPROVING, PURSUANT TO THE TRANSBAY IMPLEMENTATION AGREEMENT, THE SCHEMATIC DESIGN FOR A PROPOSED HIGH-DENSITY RESIDENTIAL PROJECT ON TRANSBAY BLOCKS 6/7, LOCATED ON FOLSOM STREET BETWEEN FREMONT AND BEALE STREETS, AND MAKING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA

ENVIRONMENTAL QUALITY ACT; TRANSBAY REDEVELOPMENT PROJECT AREA, BE ADOPTED.

Commissioner Ellington motioned to move Item 5 (e) and Commissioner Singh seconded this motion.

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

Commissioner Ellington - yes

Mondejar – yes

Rosales – yes

Singh – yes

Johnson - yes

**ADOPTION:** IT WAS VOTED BY 5 COMMISSIONERS AND UNANIMOUSLY CARRIED THAT RESOLUTION NO. 10-2013, AUTHORIZING, PURSUANT TO THE TRANSBAY IMPLEMENTATION AGREEMENT AND OPTION AGREEMENT, THE EXECUTIVE DIRECTOR TO EXERCISE AN OPTION TO PURCHASE BLOCKS 6/7 (BLOCK 3738, LOT 004), LOCATED ON FOLSOM STREET BETWEEN FREMONT AND BEALE STREETS, FROM THE TRANSBAY JOINT POWERS AUTHORITY AND TO EXECUTE A DISPOSITION AND DEVELOPMENT AGREEMENT WITH GOLUB REAL ESTATE CORP., AN ILLINOIS CORPORATION, AND MERCY HOUSING CALIFORNIA, A CALIFORNIA NON-PROFIT PUBLIC BENEFIT CORPORATION, FOR A PROPOSED RESIDENTIAL PROJECT WITH 409 MARKET-RATE AND 70 AFFORDABLE UNITS ON BLOCK 6, AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; TRANSBAY REDEVELOPMENT PROJECT AREA, BE ADOPTED.

- f) Authorizing, pursuant to a December 14, 2010 Grant Agreement with the Mexican Museum, a Second Grant Disbursement Agreement with the Mexican Museum, a California non-profit corporation, in an amount not to exceed \$1,000,000, for predevelopment work for a new museum associated with a new mixed-use project on a site that includes 706 Mission Street (Assessor's Block 3706, Lot 93) and Successor Agency disposition parcel CB-1-MM (Assessor's Block 3706, portion of Lot 277). (Discussion and Action) (Resolution No. 11-2013)

Presenters: Tiffany Bohee, Executive Director; Christine Maher, Development Specialist, Real Estate and Development Services; Arturo Taboada, Building Committee Chair, The Mexican Museum; Andrew Kluger, Treasurer, The Mexican Museum

PUBLIC COMMENT – None.

Commissioner Singh commented that work on this museum has been going on for a very long time and he stated that it was time to approve this project.

Commissioner Ellington commented that this was the last piece to complete the Yerba Buena Gardens and the arts district and echoed Commissioner Singh's comment to move forward. Mr. Ellington inquired about the museum's funding development plan.

Mr. Taboada deferred to Mr. Kluger to answer this question. Mr. Kluger responded that they have been working over the last year to develop funding for the museum. He explained that overall this is a \$60 million project and that they currently have \$32 million already pledged for the construction of the museum as well as the outside improvements. Mr. Kluger added that they also have \$1.5 million

committed for tenant improvement within the building. He stated that this is the first Mexican museum in the U.S. and has been given the designation of affiliate to the Smithsonian Institute in Washington D.C. He stated that they expect to meet their goal of raising the rest of the funding within four years.

Commissioner Mondejar asked who are the contributors to the Museum, specifically.

Mr. Kluger responded that the funding of the construction of the museum (about \$20 million) is part of an agreement with Millenium Partners, who have also committed \$5 million for post construction ongoing functions; \$8 million from the Commission; the CCHE has committed \$800,000. Other contributors include Union Bank, Wells Fargo, New Mission Theatre, San Francisco Foundation, Target Stores, the Fleishacker Foundation, Chronicle Books, the Gerbovi Foundation, contributions from Mexico as well as the Mexican government. Mr. Kluger stated that they are currently meeting with Autodesk and PGE for additional funding.

Commissioner Ellington inquired whether there are any other pre-existing obligations that the Commission will be required to approve or oversee as it pertains to the Museum.

Executive Director Bohee responded that the total amount of the grant disbursement agreement that the Commission entered into in December 2010 is \$10.5 million, of which \$750,000 has been disbursed to date and that this is the next portion of funds to be disbursed. Ms. Bohee added that there are specific milestones, timelines and deliverables required to be met for disbursement of these funds. Ms. Bohee indicated that there is \$1.7 million of unrestricted cash from old Yerba Buena tax increment monies and general funds. The balance of \$7 million comes from bond proceeds for which they need to go through a number of due diligence reviews with the state. Ms. Bohee indicated that there are no further actions, but stated that there will be another disbursement request for the \$1.7 million for other planning and predevelopment activities as well as another disbursement of \$7 million for construction.

Commissioner Rosales commented that as a member of the Latino community, she was very happy to see this project moving forward after all this time. Ms. Rosales stated that she had noticed that there were a few categories in the budget that were over-budget and wanted to know if they expected to have continuous overage in some of those categories. Ms. Rosales also inquired about the SBE and MBE programs and the Museum's commitment to diversity in the construction workforce as well as in the hiring of other individuals.

Ms. Maher responded that with the first funding disbursement, they allowed some flexibility to move the funds where needed because some things cost more than anticipated and some things less. She stated that they have been working with the Museum to try to tighten those things up and add milestones that the Museum needed to meet in each of those categories so that moving forward, there will be more control over how the funds are spent and that they are spent in those categories.

Mr. Taboada responded that they had met with the Commission compliance officer and stated that they are fully committed to not just meet but to exceed the expectations and requirements that the Commission has set forth. Mr. Taboada added that they are very interested in having a fully diversified team in terms of planning and executing this project from the consultants in the planning and design phase all the way through construction.

Commissioner Mondejar commented that a few years ago she had been involved in fundraising for the Mexican Museum and was very happy to find out that project was finally moving forward.

Commissioner Rosales motioned to move this item and Commissioner Singh seconded this motion.



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

Commissioner Ellington - yes  
Mondejar – yes  
Rosales – yes  
Singh – yes  
Johnson - yes

**ADOPTION:** IT WAS VOTED BY 5 COMMISSIONERS AND UNANIMOUSLY CARRIED THAT RESOLUTION NO. 11-2013, AUTHORIZING, PURSUANT TO A DECEMBER 14, 2010 GRANT AGREEMENT WITH THE MEXICAN MUSEUM, A SECOND GRANT DISBURSEMENT AGREEMENT WITH THE MEXICAN MUSEUM, A CALIFORNIA NON-PROFIT CORPORATION, IN AN AMOUNT NOT TO EXCEED \$1,000,000, FOR PREDEVELOPMENT WORK FOR A NEW MUSEUM ASSOCIATED WITH A NEW MIXED-USE PROJECT ON A SITE THAT INCLUDES 706 MISSION STREET (ASSESSOR'S BLOCK 3706, LOT 93) AND SUCCESSOR AGENCY DISPOSITION PARCEL CB-1-MM (ASSESSOR'S BLOCK 3706, PORTION OF LOT 277). (DISCUSSION AND ACTION) (RESOLUTION NO. 11-2013), BE ADOPTED.

- g) Workshop on OCII's Fiscal Year 2013-2014 Budget: Hunters Point Shipyard/Candlestick Point Mission Bay North and South, and Transbay Redevelopment Project Areas. (Discussion)

Presenters: Tiffany Bohee, Executive Director; Sally Oerth, Deputy Director; Thor Kaslofsky, Hunters Point Shipyard Project Manager; Wells Lawson, Hunters Point Shipyard//Candlestick Point Project Manager; Catherine Reilly, Mission Bay Project Manager; Mike Grisso, Sr. Project Manager, Transbay

#### PUBLIC COMMENT

Speaker: Scott Madison, Chair-Hunters Point Shipyard CAC

Mr. Madison stated that they had reviewed the budget and the Committee has endorsed the presentation that Commission staff made to the Committee. Speaking for everyone on the Shipyard Committee as well as the community, Mr. Madison stated that they are all very much looking forward to Lennar beginning construction on Phase I and moving forward with Phase II. He wanted to announce that there will be plenty of jobs for people who look for employment and retail opportunities.

Commissioner Ellington asked about the rent portion as stated in the budget for Mission Bay South and Transbay and asked for more explanation.

Ms. Reilly responded that the \$8,000 is a housing-related item for real estate fees for assistance with appraisals and other services and explained that it should have come under Professional Services and the same for Transbay.

Commissioner Rosales inquired about how much staff they have for all these projects.

Executive Director Bohee responded that staff structure will be presented later, but stated that there are individual project managers, assistant project managers, real estate, architectural and engineering professionals, and technical teams set up now. Ms. Bohee added that they have no

administrative staff due to the elimination of 58 positions with the dissolution and that they use property tax and other sources to fund some of these positions.

Commissioner Ellington inquired about the grants issued by the Commission.

Executive Director Bohee responded that the term “community grants” is a budget nomenclature and that more detail on this item will be forthcoming in the April 30 meeting. Ms. Bohee explained that there are some federal grants for Hunters Point Shipyard to be expended for Building 813 stabilization and as part of the existing enforceable obligations and the disbursement for the Mexican Museum. Other grants have been collected for the Yerba Buena area and will be disbursed for maintenance of the gardens, cultural programs, the Children’s Creativity Museum and other programs.

Madame Chair Johnson thanked staff for all their work on this item and indicated that discussion on these items will continue on April 30.

**6. Public Comment on Non-agenda Items**

Speaker: Terry Collins, President, KPOO Radio

Mr. Collins stated that he was there to promote broadcasting of the Commission meetings again on KPOO. Mr. Collins stated that the meetings had been broadcast from 1999 to 2012 and that this was a service that they do for the community. Mr. Collins stated that he would like the support of the Commission to be able to offer this service once more.

**7. Report of the Chair – None.**

**8. Report of the Executive Director**

- a) Status of State Department of Finance Housing and Non-Housing Due Diligence Reviews and Recognized Obligation Payment Schedule (ROPS 13-14A) submittal.

Executive Director Bohee updated on the following items:

**Housing due diligence review:** Ms. Bohee reported that in December 2012, after the state had reviewed the housing funds, the state had demanded that OCII remit \$107 million, which OCII disputed. OCII had to submit themselves to an additional audit of housing funds for all project areas. The audit resulted in OCII offering \$7.8 million of funds in unrestricted cash related to housing, which would be remitted to the State. City and other taxing entities, and Ms. Bohee indicated that OCII is ready to do that.

**Non-Housing due diligence review:** After its review, the state demanded \$204 million, but the state could not determine the exact amount of restricted assets even though documentation was presented for the funds, 85% of which are in multiple third party trustee accounts. Ms. Bohee had informed the state that OCII needs to retain \$6.3 million in unrestricted cash, which is tax increment from expired project areas and general funds to pay for enforceable obligations that are due, which the state had already approved on ROPS II and III; \$2.3 million is needed to pay for certain pre-2011 obligations and funds due for the Museum of African Diaspora and the Mexican Museum in the next two fiscal years. Ms. Bohee reported that the State had granted a meeting the following week. She added that the State has until May 8 to make a determination on the other funds due diligence review and that they are still working with the State to make a decision on the housing and non-housing issues.

**ROPS13/14A:** Ms. Bohee reported that they were working on the Meet & Confer Form to schedule a meeting with the state on this subject.

Lastly, Ms. Bohee reported that they had recently received a written confirmation of DOF's final and conclusive determination of the following enforceable obligations related to Transbay redevelopment project area:

- The Tax Increment & Sales Proceeds Pledge Agreement
- The Implementation Agreement
- The Affordable Housing Program funded by LMIHF for Transbay.

**9. Commissioners' Questions and Matters**

Commissioner Singh urged everyone to support Commission meeting broadcasting with KPOO radio station.


**10. Closed Session**

- a) Pursuant to Government Code § 54957.6 to confer with its designated representatives, but take no action, regarding negotiations with 1) the International Federation of Professional and Technical Engineers (IFPTE) Local 21 representing the Engineers and Architects bargaining unit, the Management/Supervisory bargaining unit, and the Professional/Technical bargaining unit; and 2) the Service Employees International Union (SEIU) Local 1021 representing a miscellaneous employees bargaining unit. OCII negotiators: Tiffany Bohee, Leo Levenson, Micki Callahan, Carol Isen, Vitus Leung, Jessica Huey.

**11. Adjournment**

It was moved by Commissioner Singh, seconded by Commissioner Ellington and unanimously carried that the meeting be adjourned at 4:34 p.m.

Respectfully submitted,



Natasha Jones  
Interim Commission Secretary

**ADOPTED:**