

1 CITY AND COUNTY OF SAN FRANCISCO
2 OFFICE OF
3 COMMUNITY INVESTMENT & INFRASTRUCTURE COMMISSION

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5
6 TUESDAY, NOVEMBER 3, 2015

7
8 SPECIAL MEETING

9
10 REPORTER'S TRANSCRIPT OF PROCEEDINGS

11 RE

12 THE GOLDEN STATE WARRIORS

13 EVENT CENTER AND MIXED-USE DEVELOPMENT

14 AT MISSION BAY SOUTH BLOCKS 29-32

15
16
17 CITY HALL

18 1 Dr. Carlton B. Goodlett Place, Room 416

19 San Francisco, California 94102

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I N A T T E N D A N C E

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1 P R O C E E D I N G S

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3
4 TUESDAY, NOVEMBER 3, 2015

10:12 A.M.

5
6 SPECIAL MEETING

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8 CHAIRPERSON ROSALES: Good morning. It is now
9 10:12 a.m. This is the Special Meeting of the
10 Commission on Community Investment and Infrastructure,
11 the Successor Agency Commission to the San Francisco
12 Redevelopment Agency, for Tuesday, November 3, 2015.

13 Welcome to the members of the public.

14 Madam Secretary, could you please call the
15 first item.

16 COMMISSION SECRETARY GUERRA: Thank you, Madam
17 Chair.

18 The first order of business is Item 1, Roll
19 Call.

20 Commission Members, please respond when I call
21 your name.

22 Commissioner Mondejar.

23 COMMISSIONER MONDEJAR: Here.

24 COMMISSION SECRETARY GUERRA: Commissioner
25 Pimentel.

1 COMMISSIONER PIMENTEL: Here.

2 COMMISSION SECRETARY GUERRA: Commissioner
3 Singh.

4 COMMISSIONER SINGH: Here.

5 COMMISSION SECRETARY GUERRA: Commissioner
6 Bustos.

7 COMMISSIONER BUSTOS: Here.

8 COMMISSION SECRETARY GUERRA: Madam Chair
9 Rosales.

10 CHAIRPERSON ROSALES: Here.

11 COMMISSION SECRETARY GUERRA: All members of
12 the Commission are present.

13 The next order of business is Item 2,
14 Announcements.

15 A, The next regularly scheduled meeting of
16 November 17th, 2015, will be held at 1:00 p.m. at City
17 Hall, Room 416.

18 B, Announcement of prohibition of
19 sound-producing electronic devices during the meeting.
20 Please be advised that the ringing of and use of cell
21 phones, pagers, and similarly sound-producing electronic
22 devices are prohibited at this meeting. Please be
23 advised that the Chair may order the removal from the
24 meeting room of any persons responsible for the ringing
25 of or use of a cell phone, pager, or other similarly

1 sound-producing electronic devices.

2 C, Announcement of time allotment for Public
3 Comment. Please be advised a member of the public has
4 up to three minutes to make pertinent public comments on
5 each agenda item, unless the Commission adopts a shorter
6 period. It is strongly recommended that members of the
7 public who wish to address the Commission fill out a
8 speaker card and submit that completed card to the
9 Commission Secretary.

10 The next order of business is Item 3, Report
11 on Actions Taken at a Previously Closed Session Meeting,
12 if any. There are no reportable actions.

13 The next order of business is Item 4, Matters
14 of Unfinished Business. There are no matters of
15 unfinished business.

16 The next order of business is Item 5, Matters
17 of New Business Consisting of Consent and Regular
18 Agenda. First, the Consent Agenda. There is no Consent
19 Agenda.

20 The next order of business is the Regular
21 agenda. Items 5-A, 5-B, 5-C, 5-D, and 5-E related to
22 the Golden State Warriors Event Center and Mixed-Use
23 Development on Blocks 29 through 32 in Mission Bay South
24 will be heard together but acted on separately.

25 5-A, Certifying the Subsequent Environmental

1 Impact Report for the Golden State Warriors Event Center
2 and Mixed-Use Development on Blocks 29 through 32 in
3 Mission Bay South under the California Environmental
4 Quality Act (CEQA) and the CEQA Guidelines; Mission Bay
5 South Redevelopment Project Area, Discussion and Action,
6 Resolution No. 69-2015.

7 5-B, Adopting environmental review findings
8 under the California Environmental Quality Act (CEQA)
9 and the CEQA Guidelines, including the adoption of a
10 Mitigation Monitoring and Reporting Program and a
11 statement of Overriding Consideration in connection with
12 the development of the Golden State Warriors Event
13 Center and Mixed-Use Development at Mission Bay South
14 Blocks 29 through 32; Mission Bay South Redevelopment
15 Area, Discussion and Action, Resolution No. 70-2015.

16 5-C, Approving amendments to the Mission Bay
17 South design for the Development in connection with the
18 Golden State Warriors Event Center and Mixed-Use
19 Development on Block 29 through 32 in Mission Bay South;
20 Mission Bay South redevelopment Project Area, Discussion
21 and Action, Resolution No. 71-2015.

22 5-D, Conditionally approving the major phase
23 and Basic Concept/Schematic Design applications for a
24 Golden State Warriors Event Center and Mixed-Use
25 Development on Blocks 29 through 32 in Mission Bay

1 South, pursuant to the Owner Participation Agreement
2 with FOCIL-MB, LLC; Mission Bay South Redevelopment
3 Project Area, Discussion and action, Resolution No.
4 72-2015.

5 And 5-E, Informational presentation on the
6 Executive Director's determination regarding certain
7 Event Center uses as allowed secondary land uses
8 pursuant to the Mission Bay South Redevelopment Plan in
9 connection with the Golden State Warriors Event Center
10 and Mixed-Use Development on Blocks 29 through 32 in
11 Mission Bay South; Mission Bay South Redevelopment
12 Project Area, Discussion.

13 Madam Executive Director.

14 EXECUTIVE DIRECTOR BOHEE: Thank you, Madam
15 Secretary.

16 Good morning to the Commissioners and good
17 morning to the members of the public. Thank you so very
18 much for joining us.

19 Commissioners, over the course of the last
20 year you've held a number of public hearings and
21 informational presentations on the proposed project.
22 There are a number of actions before you for your
23 consideration and action today.

24 We will have Executive Director Sally Oerth
25 walk through the proposed actions before you in the

1 informational presentation. She'll also be joined by
2 representatives of the project sponsor and the project
3 consultant team.

4 With that...

5
6 PRESENTATION BY DEPUTY DIRECTOR OERTH

7
8 DEPUTY DIRECTOR OERTH: Thank you, Director
9 Bohee.

10 Again, I'm Sally Oerth. I'm Deputy Director.
11 I think Tiffany might have given me a promotion just
12 now.

13 So, I'm here before you this morning to
14 present a number of items related to the Event Center
15 and the Mixed-Use Development on Blocks 29 to 32 in
16 Mission Bay South that the Golden State Warriors are
17 proposing.

18 So, I'd like to first go over our agenda and
19 then we'll dive into it. So, our agenda for today is as
20 follows.

21 I will highlight for you the various actions
22 that are before the Commission today, walk you through
23 the project site and description, go into more detail on
24 the Subsequent EIR certification action that's before
25 you and the C.E.Q.A. findings that you are being asked

1 to adopt.

2 There have been some project refinements since
3 the Draft Subsequent EIR was published, and we'll walk
4 through those -- and putting a number of
5 transportation-related refinements. Then I will invite
6 the project sponsor to come up and present their project
7 and walk you through the designs as well.

8 And there are a number of other actions before
9 us as well, so then we'll go into the second half and
10 talk about the Design for Development amendments that we
11 are recommending, and provide you information regarding
12 the Executive Director's secondary use determination.

13 We'll highlight for you the various
14 contracting goals and our Small Business Enterprise
15 program goals in the -- for the project, describe the
16 public outreach that has been undertaken for this
17 project, and walk through the next steps.

18 So, again, the actions before you are in four
19 separate resolutions: Certifying the final SEIR in
20 Resolution 69-2015; Adopting C.E.Q.A. findings, which
21 includes the findings themselves, along with the
22 Mitigation Monitoring and Reporting Program, or the MMRP
23 in Resolution 70-2015; Amending the Design for
24 Development for Mission Bay South in Resolution 71-2015;
25 and conditionally approving the major phase and the

1 combined Basic Concept/Schematic Design in Resolution
2 No. 72-2015.

3 So, the project, as I mentioned, is located on
4 Blocks 29 to 32 in Mission Bay South. You can see it
5 here highlighted in blue. It's an 11-acre site of
6 currently vacant property, and the Golden State Warriors
7 completed their purchase of the site from Salesforce.com
8 in October.

9 Here is the Site Plan showing the 18,064 seat
10 multi-purpose Event Center. The project includes
11 approximately 513,000 leasable square feet of office
12 space and approximately 50,000 leasable square feet of
13 retail space, 950 parking spaces, and 13 loading docks
14 on site, and an additional 132 parking spaces at the 450
15 South Street parking garage.

16 The site also includes 3.2 acres of open space
17 for the project.

18 I'd like to note that the Site Plan, you can
19 see, there is a Gatehouse element sort of between the
20 two office towers. You'll see that the Basic Concept in
21 Schematic Designs include a variant that does not
22 include the Gatehouse.

23 This is because there is an easement that
24 U.C.S.F. has that needs to be completed -- or, an
25 agreement with U.C.S.F. is under way to agree to not

1 have the Gatehouse -- sorry -- to allow the Gatehouse to
2 be in that easement.

3 I'd like to just correct. There is an error
4 in my staff memo where I said that that process was
5 completed, and I would just like to say that the project
6 sponsor and U.C.S.F. have entered into an agreement that
7 lays out the process to do that, and that's under way.
8 It's just not officially complete, but everybody is
9 moving forward with the understanding that the Gatehouse
10 is the preferred scenario.

11 So, moving forward into the Environmental
12 Review. So, OCII is the lead agency responsible for
13 administering the Environmental Review of projects in
14 Mission Bay South. And so, we've taken a number of
15 steps in consultation with our colleagues at the City
16 Planning Department to undertake this Environmental
17 Review for this project, beginning with an Initial Study
18 and Notice of Preparation that was issued on
19 November 19th, 2014.

20 We held a Public Scoping Meeting on
21 December 9th, 2014, and then the Draft SEIR was
22 published on June 5th, 2014.

23 The Public comment period began on June 5th,
24 and we extended it actually through July 27th for a
25 total of 52 days. And then we published a Responses to

1 Comment document on October 23rd.

2 The Responses to Comment document responds to
3 all the comments received during both the June 30th
4 Draft SEIR hearing and all the written comments received
5 during that 52-day Public Comment period, which ended on
6 July 27th.

7 In addition, the Responses to Comments
8 includes Responses to Comments received after the close
9 of the Public Comment period, including a comment letter
10 from the Mission Bay Alliance, dated October 27th,
11 2015, concerning U.S. Army Corps of Engineers'
12 jurisdiction.

13 And we've received a few additional comments
14 that are not addressed in the Response to Comments
15 document, including a letter from the Mission Bay
16 Alliance, dated October 13th, concerning the SEIR
17 alternatives analysis, and another letter from the
18 Mission Bay Alliance, dated October 20th, concerning
19 hazardous materials.

20 Finally, we received two letters yesterday,
21 one from the Bay Area Air Quality Management District
22 concerning the amount of ozone precursor offset be
23 identified as a mitigation measure in the SEIR, and one
24 from John Templeton regarding environmental justice.

25 These letters, along with written responses,

1 are included in your packets, and copies are available
2 for the public as well.

3 None of these last-minute comments, though,
4 change the conclusions reached in the SEIR concerning
5 the impacts of the proposed project on the environment.

6 So, the Responses to Comments document itself
7 is organized as follows: It contains a list of all the
8 persons, organizations, and public agencies that
9 commented on the Draft SEIR, copies of all of those
10 comments received, written responses to those comments,
11 a description of project refinements, a description of a
12 project variant, and revisions to clarify correct
13 information as needed in the Draft SEIR.

14 But since publication of the Responses to
15 Comments, an errata sheet was prepared to correct minor
16 editorial errors in the EIR, and that errata sheet was
17 distributed to the Commissioners in your packets and is
18 also available for the public here.

19 These text changes do not present any new
20 information that would alter the conclusions presented
21 in the EIR.

22 I would like to note two other changes that we
23 want to note for you since we drafted the errata sheet.
24 One is regarding in the MMRP, it references the
25 Transportation Management Plan, or the TMP, as an

1 exhibit to the MMRP. Rather, instead, that is already
2 provided as an exhibit in the appendix of the Draft SEIR
3 in Volume III. So, it is not preprinted as a separate
4 exhibit, so we will strike the reference as Exhibit 1 to
5 the MMRP.

6 And then I'd also like to note in Volume V of
7 the Response to Comments document in Chapter 14,
8 U.C.S.F. has requested that we change the wording
9 regarding the mitigation measure MTR 9-D, which is about
10 the Event Center Exterior Lighting Plan. And in the
11 fifth bullet they would like us to change the language
12 where it describes the use of light configurations
13 similar to those associated with the U.C.S.F. helipad
14 landing area. We had language that said "and where
15 feasible, locating primary outdoor lighted displays," et
16 cetera, they would like to us remove the "where
17 feasible." So, we will strike that out.

18 So, as noted before, the Public Comment period
19 has closed on the SEIR, and the Commission action today
20 is to consider certifying the SEIR, which means that the
21 Commission has considered the adequacy and accuracy of
22 the Final SEIR; is certifying that this Final SEIR has
23 been presented to and considered by the Commission; is
24 certifying that the Final SEIR was completed in
25 compliance CEQA and reflects the Commission's

1 independent judgment and analysis; and will consider
2 adoption of CEQA Findings, including the Mitigation
3 Monitoring and Reporting Program.

4 The CEQA findings that the Commission is being
5 asked to adopt include a project description, a
6 description of the environmental impacts of the project,
7 an evaluation of project alternatives and considerations
8 that support approval of the project and rejection of
9 alternatives, and a Statement of Overriding
10 Considerations providing specific reasons in support of
11 Commission actions and rejection of alternatives not
12 included in the project.

13 The MMRP identifies the parties responsible
14 and timing for implementing, monitoring, and reporting
15 on the required mitigation measures. OCII will either
16 directly monitor these measures or we will enter into
17 agreements as necessary with other City departments to
18 act as our designee.

19 So, now I'd like to note that -- the various
20 project refinements that were included in the Response
21 to Comments document. Again, none of these refinements
22 changed staff's conclusions regarding the project and
23 its environmental impacts.

24 These refinements include change of location
25 for on-site generators, project redesign to reduce wind

1 hazards, refinements to the construction crane plan, and
2 construction-related refinements including those related
3 to on-site soil treatment and de-watering pump
4 generators.

5 Also included were various refinements related
6 to transportation. And I'd now like to ask Adam Van de
7 Water from City's Office of Economic and Workforce
8 Development to come up and present those transportation
9 items to you.

10
11 PRESENTATION BY PROJECT MANAGER VAN de WATER

12
13 PROJECT MANAGER VAN de WATER: Thank you,
14 Sally.

15 Good morning, Commissioners. Adam Van de
16 Water in the Office of Economic and Workforce
17 Development. I'm pleased today to walk you through some
18 of the project refinements as they relate to
19 transportation.

20 When we were last before you at our Schematic
21 Design Workshop, we presented a number of transportation
22 improvements that are coming to this neighborhood
23 irrespective of the project.

24 Those are listed on the slide here and have
25 not changed, but are pretty substantial investments on

1 the City's behalf into multi-billion dollar projects
2 such as the Central Subway, the Transit Priority Lanes
3 on 16th Street, the Transbay Terminal, the Priority
4 Landing for the Water Emergency Transportation Agency in
5 Golden Gate near the Ferry Building, completion of the
6 street grid in Mission Bay, the Blue Greenway and others
7 listed here. These are unchanged since our last
8 discussion.

9 Sitting on top of those improvements are a
10 number of specific improvements for the arena. This is
11 our special event service buses, extra service on the T
12 3rd, and coordination with the regional transit
13 agencies.

14 But there is one difference here. As we
15 started to refine our analysis as part of the Transit
16 Service Plan, we identified the need for a potential
17 central boarding platform, which is included as a
18 variant in the document.

19 We released as part of the Draft EIR our
20 intention to expand the closest existing platform to
21 serve the arena. Those platforms currently are
22 configured as a northbound- and a southbound-separated
23 platform on either side of the intersection, and this
24 contemplates potentially combining them. So, you'd have
25 added capacity in both directions pre and post event.

1 So, we're studying that as a project variant in the EIR.
2 That's one change since May.

3 We've also had about 18 months of conversation
4 in the community with various stakeholders from the
5 residential interests from Rincon through Mission Bay,
6 Dogpatch, Potrero, and the Bayview, and throughout the
7 eastern neighborhoods, as well as commercial interests
8 from the biotech community in the Mission Bay, the
9 U.C.S.F. Mission Bay Hospital, the Giants, and advocacy
10 organizations such as the Bicycle Coalition, et cetera.

11 As a result of those conversations, we've
12 added some additional parking control officers, and
13 those are listed here.

14 It's a little difficult to see on the screen,
15 but the stars that are shown on the map show three
16 categories of parking control officers: Those that we
17 analyzed as part of the Draft SEIR and released in the
18 June draft, those that we added as a result of the
19 analysis that was conducted as part of the Draft, and
20 then a few additional to create what we've called the
21 Local/Hospital Access Plan.

22 This is a specific plan to allow patients,
23 doctors, and staff at the hospital to get to their
24 destination without commingling with arena arrivals, and
25 directing arena attendants to the arterial streets --

1 16th Street, 3rd Street, Mariposa -- and protecting 4th
2 Street, Nelson Rising, Campus Way, and some of the
3 interior circulation streets for local use. And we
4 would use parking control officers and signage to
5 separate that traffic.

6 We're also analyzing two parking lots to the
7 south of the site as intercepts so that cars that are
8 driving into the area would have both a place to park
9 and a place to park that's away from the immediate
10 adjacency of the venue itself so that we don't have
11 conflicts with transit, bikes, peds, and hospital use.
12 And those are shown here.

13 We'll be before the Port Commission a week
14 from tomorrow on November 10th to consider the
15 preliminary steps to realizing these as parking
16 locations.

17 One of them is a 250-space lot, at grade, at
18 19th and Illinois, which would serve the future Crane
19 Cove Park/Pier 70 development, Dogpatch neighborhood,
20 Mission Bay, and the Event Center.

21 And the other is further to the south off of
22 Cesar Chavez Street. It's another Port-owned property
23 called the Western Pacific Site just north of the border
24 of Pier 80, which is a graded and gravel site that we
25 use for construction staging and staging of delivery

1 vehicles for Moscone Convention events today, and we
2 could use for overflow parking under kind of a
3 dual-event scenario. So, a less frequent use, but when
4 that's in use, there would be a free shuttle from that
5 location to the Event Center.

6 In terms of capital and operating costs for
7 transportation serving the Event Center, there are
8 one-time costs of about 55 million. This is in 2014
9 dollars so that we're comparing apples and apples across
10 all sources and uses.

11 That 55 million will purchase four of the
12 modern Siemens light-rail vehicles that the MTA is in
13 the process of acquiring and will soon debut, as well as
14 crossover tracks on the T 3rd line to add flexibility
15 throughout the line to make sure we're not interrupting
16 service further down line on the T 3rd; some
17 signalization and other in-the-ground infrastructure.

18 It's about \$25 million in one-time sources,
19 largely from the Transportation Impact Development Fee
20 that the project sponsor will be paying to offset these
21 costs, and about a \$30 million delta that we will be
22 looking to finance with annual revenues generated by the
23 Event Center.

24 In terms of annual revenues, we contracted
25 with Economic & Planning Systems and had Keyser Marston

1 & Associates and the Controller's Office peer review
2 those estimates.

3 They conservatively estimated that the Event
4 Center net of the project's property taxing permit that
5 stays in the neighborhood for infrastructure and
6 affordable housing would generate about \$14.1 million
7 per year once operational for the City's General Fund.

8 I won't go through the sources, but the
9 sources are listed here. A portion of them are
10 dedicated by the Charter or the voters, and those will
11 continue to go to their dedicated sources.

12 So, if we break that \$14.1 million into its
13 uses, 2.9 of which goes to those dedicated and
14 restricted sources, 6.1 million is our estimate of
15 operating costs. This is largely MTA to pay for those
16 parking control officers, those extra bus drivers,
17 trains and operators, transit fare inspectors, personnel
18 and rolling stock to get people to and from the site.

19 And then there's a payment for the capital
20 improvements, which is an estimate of the financing
21 costs to pay that delta on capital.

22 And then there's two remaining funds. One is
23 a dual-event reserve, which was an important thing to
24 the community, to the hospital, to make sure under a
25 peak condition when there is a lot of activity in the

1 neighborhood, we have available resources to add extra
2 service where necessary. And that would be at the
3 discretion of the Director of Transportation.

4 All of that included, we have 2.9 million for
5 the dedicated and restricted existing funds, and an
6 additional 1.5 million we think would be returned to the
7 General Fund as a result of the project.

8 On October 6th, we introduced an ordinance at
9 the Board of Supervisors to create a Controller's
10 Reserve titled the Mission Bay Transportation
11 Improvement Fund. A consideration of that will be heard
12 in Budget and Finance Committee next Monday and
13 subsequently at the full Board of Supervisors.

14 The fund, as envisioned, would set aside the
15 funding to pay for the operating costs, the debt service
16 costs, the dual-event reserve, and other resources so
17 that we know that we have those funds into the future
18 and we can continue to provide that service without
19 degradation of service elsewhere in the City.

20 There is some built-in public review and
21 accountability as part of that. It is still subject to
22 annual appropriations by the Board of Supervisors, but
23 should a future mayor or board allocate less than the
24 full amount, there is a public process that is built in
25 to make that a very transparent decision-making process.

1 As part of it, it also creates a five-member
2 Advisory Committee to the Mission Bay Transportation
3 Improvement Fund, which would advise the Director of
4 Transportation both on annual budget requests and then
5 on the expenditures of that dual-event reserve. So,
6 they would be able to collectively provide advice to the
7 MTA in order to reallocate transit service, traffic
8 enforcement, or other services that the MTA provides.

9 I should also mention we are before the MTA
10 Board later today with our resolution considering both
11 CEQA adoptions and findings, as well as committing to
12 the Transit Service Plan and the implementation of the
13 Mission Bay Transportation Improvement Fund adopted by
14 the Board.

15 I'll turn it back to Sally.

16 DEPUTY DIRECTOR OERTH: Thank you, Adam.

17 Before we turn to the design phase, I'll ask
18 the Commission's patience to let me correct the record.

19 I misspoke when describing the correction that
20 is needed for mitigation measure TR 9-D, so I'd like to
21 just reread the correct correction.

22 So, again this is the Event Center Exterior
23 Lighting Plan, and in the fifth bullet of that
24 mitigation measure, it will now read, "Avoid the use of
25 light configurations similar to those associated with

1 the U.C.S.F. helipad landing area," and then adding new
2 language, "and where feasible, locate primary outdoor
3 lighted displays and television, slash, lighted screens
4 away from the project property line at 16th Street,
5 South Street, or 3rd Street," and then strike "where
6 feasible." Thank you.

7 So, now I'd like to turn to the other project
8 approvals before you, including the Major Phase and the
9 combined Basic Concept and Schematic Design.

10 As you may recall, staff has done several
11 workshops for on this project, including a Draft Major
12 Phase workshop in January of this year, and then we
13 presented drafts of the Basic Concept and the Schematic
14 Designs in a workshop to you in May of this year.

15 So, the project sponsor is here today to
16 present to you information on the project, including
17 updated Schematic Designs. And so, I'd like to invite
18 Rick Welts, President of the Golden State Warriors, up
19 there to kick off that presentation, and he'll be joined
20 by David Manica of MANICA Architecture.

21
22 PRESENTATION BY RICK WELTS,
23 PRESIDENT OF THE GOLDEN STATE WARRIORS
24

25 MR. WELTS: Good morning, Commissioners.

1 Actually, if you're checking any NBA scores on
2 your smart phones, you don't have to adjust them. The
3 Warriors did win an NBA game by 50 points last. So, if
4 I hadn't seen that with my own eyes -- I'll rephrase my
5 salutation to "Great morning, Commissioners."

6 It's great to be here, and thank you -- thank
7 you for your time.

8 This day is actually the culmination of
9 three-and-a-half years of a journey that began on Piers
10 30 and 32 in May of 2012.

11 Little did we know what a circuitous route we
12 would take to finally get to this point, but speaking
13 for our ownership -- Joe Lacob, Peter Guber, and the
14 entire organization -- we are thrilled to be here with
15 you today.

16 Since moving to Mission Bay, we've been
17 overwhelmed by the positive support and the
18 encouragement from the neighborhood and the City as a
19 whole.

20 In addition, we've been tremendously impressed
21 with the work of OCII, Planning, the MTA, and the
22 Mayor's Office.

23 And I'm really not just paying lip service
24 when I say that the City team has played a very integral
25 role in helping shape the plans you're gonna hear about

1 today.

2 And I think I'd be remiss without
3 acknowledging just a few of the people that worked so
4 hard to bring today to pass.

5 You've already met a couple of them. Sally
6 Oerth, Jim Morales, Pedro Arce of OCII, Adam Van de
7 Water and Ken Rich from the Mayor's Office, Chris Kern,
8 Brett Bollinger and David Winslow from Planning, Peter
9 Albert and Erin Miller from MTA.

10 And actually, as I was coming over here today,
11 there is one other person that I wish was gonna be here
12 with us today, and that was Jen Matz, whose hard, hard
13 work is very much a part of what you're considering
14 today. We lost her a year ago, but she's very much in
15 the room today.

16 As you know, this project is also the product
17 of extensive community process. Since coming to Mission
18 Bay, we've had 11 separate public meetings with Mission
19 Bay CAC, and more than 50 meetings with the Dogpatch,
20 Potrero, and South Beach neighbors, U.C.S.F., and the
21 Mission Bay biotech community.

22 That community dialogue has resulted in
23 significant improvements to the project across the
24 board. Of particular note is our recent announcement of
25 agreements between the Warriors, U.C.S.F., and the City

1 to address hospital and neighborhood access during
2 Warriors events that Adam just presented.

3 Along with all of the funding commitments just
4 described, the Warriors have made an unprecedented
5 commitment to cap the number of events held in our
6 building under certain circumstances when the Giants are
7 playing.

8 This cap on events, which has been called by
9 Chancellor Hawgood the last tool in the tool box, is
10 unprecedented for any other NBA or NHL arena anywhere in
11 the county, and it really demonstrates our commitment to
12 addressing U.C.S.F. concerns and those of the neighbors.

13 And while there's been very appropriate focus
14 on transportation these last months, I'd be remiss if I
15 didn't mention the project design itself.

16 You're gonna hear from David Manica. We have
17 evolved the project designs considerably since our last
18 presentation to you, and I think you will see
19 substantial improvements to the pedestrian experience
20 throughout the project and numerous refinements to the
21 building architecture and materials.

22 And this will definitely be the entertainment
23 portion of your day today, so I'm going to turn this
24 over to David Manica, who really gets to have all the
25 fun.

1 David.

2
3 PRESENTATION BY DAVID MANICA,
4 PROJECT ARCHITECT
5

6 MR. MANICA: Thank you, Rick. That's a nice
7 introduction.

8 Good morning, Commissioners. Nice to see you
9 all again.

10 I want to start off, actually, by saying I'm
11 from Kansas City, and today is a big day in Kansas City
12 for us. After 30 years, we brought home a championship.
13 And my family and my friends, along with every other
14 person in the city right now, is celebrating, probably
15 much like you all celebrated when the Warriors brought
16 home their championship earlier this year.

17 And, you know, for me, the chance to work on
18 these kinds of projects that unite cities like that is
19 an incredible blessing, and I feel so lucky to do it.
20 I've worked on projects for 20 years in the sport and
21 entertainment industry around the world.

22 And the other thing that -- besides the fact
23 that I think you'd be hard-pressed to find a building
24 type that people enjoy going to or that unite cities
25 more than these do, it's bigger than any one person.

1 I alone did not do this project. I get to be
2 up here and speak to you about it, but there is an army
3 of people behind me that are working on this day and
4 night, and making sacrifices to make sure that this
5 project is exceptional in every way.

6 And I'm also happy to say that for me, an
7 unprecedented moment in teamwork on this is that
8 50 percent of the team are -- we're on target for the
9 50 percent threshold for SBA involvement on this
10 project.

11 That means that approximately half the people
12 working on this project are local small businesses. And
13 I want to be sure and recognize them. A lot of them are
14 here in the room today, and I'd like them to stand up if
15 it's convenient for them.

16 (Members of the audience stand up.)

17 MR. MANICA: So, again, my voice is the voice
18 of all these people that are working so hard to make
19 this project something really special for this City, and
20 I'm proud to be up here today to talk about it.

21 All right. Okay. I won't reiterate the Site
22 Plan. Sally did a good job of walking you through it
23 with the numbers, but I do want to take a moment to say
24 that nothing significant has changed on the project
25 since I spoke with you last time.

1 This is the same project that I presented to
2 you and that you've seen before. There should be no
3 significant surprises.

4 What there are, however, are improvements.
5 I've said before that buildings are like people, and
6 they grow up, and if we're lucky and you're disciplined
7 and you're thinking, you get better with time. And
8 projects are the same way.

9 So, what we're gonna talk about today is a
10 part of the normal process for development, refinements,
11 and improvements to a project. This should already look
12 very familiar to you.

13 In your packages, we've created a series of
14 before-and-after diagrams. Now, some of these
15 refinements may be more difficult than others to notice,
16 but I want to take the time to walk you through them so
17 you can understand clearly how the project has been
18 improved and bettered since we last spoke.

19 In May, the project was primarily steel and
20 glass with a base of GFRC or precast. As we began to
21 work through the interiors of the project, the arena,
22 and also as we began to balance the exterior of the
23 facade with the other buildings on the site -- the
24 office buildings in the commercial and retail areas --
25 it was important for me to think about the ways that the

1 arena could respond to that.

2 So, you can see that we've added some
3 sustainable wood materials to the exterior of the arena.
4 I have used this analogy before. Hopefully it makes
5 sense to you. We've thought about the arena like a
6 piece of fruit, where when you peel that fruit open and
7 you see the juice and the meat inside, it's something
8 different.

9 And that relates to the kinds of warmth and
10 materials that we're bringing to the interiors of the
11 building. They're beginning to reveal themselves on the
12 exterior. And I think it really softens the exterior
13 appearance of the building.

14 So, some of the soffits you can see there have
15 been now dressed with this sustainable wood material.

16 The other thing we did was we began to think
17 about the articulation of the metal panel on the
18 exterior of the building. Before it was an
19 unarticulated metal panel.

20 We're now beginning to accentuate and puncture
21 that panel with a perforation that adds another level of
22 scale to the exterior of the building.

23 And you can see that in some of the renderings
24 as to, you'll see the dash marks in the exterior of the
25 facade. That begins to add another level and scale of

1 the material. It actually reduces and -- in our minds,
2 reduces the scale of the building and makes it more
3 visually comfortable.

4 The big -- one of the big changes -- and I'm
5 really excited about this one -- one of the big changes
6 you can see is on the Bayfront Terrace. Previously, in
7 May, that terrace was supported by columns. I think
8 there were five -- one, two, three, four, five, six --
9 seven columns that supported that cantilevered
10 accessible space.

11 As we improved the design -- and I want you
12 remind you -- maybe you didn't know this, but those
13 columns came down and sat on top of the practice court
14 area -- the two practice courts that the players
15 practice in. So, those columns had to be transferred
16 out before they go down and be supported on the
17 foundations.

18 Well, as we reduced and refined the size of
19 the Bayfront Terrace, we actually got it pulled back
20 small enough to where we could eliminate the columns and
21 the structural engineer was comfortable with removing
22 the columns, because it actually decreased the
23 complexity of the structure in order to actually support
24 that portion of the building up at the roof level rather
25 than transferring all those columns at the practice

1 court level.

2 That really creates an even more dramatic
3 appearance, an iconic visual for the project on that
4 side. So, we've been able to optimize the size and also
5 optimize the structure in a visually exciting way.

6 Here you can see from a human scale walking
7 around the project. Remember the pedestrian path I told
8 you about before that links the main plaza clockwise apt
9 around the arena to the southeast plaza.

10 Before, you can see there in the May drawings
11 the columns that you had to walk under and through, and
12 now those columns have disappeared, but we've added
13 these wind gates.

14 Now, we did extensive studies on wind and the
15 way wind travels around this project, and we found that
16 we would be potentially at risk for wind turbulence
17 around the pedestrian pathway as it's coming from
18 north-northwest and spinning around the building.

19 So, these not only add a scale and a delight
20 to the pedestrian pathway, making it feel more like an
21 urban street, but they're also functional in the sense
22 that they break the wind to make it a comfortable place
23 to be.

24 Some minor improvements around -- on the 16th
25 Street side. Further improvements and refinements to

1 the parking garage entrance and the accessibility and
2 pathway up to the main plaza that continues the 360
3 pedestrian walkway in and around the site.

4 And I want to take a moment to mention
5 landscape materials. The landscape designers here
6 locally are doing a fantastic job of breaking the
7 exterior site into neighborhoods, neighborhoods that are
8 articulated and supported with indigenous materials that
9 are both friendly to the environment, sustainably
10 supported with low irrigational water needs, but also
11 very indigenous and appropriate for the site.

12 The streetscape -- the designers, as they
13 designed -- I'm talking the landscape designers -- as
14 they designed the softscapes, the landscape, and those
15 areas, they're also working on the streetscape.

16 And I just want to point out -- I won't read
17 all these to you -- I want to point out the level of
18 detail that we're also thinking about.

19 The way the furniture around the site is going
20 to -- where are the trash receptacles so that they're
21 where they need to be to keep the site clean and, you
22 know, comfortable?

23 Where are the bike racks? And we're providing
24 more bike racks than we actually need to, because we
25 want this to be a comfortable place for bikers to come

1 and attend events.

2 I'll let you read the rest, but the point is
3 that we're creating a soft and urban environment that's
4 comfortable for people 365 days a year.

5 Parking by use. We are continuing to study
6 and refine the way the parking spots on site and around
7 the site will be utilized for different events and
8 allocated to the different program needs of the site and
9 the development.

10 Sally took the time to mention the variant
11 that we're seeking and currently in discussions with
12 U.C.S.F. about.

13 This -- these diagrams here show what would
14 happen if we did not or were not successful in
15 negotiating that variant.

16 The Gatehouse is the fourth side of that urban
17 room. I've talked about that before. It's the pavilion
18 right at the center of 3rd Street on our block. It
19 mitigates wind that would be coming down the street
20 adjacent to it, but it also creates that room, that
21 enclosure.

22 We've had the study and we've spent some time
23 studying what would happen if that Gatehouse was not
24 there, if it was relocated to the side of the
25 pedestrian -- sorry -- if the plaza was actually

1 depressed.

2 And we -- unfortunately, in that scenario, we
3 would end up with a two-height plaza. We would not have
4 a continuous plaza level. It would be broken into two
5 levels. It would be a little less functional. And I
6 think depressed plazas in general have a difficult time
7 succeeding in urban environments. But we are
8 nonetheless studying the options there, and we certainly
9 hope that we are successful with our preferred plan.

10 So, an aerial view. You've seen this shot
11 before. It's simply been updated.

12 The incorporation of green roofs, the plaza
13 space, the location of the arena, and the updated
14 Bayfront Terrace, which has now been pulled back tighter
15 to the building and is column-free.

16 This is a nice shot of the northwest corner of
17 the site. We believe and understand still that a
18 majority of spectators will be arriving from the Muni
19 stop on this corner of the site.

20 We've been careful to think about what that
21 experience is like as you enter the plaza as you pass up
22 the eight feet from 3rd Street into the elevated plaza
23 and enter the arena.

24 I've talked before about how this becomes the
25 front porch of the project, and we expect it and want it

1 to be a place that people enjoy being, not just passing
2 through. So, you can stop and have a sandwich or wait
3 for a friend and enjoy that moment.

4 This is the shot after you walk up and you
5 arrive in the plaza. Your back is now to the Gatehouse
6 looking in the front entrance of the arena. Grand lobby
7 space inside.

8 We've shown the plaza, the basketball court
9 area, but it will do much more than that. This is the
10 flexible space. Think of it as an outdoor multi-purpose
11 room.

12 I've mentioned before it could be the pumpkin
13 patch in October. It could be a Christmas tree farm in
14 December. It could be Spring Festival. It can host
15 outdoor community events at any time.

16 So, again, think of this as a fully flexible
17 outdoor room in a place that people from all over the
18 City and neighborhood can enjoy.

19 There it is. Looking again now, our back is
20 to the arena, looking back at the Gatehouse there. You
21 can see the Gatehouse in its preferred location.

22 So, this is a nice corner shot of the corner
23 of 3rd and 16th. This is, let's say, the beauty shot of
24 the commercial building, and I think the designers all
25 along here in the City have done a fantastic job with

1 the design of these buildings.

2 You can see how the materials have even helped
3 inspire some of the materials that I brought into the
4 arena later. So, they were working with these warm
5 colors, and I felt inspired, let's say, to bring that
6 kind of sustainability in those wood products to the
7 arena as well.

8 Very dynamic shape. It's difficult, honestly,
9 to design a commercial building like this, and they've
10 done a fantastic job, especially -- I think I mentioned
11 this before -- with the side court location.

12 It optimizes the floor plates for the kinds of
13 tenants that might be wanting to lease those spaces, but
14 it is a difficult design challenge, and they've done a
15 fantastic job on the exterior design of that building.

16 Here it is from a different angle. You're
17 looking between the point where the commercial building
18 and the arena almost touch each other. It can pass up
19 into the main plaza from here, completing again your
20 300-degree pedestrian walk around the site and around
21 the arena.

22 This is the bike valet on the corner of
23 southeast -- the southeast corner. So, we are on 16th
24 Street looking towards the water here, and you can see
25 the glass atrium of the southeast entrance lobby and the

1 pedestrian bike valet there on 16th Street.

2 For me, this is one of my favorite shots of
3 the building, the shot of the southeast corner. Very,
4 very dramatic. And again, a repeat of some of the
5 things I've told you before with the updated materials,
6 but the integrity and the impact of that view of the
7 building remains unchanged.

8 Walking along TFB, you can see the building
9 still sits on a podium of commercial retail areas --
10 restaurants, cafes, all that open up to the park with
11 street dining and operable walls.

12 It really improves the scale of the building
13 here. We don't have to bring the building full height
14 all the way down to the curb. It actually sits on a
15 comfortable pedestrian-scale podium, the roof of which
16 is absolutely accessible to the public 365 days a year.

17 And you can see that here. This is -- we're
18 up at the pedestrian pathway level now. Our back is to
19 the water. We're looking at what I call the tertiary
20 entrance for the third -- the third-level entrance to
21 the arena.

22 We can enter the main concourse of the
23 building here even though it is not one of the main
24 entrances of the building. We're allowing for that kind
25 of access, and maybe more importantly, egress.

1 Walking around the building, we have an
2 access-way or an elevator lobby to get up to the
3 Bayfront Terrace from two areas of the site, one at TFB.
4 Just off Terry Francois, we have an elevator lobby that
5 takes you directly to the elevators that can access the
6 Bayfront Terrace. Those elevators make a stop on the
7 rooftop level of the commercial area and retail areas.
8 Here you can see that shot there with the gateways in
9 the background as you begin to walk around back towards
10 the plaza.

11 And there you get a nice feeling of what that
12 street feels like. Cafes and shops along the way. The
13 gateways that break the wind and add a scale to it. And
14 maybe even some twinkly lights that make it feel like an
15 active space.

16 Another shot of it there.

17 So, one of the most significant changes we
18 made to the exterior of the building was to introduce
19 these light bands. Now, we, as a normal part -- again,
20 a normal part of the development project, we had to
21 optimize the side of the building.

22 We needed to reduce it as much as possible to
23 reduce the girth of the building, the amount of surface
24 area that we were actually building so it's smaller in
25 girth than it was before.

1 It's like the difference between wearing a
2 winter coat and a tight tee shirt. It's in a tight tee
3 shirt now. The skin is as tight to the structure as we
4 could make it, and that was important for two reasons.

5 First of all, it makes it more constructable,
6 which is obviously important.

7 The other thing we had to do is we had to pull
8 warpage out of the panels. So, a building that's shaped
9 like this, it's very difficult to actually generate the
10 geometry such that the panels don't have to bend in two
11 directions. They can only bend in one direction.

12 So, we had to work with some sophisticated
13 computer programs and some really smart engineers to
14 redesign the exterior to where those panels were only
15 bending in one direction. That's the only way it can be
16 built.

17 Well, one of the ways we did that and one of
18 the ways we also reduced the girth was to introduce
19 these offsets in the facade. We're actually using those
20 offsets as the potential for light bands that could --
21 that could be -- that add more drama, frankly, to the
22 exterior of the facade, especially during night.

23 And you can also see the punched pattern of
24 perforation could also be articulated with light in some
25 way. We're still working on the final details.

1 Here's another shot of the exterior southeast
2 corner. Lobby entrance with the patterning in the
3 metal.

4 The other thing I would say is we
5 introduced -- on 16th Street, we introduced some
6 windows. Before, that was a large, very blank facade.
7 It was a little bit onerous for me. I knew we would get
8 to it, but we just hadn't yet in the previous time that
9 we met.

10 Since then, we've redesigned that facade of
11 the building to include some light glass into the
12 concourse, because it brings light into the concourses,
13 but also at night, you can see it helps break down that
14 facade to something that's a little more human scale and
15 friendly to the street.

16 And then a quick shot of the interior of the
17 building. Very few changes in the seating bowl area
18 from what I might have presented before. Just again,
19 further refinement.

20 This is a shot of the main entrance lobby off
21 of the main plaza. So, we're just off 3rd Street -- I
22 want to get you oriented here. Just off 3rd Street off
23 the main plaza there, you walk in that large glass
24 atrium and you see the entire building explode in front
25 of you.

1 With a grand space, you can see the floor
2 levels stacked above one another. Lots of excitement,
3 lots of drama in that space.

4 And then the aerial with the City in the
5 background. You've seen this before. Again, just
6 updated for the current design.

7 And with that, I want to say thank you and
8 pass the baton back to Sally. Thank you very much.

9 CHAIRPERSON ROSALES: Thank you.

10
11 FURTHER PRESENTATION BY DEPUTY DIRECTOR OERTH

12
13 DEPUTY DIRECTOR OERTH: Thank you, David.

14 So, as is typical with design approvals, this
15 is a conditional approval. So, I'd like to just go over
16 the conditions that are described to you in your
17 memorandum and are incorporated into the resolution.

18 So, these conditions include, the project will
19 comply with the MMRP and the improvement measures. It's
20 contingent on the Event Center being approved as a
21 secretary use.

22 The staff level -- staff will have approvals
23 on various administrative variances on streetscape and
24 infrastructure plans. So, we'll go through that
25 process.

1 We've asked that on retail and restaurant
2 spaces under 5,000 square feet -- that Notice of Special
3 Restrictions be applied to those spaces to ensure that
4 they stay those restaurant and retail spaces as we've
5 planned.

6 We've requested certain additional detail
7 design information as is typical as we go through the
8 next level of design review.

9 We have asked that they submit a Project
10 Signage Plan. That will come back before the Commission
11 for you to review.

12 And we'd like to see some -- again, very
13 typical -- some further refinements on certain elements
14 of the design, including the retail frontages along
15 Terry Francois Boulevard.

16 We've asked that they provide us with mock-ups
17 of materials and colors as we move forward.

18 And then just noting that the project is, of
19 course, required to pay any required Development Impact
20 Fees, including but not limited to the Child Care Fee
21 listed in the Redevelopment Plan, and the Transportation
22 Impact Development Fee.

23 So, now turning to the Design for Development,
24 or the D For D as we call it, design of all projects in
25 Mission Bay South is regulated through the Mission Bay

1 South D For D document, and the project itself is
2 consistent with the basic land use controls of the
3 Redevelopment Plan, and is overall consistent with the
4 design controls and design guidelines of the D For D.

5 However, staff is recommending that the D For
6 D be amended to accommodate the specific characteristics
7 of an event center and the related elements in the
8 project.

9 To date, the D For D has been amended three
10 times, so this would be the fourth amendment.

11 And so, the amendments related to this project
12 would fall into the following categories listed for you
13 there.

14 We would add relevant definitions of an "event
15 center" and "events" in our project.

16 We would describe the height for the Event
17 Center would be 135 feet, which is under the overall
18 maximum of 160 feet for the project area.

19 You'll note there are two towers located on
20 the site, so we're making that notation in the D For D
21 to show that those two towers are located in this
22 particular height zone of the Redevelopment Plan. We
23 are allocating unused towers from elsewhere and showing
24 it here.

25 We've also created a minimum tower separation

1 distance between the tower and the Event Center.

2 We're creating a bulk allowance for an event
3 center, and we're adjusting the streetwall and setbacks
4 to reflect the nature of the project with the plaza and
5 the gatehouse, et cetera.

6 We've adjusted the definition of "view
7 corridor." The design guidelines allow for view
8 corridors to terminate in buildings that provide
9 important architectural statements. And so, we're just
10 noting that that is the case here with the Event Center
11 as that important architectural moment.

12 And then we've included information related to
13 the Event Center around parking ratios as well.

14 So, so far we've talked about the four
15 resolutions that are before the Commission, and I'd also
16 like to present information related to an action that
17 would be taken by the Executive Director, and this is
18 related to secondary land use determinations.

19 So, the Mission Bay South Redevelopment Plan
20 lays out principal and secondary land uses, and the
21 Redevelopment Plan delegates the authority for approval
22 of secondary land uses to the Executive Director.

23 Past secondary uses -- secondary use approvals
24 include those made for the U.C.S.F. Hospital and the
25 Kaiser building.

1 The Event Center itself actually includes a
2 variety of uses, including both principal and secondary
3 uses. So, staff prepared an analysis of those secondary
4 uses for the Executive Director's consideration, which
5 was included in the information provided to the
6 Commission.

7 So, I'll walk you through both the principal
8 and secondary uses for the Event Center.

9 The principal uses include office use,
10 accessory office space for the Golden State Warriors and
11 meeting rooms; retail sales and services -- obviously,
12 retail spaces and restaurants -- arts activities and art
13 spaces, performing arts events, conventions of an
14 artistic or cultural nature, other arts-related uses.
15 Other uses include outdoor activities such as on the
16 Bayfront Terrace.

17 And then the secondary uses of the Event
18 Center fall under assembly and entertainment, including
19 nighttime entertainment, a recreation building, and
20 other uses such as a public structure and use of a
21 non-industrial character.

22 So, staff has analyzed the secondary uses and
23 has concluded that the secondary uses included in this
24 project generally conform with the Redevelopment
25 Objectives and Planning and Design Controls established

1 under the Redevelopment Plan, and are -- uses at this
2 size and intensity contemplated and proposed at this
3 location will provide a development that is necessary
4 and desirable for and compatible with the neighborhood
5 and the community. And therefore, staff is recommending
6 that the Executive Director approve the Event Center as
7 a secondary use.

8 So, under the Mission Bay South Owner
9 Participation Agreement, the project must comply with
10 OCII's SBE and Equal Opportunity Programs.

11 So, the project sponsor has been working
12 closely with our Contract Compliance staff, and they've
13 undertaken an extensive outreach and multi-stage
14 solicitation effort in bringing on team members.

15 Approximately 95 percent of the disciplines
16 needed for the project have been identified, and they
17 are meeting the OCII goal of 50 percent SBE
18 participation credit.

19 Actual SBE participation totals \$8.2 million
20 to date, which 90 percent is committed to San Francisco
21 SBE's.

22 In your packets, there was a break-out of all
23 of the Professional Services SBE's with percentages
24 there for you.

25 Moving forward, once they move into the

1 construction phase, they will have the 50 percent SBE
2 subcontracting goal, and will also include a 50 percent
3 local construction workforce hiring goal and, of course,
4 the payment of prevailing wages.

5 And then, in the permanent stage, their
6 permanent hiring would be done in accordance with the
7 City's First Source Hiring Program.

8 So, now I'd like to just describe for you all
9 of the various public outreach that we've undertaken
10 along with our colleagues in the City as this project
11 has been under review.

12 So, key stakeholder outreach includes
13 neighborhood groups in Mission Bay, in Rincon, Potrero,
14 Dogpatch, and other eastern neighborhoods; obviously
15 U.C.S.F., Mission Bay, the San Francisco Giants, the
16 Biotech Roundtable, the San Francisco Bicycle Coalition,
17 Walk SF, and the Mission Bay Ballpark Transportation
18 Coordination Committee; and, of course, our Citizens
19 Advisory Committee, which we can't -- I can't do any
20 projects without. And we thank them for their
21 dedication and attention to this project as it's moved
22 through the various stages.

23 But I'd like to also note some endorsements --
24 some key endorsements that the project has received.

25 On October 6, U.C.S.F. endorsed the project.

1 On October 20th, we received a letter from the life
2 sciences community endorsing the project.

3 I mentioned the CAC. We had about 10 meetings
4 with the CAC over the last year, year and a half,
5 including most recently on October 8th, we had a
6 unanimous recommendation of the CAC to approve the
7 project.

8 And I'd like to note another approval letter
9 that is in your packets, this one from the Metropolitan
10 Transportation Commission, or MTC. They have written a
11 letter of support for the project. And again, that's in
12 your packets, and copies are available for the public.

13 So, again, just to go over the different
14 phases of review and actions that we've taken to date,
15 under Environmental Review, again we started with an
16 Initial Study and Notice of Preparation back in November
17 of last year.

18 We published the EIR -- the Draft EIR in June
19 of this year. We held a public hearing to accept oral
20 comments on June 30th. The public comment period
21 closed on July 27th. And then we published the
22 Responses to Comments on October 23rd.

23 On the Project and Design Approvals, we have
24 been before the Commission a number of times, including
25 all the way back in April of 2014 when the Executive

1 Director provided a report to the Commission on the
2 Warriors then proposed purchase of the site, which has
3 since been completed.

4 In December of 2014, a presentation was made
5 to the Planning Commission regarding the overall design.
6 And then we came before you in January to talk through
7 the major phase, and then again in May, as I mentioned,
8 to do a Draft Schematic Design Workshop. Again, went
9 back to the Planning Commission for that Schematic
10 Design Workshop.

11 We went to the CAC October 8th.

12 And again, we're here before you today for the
13 Environmental Impact Report certification, adoption of
14 findings, and the D For D amendments, and the design
15 approvals.

16 So, the next steps. The immediate next steps
17 would be to accept public comment on the items I've just
18 gone through, so we will do that.

19 The Commission will then consider the SEIR
20 certification and adoption of the CEQA findings and
21 MMRP.

22 You'll then consider other actions and hear
23 from the Executive Director on secondary use.

24 And then after the project's Environmental
25 Impact Report has been certified and the project

1 approvals have been made, the project will go before a
2 variety of other public bodies.

3 As Adam mentioned, the project will go before
4 the MTA's Board for their adoption of CEQA findings and
5 resolution on applying the funds to the project that he
6 described.

7 This week, on Thursday, the project goes
8 before the Planning Commission. They have design review
9 of office projects in Mission Bay as laid out in the
10 Redevelopment Plan.

11 And then on Monday, November 9th, the
12 Mission Bay Transportation Improvement Fund legislation
13 goes before the Budget and Finance Committee of the
14 Board of Supervisors.

15 And then a number of actions before the PUC,
16 Port, and Entertainment Commission on November 10th.

17 And with that, that concludes staff's
18 presentation, and we're available for any comments
19 after -- or questions after public comment. Thank you.

20 CHAIRPERSON ROSALES: Thank you. That's a
21 very thorough presentation.

22 So, before we entertain any questions, we need
23 to take public comment.

24 Madam Secretary, do we have any -- I'm sure we
25 have speaker cards, but can you tell me how many?

1 COMMISSION SECRETARY GUERRA: I can't tell you
2 how many, but we have several -- a number of speaker
3 cards.

4 CHAIRPERSON ROSALES: Okay.

5 Without objection by my fellow speakers, I'd
6 like to limit the public comment to two minutes and see
7 how we do.

8 So, can you please begin the calling of the
9 members of the public, five names at a time?

10 COMMISSION SECRETARY GUERRA: Members of the
11 public, I will call five names at a time. Please come
12 to the podium in this order.

13 If you are in the Overflow Room 421, please
14 make your way to Room 416 when I call your name.
15 Members of public are asked to be seated in Overflow
16 Room 421 after making public comments in order to
17 provide space for the next speakers.

18 Brian Wiedenmeyer, Tom Lippe, Victor Parra,
19 LeRoy Penny [sic], and Jim Lazarus.

20

21 PUBLIC COMMENTS

22

23 BRIAN WIEDENMEIER: Hi there, Commissioners.
24 My name is Brian Wiedenmeier, and I'm here speaking on
25 behalf of the San Francisco Bicycle Coalition.

1 We have been working with the Warriors closely
2 over the last year to improve and refine the arena
3 project's bicycle facilities and program. And I'm happy
4 to say that after many months of discussions with the
5 Warriors, SFMTA, and OEWD, we are pleased with the
6 proposed bicycle and transportation designs, as well as
7 bicycle safety and encouragement programs proposed with
8 this project.

9 The significant bicycle improvements to
10 Terry Francois Boulevard, 16th Street, and intersections
11 in or around the arena site and the project's -- very
12 important, the project's coordination with the expanding
13 Bay Area Bike Share system, all make this a safe and
14 comfortable destination to travel to and from by
15 bicycle.

16 The event-based traffic management proposals
17 are also strong, and with ongoing monitoring,
18 evaluation, and adjustment, will help ensure the arena
19 is a great place for people of all ages and incomes to
20 bike to.

21 We're also thrilled to see the Warriors
22 propose a large, dedicated space for bicycle valet
23 parking that will accommodate the City's growing number
24 of bike trips.

25 And speaking from experience, running the

1 bicycle valet parking at the Giants Stadium, which has
2 150 spaces, we routinely have to turn people away. So,
3 it's a very popular option.

4 The bike valet parking, along with the
5 improved bike network and robust encouragement programs
6 will help make this the single most bicycle-friendly
7 professional sporting venue in the country upon
8 completion. So, it could be a real feather in the
9 City's cap.

10 We also acknowledge that the growing number of
11 bicycle trips to a venue like this takes an ongoing
12 effort over time, so we are looking forward to continued
13 partnership with the Warriors to ensure this project and
14 the City meet their goals to make this a great place to
15 bike to.

16 Thank you.

17 CHAIRPERSON ROSALES: Thank you.

18 TOM LIPPE: Good morning, Members of the
19 Commission. My name is Tom Lippe. I represent the
20 Mission Bay Alliance.

21 And a couple of points. First of all, on the
22 secondary use finding, Susan Brandt-Hawley, my
23 cocounsel, has sent a letter by E-mail yesterday,
24 contesting the secondary use -- the appropriateness of
25 finding that this as an allowable secondary use under

1 the Redevelopment Plan. So, I would encourage you to
2 take a look at that. She's also going to speak today to
3 flesh out the reasons for that.

4 If it turns out that it is a proper secondary
5 use, then you actually need a variance under the
6 Redevelopment Plan. You can't just amend the Design for
7 Development.

8 And I have a letter on that point, which I'd
9 like to submit to you today, which I also E-mailed
10 yesterday, and that is here.

11 (Letter submitted to staff.)

12 With respect to your finding that the EIR
13 complies with CEQA, it turns out it doesn't for lots of
14 reasons. One of those reasons has to do with the fact
15 that the EIR took the position that compliance with the
16 City's NPDES permit, which is a water-quality permit,
17 would ensure no water-quality impacts of significance.

18 Well, I objected and said you have to prove
19 that you comply. And the Response to Comments said,
20 Well, we comply.

21 So, we got the Water Board enforcement files,
22 which are five binders of ten years of noncompliance by
23 the City. So, that simply is not a proper basis to find
24 that there would be no significant effect on water
25 quality. So, I'd like to give you those binders.

1 (Binders submitted to staff.)

2 There's also my comment letter on the EIR,
3 which is in two binders, with Exhibits A through S.

4 (Binders submitted to staff.)

5 CHAIRPERSON ROSALES: So, is this the first
6 time you're giving us this?

7 TOM LIPPE: It is.

8 And just on that point, we only had 11 days
9 after your staff of 58 people had two months.

10 Two quick points. The Bay Area Air Quality
11 Management District is not participating in your offset
12 mitigation for ozone precursor pollution; therefore --

13 CHAIRPERSON ROSALES: Continue.

14 TOM LIPPE: -- that mitigation measure is no
15 longer effective to reduce -- we never thought it was,
16 but even on your own terms, it's not effective to reduce
17 those impacts to less than significant, because the
18 agency to do the offset program is no longer agreeing to
19 the price.

20 And that is a mitigation measure that the
21 project sponsor apparently has refused to adopt, and
22 that's a trigger for recirculating the EIR as a draft so
23 that people can comment on this development. And this
24 is a development that occurred yesterday, apparently,
25 based on the letter that was on the table this morning.

1 And then, finally, I have a letter from my
2 co-counsel, Soluri Meserve, on the noncompliance of the
3 EIR by CEQA.

4 (Letter submitted to staff.)

5 Thank you.

6 JIM LAZARUS: Commissioners, Jim Lazarus,
7 San Francisco Chamber, also our partner in labor and
8 other civic organizations, the Alliance for Jobs.

9 Our visitor economy will benefit greatly from
10 this facility. This is a transit-rich location, one
11 that can accommodate not only the great growth that we
12 all appreciate at Mission Bay, but the growth of our
13 visitor industry through the development of this
14 facility.

15 I urge people to look at the ballot handbook
16 from 1996, when the ballpark was on the ballot,
17 challenged by early residents of Mission Bay and
18 China Basin.

19 That ballpark said the world as we know it --
20 or, that ballot argument said the world as we knew it at
21 the time would end with the development of AT&T Park --
22 congestion, driving jobs and tax revenues away from the
23 City, gridlock -- opposed the ballpark. We know that
24 didn't happen.

25 The privately built AT&T Park is one of the

1 great economic engines of San Francisco, and a privately
2 developed arena at Mission Bay will do the same.

3 This is a site that can accommodate this
4 public and privately -- jointly developed facility. And
5 like other downtown facilities, it will have a
6 tremendous impact on jobs and tax revenues to the City.

7 For decades, U.C.S.F. lived comfortably with
8 Kezar Stadium down the hill, with college and high
9 school and professional football in a 70,000-plus-seat
10 stadium.

11 I'm sure that U.C.S.F. Mission Bay can live
12 just as comfortably with this great Event Center a block
13 or two away.

14 Thank you very much.

15 COMMISSION SECRETARY GUERRA: Victor Parra and
16 LeRoy Penny [sic].

17 VICTOR PARRA: Good morning, Commissioners.
18 My name is Victor Parra.

19 I'm the business manager at Laborers Local 67,
20 Northern California, and the vice president of the
21 San Francisco Building and Trades Council for
22 San Francisco.

23 We're here to support and express the
24 importance of having an arena to be built at
25 Mission Bay.

1 We are extremely excited about the great jobs
2 with great benefits and good, liveable wages that this
3 arena will generate, or will create and, once again,
4 give the San Franciscan community one more reason to be
5 proud.

6 The Warriors have worked so hard at this and
7 have done everything right, and I think it's just
8 possible that we get all the support that they need.

9 And I'm here to let you know that we are
10 extremely frustrated with the Mission Bay Alliance, who
11 has been an obstacle obstructing this great project that
12 has so much support.

13 Thank you very much.

14 CHAIRPERSON ROSALES: Thank you.

15 COMMISSION SECRETARY GUERRA: Can the
16 following people please come up: Pete Varma, David
17 De La Torre, Lori Yamauchi, Corinne Woods, and
18 Cathy Scarby [sic].

19 PETE VARMA: Good morning, Commissioners.

20 CHAIRPERSON ROSALES: Good morning.

21 PETE VARMA: My name is Pete Varma, and I'm
22 here representing National Association of Minority
23 Contractors and Suppliers.

24 We are a Northern California chapter. The
25 Association is a national organization that provides

1 subcontracting opportunity to minority contractors and
2 suppliers.

3 Having built numerous projects in the Bay Area
4 and now this particular project, we welcome that this
5 project would provide a lot of subcontracting
6 opportunities for minority contractors and suppliers.
7 It will create jobs in the community.

8 This is an excellent project for Bay Area to
9 have a stadium right in their backyard, and we support
10 that the Commissioners will look forward to approving
11 this.

12 Thank you.

13 CHAIRPERSON ROSALES: Thank you.

14 LEROY PERRY: Good morning, Commissioners. My
15 name is LeRoy Perry. I am an 18-year resident in the
16 Dogpatch community.

17 There's a lot of wonderful things going on in
18 the Dogpatch community, and this right here is another
19 addition to it.

20 This right here would bring more than just
21 jobs. It will bring comfort. It will bring comfort to
22 the parents that don't have anyplace to take the kids in
23 the afternoon, kids that want something to do
24 positively -- enjoyment for everyone in the family to
25 do.

1 The neighborhood is definitely coming up and
2 developing well, and I ask that all of you endorse this.

3 Thank you very much.

4 CHAIRPERSON ROSALES: Thank you.

5 LORI YAMAUCHI: Good morning, Commissioners.
6 Lori Yamauchi, Associate Vice Chancellor, Campus
7 Planning, U.C.S.F.

8 On behalf of U.C.S.F., I wish to express the
9 University's support for the Golden State Warriors Event
10 Center Project. I'm submitting a letter for your review
11 and consideration, highlighting the key points of that
12 letter in my oral remarks.

13 (Letter submitted to staff.)

14 Since the Warriors announced its intent to
15 build a new Event Center complex at Mission Bay,
16 U.C.S.F. has expressed its concerns about the impacts of
17 the proposed project on traffic and parking in the area,
18 with particular focus on the effects on patient safety.

19 We reviewed and commented on multiple
20 documents issued by the City, as well as participated in
21 numerous meetings and testified before this body in the
22 Planning Commission. We submitted a comment letter on
23 the Draft SEIR. And after review of the Final SEIR, we
24 concluded that the City's responses to our comments are
25 generally satisfactory.

1 We appreciate the addition of a Local Hospital
2 Access Plan to the Transportation Management Plan for
3 the project. We also appreciate the proposed off-site
4 parking to the south of the Event Center for use by
5 event attendees, namely the 19th Street lot at Pier 70
6 and the rest of the pier site near Pier 80.

7 And we wish to reiterate that U.C.S.F. is
8 unable to make its off-street parking garages and lots
9 available to event attendees, because U.C.S.F. needs
10 this parking to meet the demands of staff, patients, and
11 visitors.

12 We also appreciate the proposed Mission Bay
13 Transportation Improvement Fund, including the
14 Designated Overlapping Event Reserve Account to fund
15 traffic management programs implemented by the City to
16 serve the project.

17 We also appreciate the proposed formation of
18 an Advisory Committee which would include U.C.S.F.

19 We appreciate the refinements in the
20 construction plan and the proposed Muni/U.C.S.F.
21 Mission Bay station variant, recommending that the OCII
22 Commission adopt that variant as part of the project
23 approval.

24 A few areas where we believe the Final SEIR
25 and project could be strengthened include the City

1 making long-term commitments on providing off-site
2 parking, and asking that the City provide a solution to
3 the traffic congestion at Mariposa I-280 off-ramp, and
4 produce an explanation of how this wastewater treatment
5 capacity in Mission Bay will be made adequate to serve
6 all protected development in Mission Bay.

7 Thank you for consideration to my written and
8 oral comments.

9 CHAIRPERSON ROSALES: Thank you very much.

10 DAVID DE LA TORRE: Good morning,
11 Commissioners. David De La Torre, Laborers Local 261.

12 I'm here on behalf of both Laborers Local 261
13 and the A. Philip Randolph Institute San Francisco
14 chapter of which I am the chairperson.

15 I'm here to voice our support in moving
16 forward with this project because of the commitment to
17 building it with union labor, securing the area's
18 standard and community involvement.

19 So, I strongly encourage the approval of the
20 EIR report and moving one step closer to finally getting
21 this project built, and to flourish.

22 Thank you.

23 CHAIRPERSON ROSALES: Thank you.

24 COMMISSION SECRETARY GUERRA: Can the
25 following people please come forward: Ramon Hernandez.

1 CATHY SEARBY: Good morning. My name is Cathy
2 Searby and I live in Mission Bay. The proposed arena
3 site is directly next to my home.

4 I am so excited, not only to watch the
5 Warriors play basketball at the arena, but to have
6 concerts and family shows like Disney on Ice, Harlem
7 Globetrotters, that we all can attend -- San Francisco
8 needs this kind of arena to be a first-class
9 entertainment destination.

10 I'm also excited about the waterfront park, as
11 there's nothing in this community in the south
12 neighborhoods. It provides a place for the kids and the
13 families to enjoy the beautiful views in a fun and safe
14 environment.

15 The Warriors and the City have done an
16 impressive study of this project, and as a result,
17 they've come up with a project that fits well in our
18 Mission Bay community.

19 Thank you.

20 CHAIRPERSON ROSALES: Thank you.

21 CORINNE WOODS: Good morning, Commissioners.
22 My name is Corinne Woods.

23 I chair the Mission Bay Citizens Advisory
24 Committee, which has unanimously approved a Schematic
25 Design Plan for the arena.

1 I'm also representing the Mission Bay CAC on
2 the ballpark, Mission Bay Transportation Coordinating
3 Committee, where I've worked for at least 10 years -- I
4 don't know how long -- to try and deal with the existing
5 traffic and transportation implications of both Mission
6 Bay and the ballpark.

7 To me, approval of this EIR is the first step,
8 and it's all about implementation. It's all about
9 making sure that we don't get forgotten once the
10 approvals go through.

11 There are some inconsistencies between the
12 requirements of the EIR, in terms of traffic and
13 transportation mitigations and improvements, and the
14 legislation that's moving through both the MTA and the
15 Board of Supervisors in terms of how it's going to be
16 managed.

17 OCII is the responsible agency for this
18 project. OCII has taken a very low-key approach to
19 Mission Bay over the years. And, in fact, the last
20 couple of years, we've been starved for staff help and
21 support, as Tiffany knows.

22 We need dedication. Even if you can delegate
23 these approvals and monitoring and everything else, we
24 need you, OCII, to make sure things happen, because they
25 won't happen if it's up to just this agency or that

1 agency that you delegate to.

2 It took us 15 years to get a bus in
3 Mission Bay that was promised to us in 2003. We still
4 have streets that are open -- that are finished and not
5 open, parks that are finished and not open.

6 We need OCII to take a very much more
7 aggressive approach to managing the process so that we
8 can survive this.

9 Thank you.

10 CHAIRPERSON ROSALES: Thank you.

11 COMMISSION SECRETARY GUERRA: Ramon Hernandez,
12 Matt Prieshoff, Thomas McDonagh, David Lombardi, and
13 Scott Van Horn, please make your way to the podium.

14 DAVID LOMBARDI: Good morning. My name is
15 David Lombardi, and I'm coming here in support of the
16 Warriors Arena Project.

17 First off, as a resident of San Francisco --
18 haven't always lived here -- but I live in the Mission
19 now, and I remember visiting from about three hours
20 away, when I was about 10 years old, back in 1998.

21 My dad drove me to the area near 3rd and King
22 Streets, where AT&T Park would once be. It was
23 desolate, abandoned. Definitely not a source of pride
24 for what I think is the most beautiful city in America.

25 And my dad told me that the Giants are going

1 to be playing here, Barry Bonds is going to be hitting
2 home runs here in three years or four years. I didn't
3 believe him. As a young sports fan, it just blew my
4 mind.

5 And now we look 18 years later, we see what
6 that area has become, what it's becoming, and what kind
7 of boon that has been for the City.

8 I see this Warriors Project in much the same
9 way, although I think Mission Bay is a little bit more
10 developed, obviously, already than that whole South
11 Beach area was when AT&T Park was proposed. I think
12 that we can see similar benefits from this from the
13 perspective of the City.

14 Second, not as a resident, but as a person who
15 covers sports, I work for ESPN, and I cover college
16 football. I've covered a bunch of other sports. I've
17 traveled a lot, and I've seen different venues around
18 the country. It's just part of my job every weekend,
19 and I see which ones fit into the fabric of a city and
20 which ones I'm not excited to go to.

21 I can say that AT&T Park has been a major
22 success in that regard, and based on the plans that I've
23 seen today and I've studied from this Warriors proposal,
24 I think that this one will fit perfectly into the urban
25 fabric of San Francisco in a way that will improve the

1 City.

2 You just can't be taken seriously as a major
3 city in the world without a venue like this, and I think
4 that will fill the void. So, I encourage you guys to
5 approve it.

6 Thank you.

7 CHAIRPERSON ROSALES: Thank you.

8 THOMAS McDONAGH: Good morning, Commissioners
9 and thank you for this opportunity. My name is
10 Thomas McDonagh.

11 I live, work, and have a small business in
12 San Francisco. I've been a resident of the City since
13 the 1970s, and I have lived South of Market for 15 years
14 plus.

15 I've witnessed the difference the construction
16 of the ballpark brought to the neighborhood in 2000, and
17 it helped to reignite the development of the
18 neighborhood since then. The Golden State Warriors will
19 help reignite the neighborhood and the City and the
20 region with this development.

21 Sports plays a large role in our society. It
22 teaches people enduring values such as teamwork and
23 sportsmanship.

24 This venture will stimulate the economy.
25 Tourism and entertainment are a major part of

1 San Francisco's economy. By building the arena in
2 Mission Bay, San Francisco would be positioned to put on
3 world-class performances to larger audiences.

4 Thank you.

5 MATT PRIESHOFF: Good afternoon. My name is
6 Matt Prieshoff.

7 I'm the chief operating officer for
8 Live Nation in the State of California.

9 Anaheim, Bakersfield, Carson, Fresno, Long
10 Beach, Redding, Oakland, Ontario, San Jose, Sacramento,
11 Los Angeles times two, San Diego times two, and
12 Stockton -- they all have arenas. We don't in
13 San Francisco. Our best opportunity in history to have
14 a world-class arena is now, because of the Golden State
15 Warriors.

16 They've done a phenomenal job creating an EIR,
17 with the City's help, that addresses all of the concerns
18 that have been raised.

19 Our office in San Francisco is at 16th and
20 Rhode Island, so we have great familiarity with this
21 location. We know what the traffic concerns are, and we
22 know that they've been addressed by the plans that have
23 been put in place by this EIR.

24 This organization has done a phenomenal job
25 reaching out to the community and will continue to do so

1 for its entire history in San Francisco if given the
2 opportunity to bring this arena to San Francisco.

3 And if they do, Live Nation will provide many
4 great entertainment concerts and other events to this
5 amazing city that currently you have to go to Oakland
6 and San Jose because of the lack of an arena in
7 San Francisco.

8 Thank you very much for your time.

9 CHAIRPERSON ROSALES: Thank you.

10 COMMISSION SECRETARY GUERRA: Would the
11 following individuals please come forward:
12 Henry Wimmer, Anthony Urbina, John Ballesteros,
13 Mike Therault, and Nina Ladow.

14 SCOTT VAN HORN: Hi. Scott Van Horn. Thank
15 you for the chance to speak to you today.

16 I live and work in Dogpatch, just two blocks
17 from the site. I can actually see the site from my
18 unit. When I addressed this Commission in June, I
19 stated that I fully support the project, and I still do.

20 Today, however, I want to address the EIR
21 process and those that are attempting to undermine it,
22 specifically, the Mission Bay Alliance.

23 Since they were formed at the beginning of
24 May, they have been saying that they will do everything
25 they can to stop this project. Instead of participating

1 in the City and State processes that fully analyze the
2 impact to the environment and to the community, they
3 have been planning from the beginning to use their
4 considerable wealth to litigate this forever.

5 I was even at the Mission Bay community
6 meeting on May 7th, when Jack Davis said that they
7 would, quote, sue until the cows come home.

8 The Warriors have worked with the community
9 from the beginning. They have worked with the MTA to
10 ensure that there will be massive improvements to Muni
11 to put in place for everyone to use. There will be
12 improvements to waterfront parks that will benefit
13 everybody. They even worked with the City to put aside
14 a reserve fund for the unexpected issues.

15 As you can see from these articles that I'd
16 like to submit, they did not even wait for the Draft EIR
17 to be published before they just started to attack it,
18 at least what they assumed would be in it. This
19 includes the Matier & Ross article on May 4th, where
20 they make it clear that they will not be funding an
21 effort that would benefit the community in any way, but
22 instead, these billionaires want the land for
23 themselves. They want to throw away all the
24 improvements that will happen with this project so they
25 can build their own selves, leaving the community out in

1 the cold.

2 I urge you to approve this EIR so that we can
3 see the massive benefits to my neighborhood and to the
4 City. I also hope to see the Warriors bring another
5 championship to San Francisco.

6 Thank you.

7 CHAIRPERSON ROSALES: Thank you.

8 HENRY WIMMER: Good morning, Commissioners.
9 My name is Henry Wimmer.

10 I've lived in the City 27 years. I'm a
11 resident of Potrero Hill, small business owner since
12 1994, and I just wanted to speak on a number of terms,
13 but I'll be brief.

14 I wanted to commend the Warriors for their
15 outreach in the community. I've been part of a number
16 of neighborhood meetings that have addressed a lot of
17 concerns with neighbors, including transportational
18 issues and educational opportunities for the 3rd Street
19 corridor and development of the area.

20 I'm very much in favor of the project, and I'm
21 excited about the design of the arena as well. I think
22 the open space -- 30 percent of the protected project
23 allocated to open space with the open plaza and being
24 able to 360 degrees around the arena and the lakefront
25 -- bayfront area is really substantial and noteworthy.

1 I think it provides a lot of opportunity for
2 the citizens of the City and others who come visit our
3 great City to enjoy the lakefront and the opportunities
4 of retail and business in the area. I think it will
5 stimulate the economy.

6 I think it's really, really a beautiful
7 design. And I'll keep it brief and just say I'm very
8 much in favor of the project.

9 Thank you so much.

10 CHAIRPERSON ROSALES: Thank you.

11 ANTHONY URBINA: Good morning. My name is
12 Anthony Urbina.

13 I'm a business representative in the Sheet
14 Metal Workers Union Local 104.

15 Local 104, we're also affiliates with the
16 San Francisco Building Trades Council and members of the
17 San Francisco Alliance for Jobs and Sustainable Growth.
18 I'm here to express the strong support for the Warriors
19 Arena.

20 Organized labor has fought hard to see that
21 this project happens. We're frustrated by the efforts
22 of the Mission Bay Alliance that is now funding
23 opposition to the project, a project that has so much
24 community support.

25 The Warriors have worked hard with the

1 community, and they have worked with labor. This
2 project will bring good career pathways for
3 San Francisco youth, opportunities to become
4 state-certified apprentices. It will bring good jobs
5 with living wages and benefits to thousands of workers.

6 The Warriors Arena will be added to a long
7 list of great San Francisco projects that have provided
8 opportunity, employment, and entertainment.

9 Please support this project.

10 Thank you.

11 NINA LADOW: Good morning, Commissioners. I'm
12 Nina Ladow.

13 I'm a longtime resident of Potrero Hill. I
14 have been there 24 years. I'm an active community
15 volunteer.

16 What I see, what the Warriors have done and
17 what they're committed to is to help the underserved of
18 our community have an opportunity for education and
19 training, particularly through the trades, and then
20 those jobs can translate into other jobs as they move on
21 through their careers.

22 I commend the Warriors for their plan. I can
23 see from my house -- I'm by Mariposa and the on-ramps,
24 so I know the traffic congestion.

25 I also commend the effort that has gone into

1 the traffic mitigation.

2 I urge you in all sincerity to approve this
3 project and help our community and the Warriors succeed.

4 CHAIRPERSON ROSALES: Thank you.

5 MIKE THERAULT: Commissioners, Mike Therault,
6 San Francisco Building and Construction Trades Council.

7 We were thrilled to read about the agreement
8 between U.C.S.F. and the Warriors with regard to this
9 arena.

10 U.C.S.F. is an institution we certainly
11 respect, and its landing in Mission Bay, you will all
12 recall, through the deal that was brokered by Mayor
13 Brown was what allowed that redevelopment finally to
14 proceed in a meaningful way.

15 We're not surprised by the agreement. Our own
16 dealings with the Warriors in our ongoing discussions to
17 refine our agreements with them have shown them to be
18 both cooperative and pragmatic.

19 With regard to the issue raised by the
20 Mission Bay Alliance of water quality, you may also
21 recall that about 10 years ago, Chevron did substantial
22 remediation of that site, excavating it to a depth of
23 about 20 feet and removing a groundwater plume of
24 hydrocarbons to bring the water up to standards. That
25 water has been taken care of already.

1 And I will point out, also, that all of you
2 know that we're entrusted with jobs in construction and
3 the opportunities they provide to the community.

4 Mr. Lazarus is correct, also, in pointing out
5 that this is an ongoing economic boon to the City and a
6 continuing source of opportunity for residents of
7 San Francisco in other types of employment as well.

8 We ask you to approve the Environmental Impact
9 Report and to carry on with the other approvals before
10 you today.

11 Thank you.

12 CHAIRPERSON ROSALES: Thank you.

13 COMMISSION SECRETARY GUERRA: Will the
14 following people please come forward: Chris Keller,
15 Charlie Lavery, Joel Koppel, Antoinette Mobley, and
16 David Wong.

17 JON BALLESTEROS: Good morning, Commissioners.
18 Jon Ballesteros with San Francisco Travel.

19 And San Francisco Travel remains an
20 enthusiastic supporter of this project, as it will add a
21 dimension that's really needed here in San Francisco, a
22 dimension to the \$10.7 billion travel and tourism
23 industry here in the City. And that new dimension is a
24 large venue that can accommodate many of the special
25 events and programs that we currently cannot

1 accommodate.

2 And if this project is approved and we are
3 able to accommodate those special projects and programs,
4 it will expand the benefits of travel and tourism to the
5 City. And these include creating more jobs,
6 contributing more taxes to the City's General Fund, and
7 expanding the overall economic activity here in
8 San Francisco.

9 So, for these reasons, we encourage your
10 Commission to approve the EIR that's before you today
11 and move this important and valuable project forward as
12 soon as possible.

13 Thank you for your time.

14 CHAIRPERSON ROSALES: Thank you.

15 CHRIS KELLER: Hello, Commissioners. My name
16 is Chris Keller.

17 I live in Los Altos and was previously a
18 commissioner for the environmental commission in that
19 city, and I want to thank you for all the work that you
20 do.

21 I am currently between jobs, full-time
22 employment, so I've been driving with Uber and Lyft
23 lately. I am not here representing either organization,
24 but just want to add that, to the extent that there are
25 those that jobs will be created through this new park, I

1 think there are other opportunities for some of these
2 new technologies to also fill in, as needed, in an
3 appropriate way, to provide meaningful income for other
4 members of the community.

5 I just also want to say, you know, during my
6 time as an environmental commissioner, no EIR comes in
7 perfect, certainly not one at this scale. Five binders
8 do not change that.

9 But I think that what you'll find, as I have
10 seen over the last few years, is that Rick Welts and his
11 team -- it's a world-class organization, not just in
12 professional sports but in -- throughout -- anywhere in
13 our community, willing to work hand in hand with so many
14 people to do the right thing.

15 Lastly, I just want to say that I have four
16 daughters. And, you know, raising kids is all about
17 creating family memories.

18 One of the most meaningful moments I have in
19 my life right now is to watch these games with my kids.
20 And to think about coming to this venue with them will
21 certainly qualify as a memory for me and my children.

22 Thank you.

23 CHAIRPERSON ROSALES: Thank you.

24 CHARLEY LAVERY: Good morning, Commissioners.
25 My name is Charley Lavery.

1 I'm the district representative for the
2 Operating Engineers Union Local 3. I'm also the chair
3 of the labor caucus of the San Francisco Alliance for
4 Jobs and Sustainable Growth, and both of those
5 organizations want to express their support for the
6 Warriors Project.

7 The Operating Engineers, through the
8 San Francisco Building Trades Council, have been
9 discussing with the Warriors how we can best work
10 together.

11 The result, so far, is a commitment to work
12 with labor to maximize opportunities for San Francisco
13 residents to have living-wage jobs with benefits on the
14 project.

15 Those residents in the trades need a sustained
16 stream of projects to remain employed. Despite the
17 building we see around the City, it's important to
18 remember that each time a building is completed, those
19 trades-workers are effectively unemployed again.

20 The Warriors have really been the poster child
21 for outreach, both with the building trades and with the
22 communities through their CBO's within the City where we
23 live.

24 This is a great opportunity for our members to
25 work on a project that will provide the City with a

1 much-needed amenity, and that improves the City and
2 enhances their career opportunities.

3 Thank you.

4 ANTOINETTE MOBLEY: Go Warriors.

5 Good morning. My name is Antoinette Mobley.

6 I'm a resident of Bayview-Hunters Point, and I
7 want to thank you Commissioners for being here to take
8 in all the considerations to approve the EIR report.

9 The Warriors ground, this new event center,
10 it's just -- it's just been long coming. It's long
11 overdue.

12 I mean, in the evening time and on weekends,
13 there's very little to do here in our neighborhood. And
14 even though, with the emerging businesses that have come
15 along in the Dogpatch area, which we really appreciate,
16 it's kind of for grown folks, you know, not for the
17 kids. So, this is an opportunity for our families to
18 get out and bike and enjoy the great outdoors.

19 You know, I'm a staff member of Recreation and
20 Park here at San Francisco, so I really, really advocate
21 for the outdoors. And to be able to bring something
22 along the waterfront -- we can walk here, we can bike
23 here -- it's just the greatest amenity one could ask for
24 in such a world-class city.

25 And then I also want to add to that in terms

1 of their plans for transportation, honey, you couldn't
2 come up with a better plan.

3 I take that T Train sometimes on those Giants
4 days, and I can't get home; okay. Takes me an hour,
5 where it would take maybe 15 minutes. So, I'm thankful
6 that they thought about that, because they took the time
7 to come in the community and ask us, What are the pros?
8 What are the cons? How can we make this thing right for
9 everybody? And they did that.

10 So, I really want to thank the Warriors team
11 for being such a great community partner. I'm
12 really looking forward -- oh, the Warriors tore Memphis
13 up last night. Did you all see that game? 50 points.
14 Come on. That is world-class.

15 So, again, I encourage you guys, support this.
16 The businesses on 3rd Street in the southeast sector, we
17 need this. We need the foot traffic to come into the
18 corridors to help support, to help sustain those who
19 have been here; okay?

20 So, go Giants -- I'm sorry. Go Warriors.

21 JOEL KOPPEL: Good morning, Commissioners.
22 I'm Joel Koppel.

23 I'm a Local 6 electrical worker that lives in
24 the Sunset. I grew up here, went to school here, went
25 to high school, college. I was lucky enough to buy a

1 home in the Sunset with my sister.

2 I'm here speaking today for the San Francisco
3 Electrical Contractors Association and the Electrical
4 Workers Local 6.

5 Both sides of our industry are very much in
6 favor of certifying the Final SEIR today and moving the
7 project ahead as proposed.

8 We have 32 local business enterprises in
9 San Francisco that are in favor of this project, that
10 pay their payroll taxes and gross receipts taxes here in
11 San Francisco. And we have 794 San Francisco resident
12 electrician journeymen and apprentices that are employed
13 by these contractors.

14 So, not just as a laborer here today
15 supporting, as you've heard from the other brothers and
16 sisters of the other unions, but also, management is
17 here also in full support the project.

18 Thank you.

19 CHAIRPERSON ROSALES: Thank you.

20 COMMISSION SECRETARY GUERRA: Can the
21 following people please make it to the podium: Ramon
22 Hernandez, John William Templeton, Pat Valentino,
23 Stuart Canning, D.J. Brookter, and Donald Dewsnud.

24 DAVID WONG: Dear Commissioners, good morning.
25 Thanks for your time, and thanks for allowing us to be

1 here to ask for your support.

2 I'm David Wong. I'm Bay Area Deputy Sheriff
3 Charitable Foundation executive director. We work with
4 you, and once a year, we have a shop with the Deputy
5 Sheriff program where we take 300 to 500 disadvantaged
6 children to do Christmas shopping. And out of those --
7 out of that program, we ask a pro sport athlete to
8 accompany -- to do the shopping, where we guide the kids
9 to a better direction.

10 I'm a retired Deputy sheriff in San Francisco,
11 and if we can prevent kids when they're young, we can
12 prevent a lot of crime. And that's what I do.

13 So, just imagine when Coach Al Attles,
14 accompanied with a couple of kids to shop, their parent
15 is so amazingly shocked that, you know, Coach Al Attles
16 would shop with them.

17 Just imagine if we could tell the parents and
18 the children that Warriors is -- their home is with us.
19 And that will be world-class decision. And I hope you
20 can make that world-class decision.

21 Thank you.

22 JOHN WILLIAM TEMPLETON: John William
23 Templeton. I'm historian and creator of the California:
24 "African American Freedom Trail."

25 The Subsequent EIR violates, procedurally and

1 substantively, every tenet of California's pioneering
2 Environmental Justice Law and a 1994 federal executive
3 order.

4 I've submitted a 40-page document that spells
5 out the many ways that the characterization of impacts
6 fails to take into account the cumulative effects of 70
7 years of land use inequity.

8 When I heard Planning Commissioner Ed Maley's
9 (phonetic) objectionable remarks last week, I conducted
10 a critical race theory analysis of this EIR to see that
11 it substantially -- in trying to assemble this into a
12 document, that certain groups of people are more
13 valuable than others -- this measure breaks a covenant
14 with the people of southeast San Francisco that \$2.2
15 billion spent on their T Lines would link them to the
16 rest of the City, and negatively impacts them for a
17 generation to come.

18 In 1951, U.C.S.F. had the opportunity to play
19 in the Cotton Bowl with the condition that they had to
20 leave their black players behind. They turned down the
21 invitation.

22 We shouldn't leave our impacted communities
23 behind in order to approve this ill-conceived project.

24 CHAIRPERSON ROSALES: Thank you.

25 PAT VALENTINO: Good afternoon -- good

1 morning. My name is Pat Valentino.

2 I'm the president of the South
3 Beach/Mission Bay Merchants Association. We're in full
4 support of this project and ask you to certify the EIR
5 as soon as possible.

6 Mission Bay needs a sense of place, and I
7 think the way we pictured it is, when there are no
8 events and there are no games, this facility is going to
9 be extremely valuable to our neighborhood.

10 I not only am the president of that
11 organization, I also live within walking distance of the
12 Warriors site. And we're super excited, both as
13 neighbors and business folks in the community.

14 I think one of the things, though, that's
15 really important to think about, we've heard one point
16 of opposition today. We have a diverse community in
17 support of this project.

18 The comments that have come in, in support
19 range across business local merchants, community groups,
20 residents, neighbors, and folks from around the region
21 and around the City, versus paid consultants, paid legal
22 advisers who come here and give you binders full of
23 garbage to basically throw mud against the wall.

24 And as one of the residents from Dogpatch
25 neighborhood mentioned earlier, these guys, the

1 Mission Bay Alliance, came forward prior to the public
2 having access to this EIR and started to make comments
3 about suing till the cows come home.

4 I've been practicing law for over 20 years,
5 and I can tell you one thing that I always tell my
6 clients. When someone says they're going to sue you,
7 and they're going to hire the most expensive lawyers,
8 and they're going to sue till the cows come home, they
9 have no case. And what we have here is no case against
10 an incredible amount of community support.

11 So, I think you've heard quite a few of the
12 good, positive comments. So, I'll just finish with
13 saying, thanks so much, and thanks to the Warriors for
14 participating with the City in a very community-oriented
15 process. We look forward to you coming to
16 San Francisco.

17 Thank you.

18 CHAIRPERSON ROSALES: Thank you.

19 COMMISSION SECRETARY GUERRA: Will the
20 following people please come to the podium: Nick
21 Belloni, Henry Karnilowicz -- sorry if I mispronounced
22 it -- John Caine, Oscar James, and Dennis MacKenzie.

23 DONALD DEWSNUD: Good afternoon,
24 Commissioners. My name is Donald Dewsnud, and I'm a
25 resident here in the City of San Francisco.

1 I'm very active in the community as a
2 San Francisco Bay Area Renters Federation member, as
3 well as a Sierra Club member here in the City.

4 However, I'm speaking for myself today
5 concerning this project, and I urge you to please
6 support it, because quite frankly, I'm very unhappy with
7 our right-wing NIMBY's here in our City trying to
8 prevent any sort of progress or development to take a
9 dead block that's a field of dirt and make it into
10 something that could be a center for the neighborhood,
11 for the community, with this event venue.

12 As far as providing more jobs, about 600 of
13 them, with our corporate square footage, and also, more
14 importantly, on the retail space down below on the first
15 floor, that is an opportunity for Dogpatch small
16 business owners to have their business there at the
17 plaza.

18 Also, too, I want to speak concerning the open
19 space. It's -- this project has 33-percent open space
20 of 3.2 acres.

21 There are parking concerns. However, we do
22 have that Safeway garage over there off of King Street.
23 We do have the AT&T Ballpark garage, as well, to rely
24 on. So, we have plenty of ample opportunities for
25 parking spaces around.

1 Also, too, I want to point out that this
2 particular project contributes \$18 million to
3 infrastructure fees to the City, as well as \$40 million
4 towards the transportation of the infrastructure system
5 as well.

6 So, again, thank you for hearing me out, and
7 thank you for all your hard work. Please support this
8 project.

9 Thank you.

10 NICK BELLONI: Good morning, Commissioners.
11 My name is Nick Belloni, and I want to thank you for
12 having us here today.

13 I'm excited to basically welcome the Warriors
14 here to San Francisco. I'm supporting the project
15 because there is a lot of reasons.

16 One, the arena will be built on private
17 property land that's been planned for development for
18 years.

19 Two, the development is highly -- entirely
20 privately financed, without any public funding, which is
21 a huge demonstration of the team's commitment to the
22 neighborhood, which I've seen throughout the process.

23 I've been part of this since the beginning of
24 them coming, and I've just seen them work tirelessly
25 with the communities -- work and change.

1 And, I mean, they've basically been one of the
2 best developers I've worked with. And being the co-VP
3 of PAR, I've worked with a lot of different developers.
4 So, it's been great to see that.

5 They also will be -- the new arena is a
6 perfect fit for Mission Bay, and it will trigger the
7 construction of a long-awaited five-and-a-half-acre park
8 in Mission Bay.

9 This is something that is personal to me as
10 well. I am a representative of the Park Rec Open Space
11 Advisory Committee, and one of the things I've been
12 pushing for for a long time on that committee is getting
13 open space in that area.

14 So, this is something that I just pushed a
15 strategic plan for that area to the Commission to get --
16 that we can have a strategic plan for the area to have
17 open space, to find places.

18 This is a perfect spot for it, and they're
19 adding that in there. And that's something that's
20 major.

21 And it's a waterfront park, something we don't
22 have -- that we don't have a lot of, I should say. So,
23 this is huge.

24 The site also has excellent freeway access,
25 benefits from the infrastructure underway, including

1 construction of new off-ramps, a network of
2 high-capacity streets, intersections, improvements in
3 more than 9,000 public parking spaces already in place.

4 So, I want to thank you guys for hearing me.
5 I want to thank you guys for having this, and I hope you
6 all vote to have them here.

7 Thank you, guys.

8 CHAIRPERSON ROSALES: Thank you.

9 HENRY KARNILOWICZ: Good afternoon,
10 Commissioners. Henry Karnilowicz. I'm the president of
11 the South of Market Business Association.

12 First of all, I just want to really commend
13 and applaud the Warriors for not giving up the boat and
14 throwing in the towel and saying, Hey, look, we can't
15 build on the piers, so we're going to Oakland, and we're
16 going to build over there.

17 But, no. They stuck it out, and they really
18 worked hard at it.

19 They didn't just go and say, Hey, we're going
20 to do it. They did reach out to everybody to make it
21 happen. So, I'm really proud of them.

22 As the president of the South of Market
23 Business Association, I'm also involved with the
24 merchants out in Bayview and in Dogpatch and so forth.

25 And what you're going to get from this,

1 because with the Warriors, they're going to have not
2 just basketball, but other entertainment also. You'll
3 have more people coming into the area, and that will
4 trickle all the way down into Bayview and into the rest
5 of South of Market. So, I think it's going to be a
6 really great thing to have in the South of Market Area.

7 I can tell you right now that when it comes to
8 businesses that are in the area around the Giants Park
9 right now, once there's no games, a lot of those
10 businesses have -- don't have too much going on. And
11 this is going to really help them to do much better with
12 the Warriors being there.

13 So, once again, I think they're a great team.
14 My daughter just loves them. And if I didn't support
15 them, she probably wouldn't talk to me again. So, I
16 really urge you to please support the EIR and vote in
17 favor.

18 Thank you.

19 CHAIRPERSON ROSALES: Thank you.

20 JOHN CAINE: Good morning. Happy Election
21 Day. My name is John Caine.

22 I'm the owner of what will be the newest port
23 restaurant in Mission Bay, located at Pier 50, at 295
24 Terry Francois, just up the street from the arena. We
25 have just named our new restaurant Atwater Tavern. We

1 are opened -- we plan to open in the spring.

2 I'm also the owner of Hi Dive restaurant,
3 which has been at Pier 28-1/2 since 2004.

4 My family and I live in San Francisco, in
5 North Beach, and care very much about the quality of
6 life in this City.

7 I'm 100 percent in favor of this project
8 proceeding immediately. My partners and I have reviewed
9 the plans, the Draft EIR and the traffic mitigations,
10 and believe that they will solve 100 percent of the
11 potential traffic circulation problems in this area.

12 I speak from experience. Hi Dive is located
13 at Bryant and the Embarcadero, and game day and event
14 day traffic is a given. The City does an outstanding
15 job of managing all the vehicle, pedestrian, and other
16 traffic.

17 Mission Bay is a mixed-use neighborhood that
18 needs more activity, public open space, and championship
19 teams. I urge you to vote in favor.

20 Thank you.

21 CHAIRPERSON ROSALES: Thank you.

22 COMMISSION SECRETARY GUERRA: Will the
23 following people please come up to the podium:

24 Sharon Johnson, Carla Tucker, Daniel Landry, and Susan
25 Brandt-Hawley.

1 DENNIS MacKENZIE: Good afternoon,
2 Commissioners. I'm Dennis MacKenzie, Round the Diamond
3 Consulting and Education, and I also teach in the
4 San Francisco public high schools.

5 First of all, I want to thank the OCII and the
6 Planning Department and their staffs for all the
7 comprehensive study and work you've done to ensure that
8 the Mission Bay location for the Warriors Arena and
9 Event Center can address numerous community issues,
10 traffic concerns and challenges, successfully.

11 I also want to share that I support this
12 Environmental Impact Report to be certified today for
13 the benefit of everyone in the City.

14 And also I want to mention that -- thank you
15 for responding to my comments. I provided you with some
16 material in an E-mail this morning.

17 Also, you -- your comments in the EIR, thank
18 you for addressing my comments regarding a proposal to
19 include a high school classroom in the arena.

20 I just wanted to make one clarification, which
21 I know it's a major effort that I've been doing for many
22 years, and I want to thank the Warriors for all their
23 longtime support for our kids and -- throughout the
24 Bay Area.

25 And with that being said, my proposal, as you

1 commented in the EIR, I've never had the intention to
2 build a new high school or a high school in the City or
3 in the Mission Bay area. It had mentioned that briefly
4 in your comments.

5 My idea is, hopefully, the Warriors will take
6 this idea and address -- and incorporate it into their
7 community foundation efforts to expand their education
8 programs and use it as a model for which -- they have --
9 the Warriors have tremendous influence throughout the
10 country through the NBA. And I'm asking the Warriors to
11 create this classroom of some sort, in any way they see
12 fit, in order to expand that to their colleagues across
13 the country, all the other NBA cities and ball teams.

14 Thank you very much.

15 CHAIRPERSON ROSALES: Thank you.

16 CARLA TUCKER: Good morning. My name is
17 Carla Tucker, and I'm the program coordinator for
18 Urban Ed Academy, which is an enrichment program in the
19 Bay Area, serving 250 boys of color with Smart Saturdays
20 educational program to transform young boys into eager
21 learners so that they can be ready to excel.

22 We also have a group of wonderful volunteers
23 from various communities and organizations, some that
24 come out to support our boys and participate in programs
25 and activities throughout the year. But this brings me

1 to talk about our NBA championship team, the Golden
2 State Warriors.

3 As you know, they are just about to solidify
4 their move to San Francisco, and in saying that, the
5 Warriors Project will attract over 4,000 jobs, both
6 permanent and construction.

7 Seeing that Bayview-Hunters Point has the
8 highest unemployment rate, our families are very excited
9 about the opportunity that this will bring to the City.

10 The Warriors have also already demonstrated a
11 tremendous amount of community support throughout the
12 Bayview community by providing tickets for kids and
13 families to attend the professional games, and awarded
14 several Bayview organizations grants, refurbishing our
15 courts in our neighborhoods and showing the overall
16 commitment to both health and education.

17 So, the Warriors' move to the San Francisco
18 means so much more than basketball. This project will
19 allow the public to have access and will also set the
20 tone for better access to the waterfront, and eventually
21 will add to the connection point to the waterfront
22 projects like Hunters Point Shipyard and Candlestick
23 Point.

24 The T Train service is also in desperate need
25 of expansion, and the Warriors' move to Mission Bay will

1 generate more than \$40 million in upfront funds to pay
2 for the transit improvement for the neighborhood,
3 including community services. This is something that
4 will greatly improve and benefit families in the Bayview
5 community. And for that, we are so excited and grateful
6 that they're coming over to the City.

7 Thank you.

8 DANIEL LANDRY: Good morning, Commissioners.
9 Daniel Landry, for the record.

10 I'm currently chairing an organization called
11 the New Community Leadership Foundation, and we would
12 like to say we support the Warriors coming to
13 San Francisco.

14 And the times that we came here before, I did
15 speak briefly about we're excited about the
16 entertainment opportunity, the venue, and just having a
17 world-class arena here in San Francisco.

18 We know that this is just a first step of a
19 long-term process, and as you know, the other hat I wear
20 which is dealing with the community I come from, which
21 is the Fillmore area, which is one of the best Warrior
22 players ever, Phil Smith, came from here, San Francisco.
23 The irony is just -- well, prove it.

24 And this being Election Day, I just want to
25 say, too, you know, the Community Benefits Agreement

1 that we speak about at Heritage Center plays a great
2 role in other projects like this project, the Warriors
3 Project and Event -- you know, when you're having things
4 coming to the City that bring so much opportunity,
5 whether it's that or it's the Super Bowl being this --
6 being the whole City.

7 And our organization, one of the things that
8 I'm tasked with is how to be creative and get young
9 people excited about development in a way that it
10 impacts grass-root communities here in San Francisco.

11 So, that's one of the things that we want to
12 help the Warriors, since we are natives here in
13 San Francisco and been here since day one -- how to
14 connect to the community at rock-bottom all the way up
15 to the top.

16 But we think this project is big for the City,
17 is definitely going to create opportunities, and we want
18 to make sure all the laws that's on the book, 50 percent
19 hiring and all that type of stuff, go forward.

20 Thank you.

21 CHAIRPERSON ROSALES: Thank you.

22 SHARON JOHNSON: Good morning. My name is
23 Sharon Johnson.

24 I am a native San Franciscan. I am a longtime
25 Warrior fan, and I am the program manager at the

1 Potrero Hill Neighborhood House. I am here to support
2 this project with the Warriors.

3 I've worked with the Warriors for a long time.
4 They've given us tickets so I could bring my youth to
5 games. They've supported our educational efforts with
6 the youth in our communities, and they've just -- this
7 is a wonderful, wonderful opportunity to bring a
8 championship team here to San Francisco.

9 I am here to say ditto to all of those who
10 support this project, and look forward to welcoming the
11 Warriors here to our community.

12 Thank you.

13 CHAIRPERSON ROSALES: Does the baby want to
14 say something?

15 COMMISSION SECRETARY GUERRA: I'm calling, for
16 the last time, Oscar James, Stuart Canning,
17 D.J. Brookter, and Ramon Hernandez.

18 SUSAN BRANDT-HAWLEY: Good afternoon, Members
19 of the Commission. I am Susan Brandt-Hawley, and it's
20 hard to follow a baby sleeping in a Warriors' jersey,
21 but I'll do my best.

22 We all support the Warriors. That's not the
23 issue here today, but the public looks to this
24 Commission to follow the environmental laws in every way
25 before approving this project or considering approval.

1 You've received a number of letters from me
2 and others regarding environmental problems, and yet the
3 Final EIR that we just received a little over a week
4 ago, with thousands of pages, the approvals are being
5 rushed through, which is unfair to the Commission and
6 unfair to the public, because a lot of the environmental
7 questions have not been solved.

8 I would like to turn in, for the record, just
9 a few letters that I've sent to you. But these are hard
10 copies, in case you don't have them yet.

11 (Letters submitted to staff.)

12 I'd like to focus, in just this very short
13 amount of time, on a really critical underlying issue
14 and problem here that needs to be solved that we brought
15 up in the Draft EIR comments in July -- that the EIR
16 declined to study in any way the land-use consistency of
17 this plan.

18 The South Mission Bay Redevelopment Plan sets
19 out a very careful, planned community in these classic
20 bare blocks to allow development of the biotech industry
21 and other compatible uses.

22 The EIR did not study land use, claiming that
23 this qualified as a secondary nighttime entertainment.
24 And as I explained in my letter, none of the secondary
25 uses -- nighttime entertainment, that's supposed to be

1 for bars and small evening establishments; a recreation
2 building, which is being claimed, when this is actually
3 entertainment, which is not an active recreation, but
4 it's, in fact, something that people watch; or a public
5 structure or use, which, in fact, this is not, because
6 it's not a public building.

7 You can fix this problem by considering
8 amendment of the Redevelopment Plan. But right now,
9 this project is directly inconsistent and does not
10 qualify for -- as a secondary, much less a primary use.

11 So, we'd ask you to take some more time, look
12 as the EIR comments that we've submitted, and, in
13 particular, take a hard look at these findings that are
14 not supportable regarding the secondary use.

15 I'm not sure. Do I have more time here?

16 CHAIRPERSON ROSALES: I'll allow more time
17 just to finish.

18 SUSAN BRANDT-HAWLEY: Okay.

19 Well, thank you very much for your attention.
20 And we ask that you continue this, look at all the
21 issues that have been raised.

22 And, again, the public is looking to you to
23 make sure whatever is approved -- we believe, should be
24 at a -- certainly, at another location -- is fully
25 resolved and not go forward and create environmental

1 problems.

2 Thank you.

3 CHAIRPERSON ROSALES: Thank you.

4 COMMISSION SECRETARY GUERRA: Are there any
5 others that would like to speak?

6 (No response)

7 Madam Chair, I have no further speakers.

8 CHAIRPERSON ROSALES: Okay. And there's no
9 one in the overflow rooms?

10 There's two overflow rooms.

11 COMMISSION SECRETARY GUERRA: We checked.

12 CHAIRPERSON ROSALES: Okay.

13 We will close the Public Comment. Thank you,
14 everyone, for speaking.

15 The time is 12:16.

16 I think my fellow Commissioners and I are a
17 little tired, and I think we need a little break. So,
18 if we can take a 30-minute break, I think that's fine,
19 so that we can stretch our legs and come back for the
20 balance of the calendar.

21 (Luncheon recess taken at 12:17 p.m.)

22

23 ---oOo---

24

25

1 ---oOo---

2 A F T E R N O O N S E S S I O N

3
4 NOVEMBER 3, 2015

1:10 P.M.

5
6 CHAIRPERSON ROSALES: Thank you. It is 1:10
7 and we are back in session. Thank you so much for your
8 patience. We took a little longer than 30 minutes.

9 Okay. So, Public Comment is closed, but
10 before I turn to my fellow Commissioners, I'd like to
11 request staff to present a response to some of the
12 comments that we heard.

13 DEPUTY DIRECTOR OERTH: Thank you, Chair
14 Rosales. Again, Sally Oerth, for the record.

15 Commission Members, we do have a few staff who
16 would like to respond to the information presented here
17 in Public Comment, and first I'll call up Chris Kern
18 from the Planning Department.

19
20 RESPONSE TO PUBLIC COMMENTS

21 BY SENIOR ENVIRONMENTAL PLANNER KERN

22
23 SENIOR ENVIRONMENTAL PLANNER KERN: Good
24 afternoon. Chris Kern with the Environmental Planning
25 Division from the City Planning Department, and I'm part

1 of the team of City staff and consultants who have spent
2 the last year and a half preparing the Environmental
3 Impact Report that is before you today for
4 consideration.

5 I wanted to talk briefly about that process
6 and the function of CEQA.

7 The function of CEQA is to provide for
8 informed decision-making by the public and public
9 agencies about the environmental consequences of a
10 proposed project.

11 It's an informational document. Its purpose
12 is disclosure about environmental effects.

13 I feel strongly that the team and many of the
14 expert consultants and City staff and members of the
15 City Attorney's Office who contributed to the drafting
16 of the Final Supplemental Environmental Impact Report
17 that is before you today -- meets the requirements of
18 CEQA, that it thoroughly discloses all of the
19 potentially significant environmental effects of the
20 project, that it identifies feasible mitigation measures
21 that would reduce those impacts, and it identifies
22 feasible alternatives that would substantially lessen
23 one or more of the significant impacts of the project.

24 The Responses to Comments document, which
25 together with the Draft Supplemental of the Subsequent

1 Environmental Impact Report form the final SEIR, if you
2 are to certify it today, responds to all of the comments
3 that we have received on the draft document, both during
4 the public comment period as well as after the public
5 comment period through October 7th.

6 At that point, we had a cutoff of what we were
7 gonna respond to in the Responses to Comments document
8 so that we could complete and finalize that document.
9 However, we have received a number of comments since
10 October 7th.

11 We responded to all comments that we received
12 as of yesterday afternoon in writing, and you've been
13 provided with the late comments and responses to those
14 comments that have come in since that time starting
15 about 6:00 p.m. last night.

16 And then, through earlier today at this
17 hearing, we've received a number of additional comments.
18 We have not prepared written responses to those
19 comments.

20 However, I do want to assure you that this
21 team of technical specialists and attorneys and City
22 staff have reviewed all of the comments that have been
23 submitted, and we do not, in our opinion -- our expert
24 opinions, believe that the materials that have been
25 submitted in the last 15 hours or so raise any new

1 issues.

2 They don't contain any substantial new
3 information that would alter any of the conclusions
4 reached or the analysis contained in the final SEIR
5 before you.

6 The nature of the information and the comments
7 in these late submittals can be characterized as really
8 a disagreement amongst experts, and legal opinion, all
9 of which are issues that we have already responded to in
10 the Responses to Comments documents or addressed in the
11 Draft SEIR.

12 Now, with that said, there are a few specific
13 topics that I wanted to provide a little bit more
14 clarification on as to how we've responded to those
15 comments and how those -- how the issues raised in those
16 comments are addressed in the documents that we've
17 provided to you.

18 And to just frame that up, I'll -- we made a
19 quick list of the topics that are covered by the
20 comments that have been received, just again, in the
21 last 15 hours or so.

22 They cover transportation, air quality, noise,
23 greenhouse gases, and the AB 900 certification,
24 biological resources and wetlands, hydrology, water
25 quality and wastewater, utilities, geology, hazards,

1 recreation, wind and shadow, urban decay, the CEQA
2 process, land use, economic issues, and environmental
3 justice, and social and economic issues.

4 Of that topic, there no new issues that have
5 not been already addressed and are not analyzed in the
6 Final SEIR documents and the technical analyses and
7 supporting documents that are in the record that we have
8 provided.

9 Now, on a couple of points -- let's see -- I
10 do have one additional errata, or really it's a minor
11 change to one of the mediation measures that we wanted
12 to make, and that is the air quality offset mitigation
13 measure, Mitigation Measure MAQ 2-B.

14 That measure currently reads, "Pay a
15 mitigation offset fee to the Bay Area Air Quality
16 Management District Strategic Incentives Division in an
17 amount not to exceed \$18,030 per weighted ton of ozone
18 precursors per year."

19 We want to change that "not to exceed" to "no
20 less than." And we have discussed that change with the
21 project sponsor, and the sponsor has indicated that they
22 are agreeable to making that change.

23 Now, that change to the mit measure -- the
24 mitigation measure is partially in response to a late
25 comment letter that we received from the Bay Area Air

1 Quality Management District.

2 That letter and our response to that letter
3 are contained in the packet we distributed to you this
4 morning, but we didn't include that change to the
5 measure in that response. That was an oversight.

6 Now, the comments from the Air District,
7 again, really focus on the amount of the offset
8 mitigation fee.

9 And the Planning Department staff, our air
10 quality specialists both in-house as well as
11 consultants, have been having ongoing discussions with
12 the Air District about the amount of the offset fee
13 since before publication of the draft.

14 We are continuing those discussions, and
15 clearly you can see from their letter that we haven't
16 reached a final agreement with the Air District, but we
17 intend fully to continue those discussions, because we
18 would very much like to reach an agreement with the Air
19 District on a workable offset fee as a mitigation
20 approach not only for this project, but that we could
21 use for future projects.

22 That said, we in the Responses to Comments
23 document, in recognition to the fact that we hadn't yet
24 reached a final agreement with the Air District about
25 the details of that mitigation measure and its

1 implementation -- we added another option to that
2 mitigation measure, and that is a change that's in the
3 Responses to Comments document.

4 That additional option allows the sponsor to
5 directly implement an Emissions Offset Project as an
6 alternative to entering into an agreement with the Air
7 District to implement an offset.

8 And I wanted to note that the City has done
9 exactly that -- has used that same mitigation measure
10 approach previously for the America's Cup event.

11 That EIR included an Emissions Offset Project
12 to offset emissions generated by the event -- traffic
13 and spectator boats, et cetera, to that event.

14 That offset project was a shore-site power
15 facility at the Port's dry dock facility, which allows
16 ships at dry dock to hook up to grid power as opposed to
17 running their diesel engines, and it offsets a
18 significant, you know, amount of emissions.

19 That's an ongoing benefit to the City and to
20 the residents in the area, and has been implemented
21 successfully. So, we feel that by providing that second
22 option, we really further support the feasibility of
23 implementing an emissions offset.

24 Let's see. On the topic of air quality, we
25 also wanted to note that as a result of some of the

1 project refinements between the publication of the Draft
2 and the Final -- and these are really refinements around
3 the construction process for the project, including
4 additional de-watering and the on-site treatment of
5 hazardous soils by use of the pugmill -- there is a
6 slight increase in the average daily construction
7 emissions of about 2 to 5 percent, as well as, those
8 emissions would also be attributable to construction of
9 the center platform variant, because there would be
10 some -- you know, additional construction activities
11 related to that variant.

12 We believe that that 2 to 5 percent increase
13 in construction emissions is not a substantial increase
14 over what was reported in the Draft EIR and would not
15 result in a substantial increase in severity of any the
16 significant facts reported in the Draft EIR.

17 We would also note that the offset mitigation
18 measure that I had just -- was just discussing would
19 more than offset the construction emissions. That
20 offset mitigation measure is -- offsets both the
21 operational emissions which exceed the emissions during
22 construction of the project.

23 So, we feel that that issue has been fully
24 addressed in the EIR and the Responses to Comments
25 document.

1 With respect to the U.C.S.F. comments
2 regarding improvements to the Mariposa Pump Station to
3 address ongoing and existing wastewater, really,
4 transmission, as opposed to treatment, issues in the
5 project area, the SFPUC has -- and the Department of
6 Public Works, Planning staff, our consultants, and
7 U.C.S.F. have again been in discussion over these issues
8 since before the publication of the Draft.

9 The PUC has already implemented, as noted in
10 the Responses to Comments document, interim fixes that
11 address the transmission capacity shortfall in the near
12 term, and is right now working on finalizing design of a
13 long-term project which will be implemented long before
14 the capacity of the current system is exceeded.

15 And just to explain that further, the analysis
16 in the Draft EIR and in the Response to Comments
17 demonstrates that sufficient capacity is available now
18 and will be available at the time that the arena project
19 is completed.

20 It's only with cumulative projects with a
21 build-out of the plan and of the U.C.S.F. planned
22 facilities that there's an issue with future
23 infrastructure capacity.

24 That issue has not been missed. The City is
25 working on it and fully intends to provide the required

1 infrastructure and whatnot before it's needed.

2 Let's see. I just want to make sure I've
3 caught all the topics that we want to discuss.

4 Oh. So, with respect to comments -- late
5 comments received about the ability of the EIR to rely
6 on compliance with the City's NPDES Waste Discharge
7 Permit -- that's a permit under the Clean Water Act for
8 the Southeast Wastewater Treatment Plant -- again, the
9 concerns raised about a record of or a history of
10 violations, we think, is a bit of a mischaracterization,
11 but that concern was -- was noted in comments received
12 on the Draft EIR, and we have provided responses on that
13 topic in the Responses to Comments document.

14 We've had discussions with SFPUC staff, and
15 really we think a more accurate characterization of that
16 history is that the regulatory process in the permit
17 establishes discharge limitations. Exceedances do
18 occasionally occur.

19 There is a robust regulatory process that the
20 SFPUC complies with to report any exceedances to its
21 discharge limits and to take corrective actions, and
22 that is really, in the SFPUC's opinion, you know, to be
23 expected through the regulatory process and really
24 evidence of the -- how the regulatory process is
25 supposed to function.

1 And then finally, I wanted to address some
2 concerns raised about the enforceability implementation
3 of mitigation measures and improvement measures, and
4 commitments made on the part of the sponsor and the City
5 through this project and your approval actions.

6 One of the actions before you is, if you
7 were -- are to certify the Final EIR, is to adopt an
8 MMRP, a Mitigation Monitoring and Reporting Program.

9 The MMRP provides a very detailed and lengthy
10 documentation of the parties responsible for
11 implementation of, you know, all of the mitigation and
12 improvement measures, as well as the parties responsible
13 for monitoring and reporting, and what the compliance
14 actions are.

15 In this case, we've gone a little bit further
16 than we normally do in that we have included, really in
17 order to improve and simplify kind of the ongoing
18 monitoring process of the project, an annual MMRP report
19 to be submitted by the project sponsor, that reports on
20 the current status at the time of the report of
21 compliance with all of the measures listed in the MMRP.

22 And there is an introduction to the MMRP which
23 identifies the enforcement tools available both to your
24 Commission and to other City departments that have --
25 that you will be delegating implementation

1 responsibilities to. And they are robust and adequate
2 in our view.

3 And then, in addition to that all of that, the
4 Planning Department has recently created and has staffed
5 now a new position -- full-time position dedicated
6 solely to mitigation monitoring and condition of
7 compliance. So, something that, while we had the -- we
8 think, the capability to do in the past, we have even
9 more resources dedicated to that function than again we
10 had before.

11 I think that's all that I have, unless you
12 have questions about the EIR or the MMRP process.

13 CHAIRPERSON ROSALES: Any questions from the
14 Commissioners?

15 (No response)

16 CHAIRPERSON ROSALES: On these topics, I don't
17 believe there's any questions right now.

18 SENIOR ENVIRONMENTAL PLANNER KERN: Great.
19 Thank you very much. I'll give it back to Sally.

20 DEPUTY DIRECTOR OERTH: Thank you, Chris.

21 Next, I'd like to ask Adam Van de Water to
22 address some information, and after that, Jim Morales
23 will address.

24 ////

25 ////

1 RESPONSE TO PUBLIC COMMENTS

2 BY PROJECT MANAGER VAN de WATER

3
4 PROJECT MANAGER VAN de WATER: Thank you,
5 Commissioners, Director Bohee, for your attention to
6 detail on this.

7 Two items related to the Fiscal Feasibility
8 Analysis. There is a letter from the Controller's
9 Office that's submitted to the administrative record
10 concurring with the Mission Bay Development Group's
11 analysis of the tax increment available both from the
12 project and from the reduced intensity alternative to
13 the project.

14 And we received, as part of the documents
15 received late last night, 104 pages from this Marin
16 reserve law firm, including an analysis from the Marin
17 Economic Consultants questioning some portions of our
18 feasibility. I wanted to read a few things into the
19 record related to that.

20 The report itself argued that biotechnology
21 would be a better use fiscally for the City, and there
22 are five reasons why we disagree.

23 Further, the project is a net financial
24 benefit to the City and provides a means to invest in
25 and improve the City's transit infrastructure.

1 Point 1, in calculating the induced demands,
2 the consultant, Mr. Jon Haveman, compares 2,000 added
3 biotech employees to the permanent staff of the
4 Warriors, excluding the up to 1500 event staff that
5 would serve concessions, event management, janitorial,
6 parking, and other functions up to 225 times per year.

7 He also assumes no independent utility of any
8 of the upfront transportation improvements -- the
9 purchase of the four lightrail vehicles, the
10 installation of the crossover track, signals and
11 signage -- for the neighborhood or for the SFMTA.

12 He attributes nearly three quarters of a
13 million dollars in ancillary benefits to the alternative
14 biotech proposal and zero to the proposed project, even
15 though the project includes two office buildings and
16 could include biotech uses.

17 The report asserts the City would receive
18 greater net gain from a biotech center rather than the
19 Event Center, but only if an ongoing -- if ongoing
20 transit costs associated with the biotech center are
21 assumed to be zero. Given the estimated 2,000
22 additional employees that a biotech center would add,
23 this is a false premise.

24 In the analysis, savings from zeroing out
25 ongoing transit costs are partially offset by the loss

1 of saving initial tax proceeds.

2 Finally, hotel taxes, the report raises
3 questions over the capacity of the City's hotel market
4 to accommodate additional event attendants -- attendees
5 without simply displacing other overnight visitors, and
6 whether event attendees who are already staying in the
7 City when the events were held at Oracle in Oakland.

8 This analysis does not account for the
9 interplay of hotel room prices. Since fiscal year 2011,
10 the City's hotel room occupancy rate has increased
11 modestly from an average of 81 percent to 86.4 percent
12 in 2015. Over the same period, average daily rates for
13 hotel rooms have increased by more than 50 percent.

14 The City's hotel market is constrained, but
15 our experience is that limits on capacity have caused
16 room rates to increase and corresponding hotel tax
17 revenues as capacity is filled.

18 There are numerous hotel projects currently
19 planned or being built, including the Block 1 site on
20 3rd Street and Channel in Mission Bay, and we stand
21 behind the fiscal feasibility analysis that was prepared
22 by our outside expert, EPS, was peer-reviewed by Keyser
23 Marston & Associates, and was prepared in consult with
24 and concurrence by the Controller's Office.

25 Thank you.

1 RESPONSE TO PUBLIC COMMENTS

2 BY GENERAL COUNSEL AND DEPUTY DIRECTOR MORALES

3
4 GENERAL COUNSEL MORALES: President Rosales,
5 Members of the Commission, my name is Jim Morales. I'm
6 the General Counsel and Deputy Director for OCII, and I
7 just wanted to take a brief opportunity to respond a
8 couple of letters that were received this morning by
9 counsel for the opponents to the project, Mission Bay
10 Alliance.

11 Susan Brandt-Hawley has submitted a letter
12 that basically says that the proposed Event Center does
13 not qualify as a secondary use under the grounds that
14 were stated in the staff report provided to this
15 Commission and to the Director.

16 Mr. Tom Lippe has also provided a letter that
17 says that we followed the wrong procedure. He also
18 agrees with Ms. Brandt-Hawley that this is not a
19 secondary use, but claims that we should have used a
20 variance procedure to authorize this project.

21 I just wanted to emphasize the most important
22 fundamental flaw with their arguments, and that is that
23 it ignores the redevelopment authority that still exists
24 for this Commission and for the Executive Director to
25 exercise.

1 We are all painfully aware of the dissolution
2 of redevelopment that's occurred over the last several
3 years, but that hasn't dissolved the redevelopment
4 authority in this context for this project and for this
5 project area.

6 In fact, dissolution law and the State have
7 confirmed that Mission Bay South, along with a few other
8 project areas, are continuing obligations of the
9 Successor Agency.

10 And with that, we have a contractual
11 obligation called the Mission Bay South Owner
12 Participation Agreement, and the Redevelopment Plan,
13 that requires the agency to approve -- consider and
14 approve development that meets the objectives of
15 redevelopment. And that's what this project does.

16 This, they ignore, and look at what I would
17 call a very prescriptive approach to how the land use
18 should be determined in this area.

19 First, turning to the secondary use, the
20 Redevelopment Plan divides uses into principal and
21 secondary uses.

22 Staff, in recommending to the Executive
23 Director that this constitutes a secondary use, has
24 focused on four secondary uses: The nighttime
25 entertainment, recreation, and public structure,

1 non-industrial use of the site.

2 Some of these terms have definitions in the
3 Redevelopment Plan. Some do not. For example,
4 "recreation" is not defined. "Nighttime entertainment"
5 is defined.

6 In Ms. Brant-Hawley's view, it is meant to
7 only include small venues -- small nightclubs, small
8 places for people to gather. But, in fact, there are no
9 size limitations on nighttime entertainment, and, in
10 fact, some of the categories that are listed as possible
11 nighttime entertainment venues could be very large.

12 And so, staff are has recommended that
13 nighttime entertainment secondary use is an appropriate
14 one to consider.

15 In terms of recreation, Ms. Brandt-Hawley
16 claims that this is not really recreation, it's actually
17 entertainment, which, of course, is seemingly
18 inconsistent with her views about nighttime
19 entertainment.

20 But the definition of "recreation" must
21 certainly include athletic events where people can
22 observe, as well as other events that may occur that
23 they will go to see for their -- in their recreational
24 time.

25 Finally, on the secondary use, both public

1 structures and uses that are non-industrial are listed
2 as permissible secondary uses in the Redevelopment Plan.
3 These are also not defined in the Redevelopment Plan,
4 and the -- staff is recommending to the Director that
5 you and she exercise your discretion under redevelopment
6 law under the enforceable obligations that remain in
7 existence to interpret these terms to include a
8 permissible use.

9 I just wanted to highlight also, since we're
10 on the topic of secondary use, that the standard is not
11 just whether or not there is a listed secondary use,
12 which there is, but it's also a determination by the
13 Executive Director to make a positive contribution to
14 the character of the plan area, that is, the Mission Bay
15 South area, based on consistency with the secondary use
16 designation that I've already described -- "at the size
17 and intensity contemplated, and at the proposed
18 location, will provide a development that is necessary
19 or desirable for and compatible with the neighborhood or
20 the community."

21 You have received a 29-page proposed secondary
22 use determination that reviews the facts that support
23 this. You've also heard testimony today that further
24 supports the determination to be made by the Executive
25 Director. You've heard about the jobs, the benefits to

1 the community, to businesses, to the richness of San
2 Francisco, all, of course, which go to the necessity and
3 desirability of this use.

4 Also, it's compatible. You've heard from
5 U.C.S.F. across the street, you've heard from businesses
6 in the area, and you've here heard from residents, all
7 of which have testified that this is desirable and
8 arguably compatible with that neighborhood, something
9 that is desired and wanted in the area. So, you and the
10 Executive Director certainly have the information to
11 make this determination.

12 I just wanted to turn to Mr. Lippe's letter,
13 and he essentially argues that you should have used a
14 variance process, and cites both State planning law and
15 the Planning Code.

16 First, as I mentioned at the beginning, this
17 is an exercise of redevelopment authority that has
18 survived dissolution. It grants to this Commission and
19 to the Executive Director very broad discretion to
20 determine the appropriate uses that should be allowed in
21 the project area, that will alleviate blight and fulfill
22 the redevelopment objectives.

23 It is not bound -- these decisions are not
24 bound by the State planning laws. They are not bound by
25 the San Francisco Planning Code. Indeed, the

1 Redevelopment Plan adopted by the Board of Supervisors
2 over 15 years ago explicitly states that the Planning
3 Code has been superseded by the land use controls of the
4 Redevelopment Plan.

5 So, the entire variance procedure and
6 standards are simply not relevant to your consideration
7 today and to your determination.

8 Also, in fact, the State provisions that he
9 cites regarding variance are not applicable in any event
10 to a charter city such as San Francisco.

11 Mr. Lippe also claims, I think, somewhat
12 ironically that we should follow a variance and
13 shouldn't -- you shouldn't amend the Design for
14 Development.

15 The Design for Development, as you know, is an
16 ancillary document to the Redevelopment Plan. This
17 project meets all of the land use requirements of the
18 Plan itself -- the Redevelopment Plan itself, but does
19 require a few amendments to the Design for Development.

20 The agency, this Commission, and the Director
21 certainly have the discretion to determine what would be
22 the best approach to review and consider approval of a
23 project.

24 It could consider a plan amendment. It could
25 consider a Design for Development amendment. It could

1 consider a variance or variations as they're described
2 in the Redevelopment Plan.

3 And the exercise of that discretion through
4 very careful of review of these options, staff has
5 recommended to the Director and to this Commission that
6 you use, one, secondary use determination and an
7 amendment to the Design for Development to fit the
8 unique qualities of this project.

9 And so, with that, I'm available to answer any
10 questions, or if you have any other comments, I'm
11 certainly willing to respond.

12 CHAIRPERSON ROSALES: Thank you, Mr. Morales.

13 Thank you, everyone on the staff. Thank you
14 for those explanations.

15 Okay. So, we're going to take Items 5-A and
16 5-B first, because one is the certification of the SEIR
17 and the other one is the adoption of CEQA findings, but
18 I think before we entertain questions, comments, or
19 motions, Commissioner Mondejar, were you interested in
20 making a statement?

21

22 COMMISSION DISCUSSION AND ACTION

23

24 COMMISSIONER MONDEJAR: Yes. In the interest
25 of full disclosure, the Filipina Women's Network, a

1 non-profit organization of which I am a board member,
2 receives donations from the Golden State Warriors. This
3 donation goes to our mentoring program, and I do not
4 personally benefit from these donations, and it will not
5 affect my judgment.

6 CHAIRPERSON ROSALES: Thank you.

7 So, with that, do any Commissioners have
8 questions, comments?

9 COMMISSIONER BUSTOS: I do.

10 CHAIRPERSON ROSALES: Commissioner Bustos.

11 COMMISSIONER BUSTOS: First, I want to thank
12 the public for being here. I know it's been a long
13 meeting, and I'm glad actually we moved it up a bit so
14 we could take our time to actually hear what everyone
15 has to say. So, thank you.

16 And then, you know, full disclosure, I am not
17 a sports fan. I have never been a sports-type person.

18 I never understood why my brothers and sisters
19 would jump up and down and say "We won" when they didn't
20 play anything except watch the television and see
21 someone else playing -- on a court or on a field
22 playing. They're the ones that won. They didn't -- my
23 brothers and sisters didn't.

24 But anyway, so I have never really been into
25 sports. So, I say that so you all know that I'm trying

1 to be as objective as possible.

2 I also want to thank the staff at OCII. I
3 mean, they have been working for years on this project.
4 I remember when I was on, you know, the Redevelopment
5 Commission, and, you know, there was a different use for
6 that particular site.

7 So, this is -- it's great to see that we're
8 finally coming to a point where something is moving and
9 happening there over there on 16th and 3rd.

10 You know, in looking at the report and sort of
11 hearing from folks, I'm really pleased that the SBE
12 numbers are at 50 percent. You know, we love that,
13 because you hire folks from the community, not only just
14 in terms of the construction work, which is very
15 important -- as I mentioned before, my dad was a
16 construction worker and worked on many of the iconic
17 buildings in San Francisco. And it allows me, as his
18 son, his baby, to see his presence and his fingerprint
19 on our city. And I believe that the workers who will
20 work on this particular project will be able to do the
21 same.

22 When it comes to the arts, remember I would
23 love for you guys to look at local artists when you look
24 at furnishing some of the stuff in the office as well as
25 inside.

1 I'm really pleased that the traffic issues
2 have been mitigated. I'm really pleased that the
3 Warriors have actually listened to us and listened to
4 the Commission and listened to the community. And, you
5 know, it's been very thoughtful, and I really appreciate
6 that.

7 That fact that there's been a broad sense of
8 community support has really impressed me. You know, if
9 you're able to go through Ms. Woods from the CAC and she
10 supports you, then you've done your homework. She is
11 very diligent. She's an incredible voice for the
12 community.

13 But you brought along labor, other
14 non-profits, as well as neighbors, including U.C.S.F. to
15 your side, which I commend you for doing that.

16 I think the process that you took to get to
17 this point in something as complex as this could be a
18 standard for development to come in the City.

19 So, Madam Chair, I would love to move this
20 idea.

21 CHAIRPERSON ROSALES: Okay.

22 Can we hold on the motion for a minute --

23 COMMISSIONER BUSTOS: Sure.

24 CHAIRPERSON ROSALES: -- so we -- just to give
25 the other Commissioners a chance to comment?

1 Commissioner Singh.

2 COMMISSIONER SINGH: I think it's a very good
3 project when I see that, and it's -- you know, it's
4 really very good.

5 As Commissioner Bustos said, that traffic and
6 parking has been mitigated, and also support of the
7 U.C.S.F. Associate Chancellor is here.

8 And I have a question for Mr. Lee, the
9 compliance.

10 Mr. Lee, I just want to know that, you know,
11 minority contracts -- SB, WB -- all this, you know, can
12 you explain that?

13

14 RESPONSE TO COMMISSIONER COMMENTS

15 BY CONTRACT COMPLIANCE SUPERVISOR LEE

16

17 CONTRACT COMPLIANCE SUPERVISOR LEE: Sure.

18 Raymond Lee, Contract Compliance Supervisor
19 with OCII.

20 I have to commend the Warriors and their team
21 in terms of working with us in developing a team that we
22 feel is diverse. They have met the objective of the SBE
23 program within OCII. So, the figures that are
24 represented that you see in your package is what it is.
25 It is meeting the objective of our program.

1 COMMISSIONER SINGH: Thank you.

2 I second the motion.

3 CHAIRPERSON ROSALES: Okay.

4 The motion, I haven't asked yet. Now we know
5 we have placeholders.

6 Commission Pimentel.

7 COMMISSIONER PIMENTEL: Good afternoon.

8 I'm so excited to see so many people that have
9 taken time out of their day today to show up and express
10 their opinion.

11 I want to applaud the Warriors. I really
12 related to the gentleman who spoke about having a child
13 and having a family and building memories, and that we
14 live in a major city, and we need to have a world-class
15 stadium as well.

16 And also, seeing how the plans have evolved
17 over time based upon the community feedback and working
18 with local organizations and non-profits, and taking
19 your community efforts and implementing them in San
20 Francisco where you guys would like to build your
21 stadium.

22 So, thank you.

23 CHAIRPERSON ROSALES: Commissioner Mondejar.

24 COMMISSIONER MONDEJAR: Yes. Thank you, Chair
25 Rosales.

1 So, I go with what the rest of my fellow
2 Commissioners have said.

3 I just wanted to applaud the staff, especially
4 Executive Director Bohee. The records, the reports, the
5 briefings that we have received have been very thorough
6 and complete, and you've been able to -- and your staff
7 has been able to respond to our questions and our
8 concerns.

9 And I also want to commend the Warriors for
10 listening to the community, and the -- the community
11 organizations are right here. I just wish there are
12 more women's organizations that have responded and have
13 supported the Warriors. I see a lot of men in this
14 room.

15 But I also wanted to make sure that Ms. Woods'
16 concerns about the inconsistencies in parking and
17 traffic are addressed, which I'm confident will be. And
18 I hold Ms. Woods to make sure that these concerns are
19 addressed and are -- and are completely satisfied.

20 And really, I am happy to support this motion.

21 And I also wanted to commend the MTA and the
22 Planning Commission. They really have provided the
23 information and answers to the questions and concerns
24 about parking and traffic, and also with the things that
25 are coming up in the planning of this -- of the

1 transportation especially.

2 So, I support the motion that has not been
3 presented yet.

4 CHAIRPERSON ROSALES: Yes.

5 I just wanted to add my comments and ask a
6 question of the Executive Director before I take the
7 motion and the second.

8 I'm not going to repeat what my fellow
9 Commissioners have said, because I agree with all of it.

10 I've been a member of the City family for -- I
11 won't tell you how long, but for decades, and I've seen
12 many project with community engagement and attempting at
13 least to listen to what the community has to say, and
14 I've witnessed many consultants and City employees,
15 attorneys, et cetera, put in a lot of effort, but this
16 one pretty much I have to say tops almost all of them in
17 my experience.

18 And, you know, even with the opposition
19 stating, you know, their concerns that are always, you
20 know, valid concerns, I think our responses are
21 adequately -- have been made on the record.

22 I very much appreciate the collaboration with
23 U.C.S.F., the Giants, but I really have to send a lot of
24 kudos to SFMTA with the traffic management, because I
25 was probably the lone Commissioner that kept saying I

1 drive from downtown to Bernal Heights right now on
2 non-game days and I feel those impacts. So, I thank --
3 I want to give kudos there.

4 But also the funding mechanism -- that's
5 critically important -- of the community -- the Mission
6 Bay community in particular voiced, that was necessary,
7 and I certainly support that a hundred percent.

8 So, with that, my question is to the Executive
9 Director on enforcement, because I think it's a valid
10 concern.

11 I read as much as I can without going to sleep
12 about the Mitigation Monitoring and Reporting Program,
13 and I do see, you know, responsibilities allocated.
14 It's all laid out very nicely, but I just want to make
15 sure and I just want you to comment on the mechanisms
16 that we, as the principal agency, responsible, will take
17 to ensure that we have staff, we have agreements, we
18 have everything it takes to ensure that the monitoring
19 will take place.

20 EXECUTIVE DIRECTOR BOHEE: Thank you, Madam
21 Chair.

22 Tiffany Bohee for the record.

23 Madam Chair and Commissioners, your
24 findings -- your CEQA findings resolution under 5-B,
25 there is a resolved clause under 5-B in those CEQA

1 findings, which include the Mitigation Monitoring and
2 Reporting Program, that provide for the Commission to
3 delegate the authority to enter into agreements with
4 other entities, including other City departments or
5 other entities as we see fit in order to assist OCII in
6 the enforcement of the Mitigation Monitoring and
7 Reporting Program, and that procedure you'll see through
8 the annual budget process.

9 That's one that we're making sure, as we move
10 forward, there are adequate resources. One, there are
11 adequate resources today, and certainly there will be in
12 the future.

13 Two, as you heard from Chris Kern at the
14 Planning staff, there are the unusual step the team has
15 taken in the preparation of the Mitigation Monitoring
16 Reporting Program, not just an annual report on all of
17 the measures that are required to be followed, but also
18 there are significant enforcement measures and
19 corrective action that are provided for that the
20 Commission and other entities may take. And they
21 include withholding permits, court remedies, criminal
22 prosecution, et cetera. So, there is an enforcement
23 mechanism with teeth in addition to reporting and
24 adequate resources for staff.

25 CHAIRPERSON ROSALES: Great. Thank you.

1 So, now, with that, are there any other
2 questions?

3 I will entertain a motion.

4 COMMISSIONER BUSTOS: So moved.

5 CHAIRPERSON ROSALES: Moved by Commissioner
6 Bustos.

7 COMMISSIONER SINGH: Second.

8 CHAIRPERSON ROSALES: Seconded by Commissioner
9 Singh.

10 Madam Secretary, please call the roll on 5-A.

11 COMMISSION SECRETARY GUERRA: Commission
12 Members, please announce your vote when I call your name
13 for 5-A.

14 Commissioner Pimentel.

15 COMMISSIONER PIMENTEL: Yes.

16 COMMISSION SECRETARY GUERRA: Commissioner
17 Mondejar.

18 COMMISSIONER MONDEJAR: Yes.

19 COMMISSION SECRETARY GUERRA: Commissioner
20 Singh.

21 COMMISSIONER SINGH: Yes.

22 COMMISSION SECRETARY GUERRA: Commissioner
23 Bustos.

24 COMMISSIONER BUSTOS: Yes.

25 COMMISSION SECRETARY GUERRA: Madam Chair

1 Rosales.

2 CHAIRPERSON ROSALES: Yes.

3 COMMISSION SECRETARY GUERRA: Madam Chair, I
4 have five ayes.

5 CHAIRPERSON ROSALES: Okay.

6 With the Commission's permission, we have the
7 same call on 5-A in terms of motion and second. So,
8 it's been both moved by Commissioner Bustos and seconded
9 by Commissioner Singh.

10 Please call the roll.

11 COMMISSION SECRETARY GUERRA: Commission
12 Members, please announce your vote when I call your
13 name.

14 Commissioner Pimentel.

15 COMMISSIONER PIMENTEL: Yes.

16 COMMISSION SECRETARY GUERRA: Commissioner
17 Mondejar.

18 COMMISSIONER MONDEJAR: Yes.

19 COMMISSION SECRETARY GUERRA: Commissioner
20 Singh.

21 COMMISSIONER SINGH: Yes.

22 COMMISSION SECRETARY GUERRA: Commissioner
23 Bustos.

24 COMMISSIONER BUSTOS: Yes.

25 COMMISSION SECRETARY GUERRA: Madam Chair

1 Rosales.

2 CHAIRPERSON ROSALES: Yes.

3 COMMISSION SECRETARY GUERRA: Madam Chair, I
4 have five ayes.

5 CHAIRPERSON ROSALES: Okay. So, 5-A and -B
6 are adopted.

7 Okay. So, we have 5-C, -D, and -E, but before
8 moving to action, we would like to hear from our
9 Executive Director on 5-E on the secondary use
10 determination.

11 EXECUTIVE DIRECTOR BOHEE: Thank you, Madam
12 Chair, Commissioners.

13 Staff have presented the information that I
14 will use in making my determination on the secondary use
15 finding.

16 Before making that determination, does the
17 Commission have any additional questions?

18 CHAIRPERSON ROSALES: Any members that would
19 like to ask the Director on the secondary use issue?

20 (No response)

21 EXECUTIVE DIRECTOR BOHEE: Thank you,
22 Commissioners.

23 After considering the materials in the record
24 and the Public Comment, I approve the secondary use
25 findings circulated for public review as my official

1 determination.

2 CHAIRPERSON ROSALES: Thank you.

3 Okay. So, we have before us 5-C and 5-D. I
4 think we can take them separately.

5 So, do I have a motion for item 5-C approving
6 amendments to the Mission Bay South Design for
7 Development?

8 COMMISSIONER SINGH: Move.

9 COMMISSIONER PIMENTEL: Second.

10 CHAIRPERSON ROSALES: Okay.

11 It's been moved by Commissioner Singh and
12 seconded by Commissioner Pimentel.

13 Please call the roll.

14 COMMISSION SECRETARY GUERRA: Commission
15 Members, please announce your vote when I call your
16 name.

17 Commissioner Pimentel.

18 COMMISSIONER PIMENTEL: Yes.

19 COMMISSION SECRETARY GUERRA: Commissioner
20 Mondejar.

21 COMMISSIONER MONDEJAR: Yes.

22 COMMISSION SECRETARY GUERRA: Commissioner
23 Singh.

24 COMMISSIONER SINGH: Yes.

25 COMMISSION SECRETARY GUERRA: Commissioner

1 Bustos.

2 COMMISSIONER BUSTOS: Yes.

3 COMMISSION SECRETARY GUERRA: Madam Chair

4 Rosales.

5 CHAIRPERSON ROSALES: Yes.

6 COMMISSION SECRETARY GUERRA: Madam Chair, the
7 vote is five ayes.

8 CHAIRPERSON ROSALES: Okay. So, 5-C is also
9 adopted.

10 Do we have the same motion and second for 5-D?

11 COMMISSIONER SINGH: Yes.

12 CHAIRPERSON ROSALES: Okay.

13 Will you please call the roll?

14 COMMISSION SECRETARY GUERRA: Please announce
15 your vote when I call your name.

16 Commissioner Pimentel.

17 COMMISSIONER PIMENTEL: Yes.

18 COMMISSION SECRETARY GUERRA: Commissioner

19 Mondejar.

20 COMMISSIONER MONDEJAR: Yes.

21 COMMISSION SECRETARY GUERRA: Commissioner

22 Singh.

23 COMMISSIONER SINGH: Yes.

24 COMMISSION SECRETARY GUERRA: Commissioner

25 Bustos.

1 COMMISSIONER BUSTOS: Yes.

2 COMMISSION SECRETARY GUERRA: Madam Chair
3 Rosales.

4 CHAIRPERSON ROSALES: Yes.

5 COMMISSION SECRETARY GUERRA: Madam Chair, the
6 vote is five ayes.

7 CHAIRPERSON ROSALES: Okay. So, 5-D is also
8 passed.

9 Okay. I want to thank everyone.

10 Oh, no. I doesn't include our calendar, but
11 it -- there's no action on E.

12 EXECUTIVE DIRECTOR BOHEE: I've made my
13 official determination.

14 CHAIRPERSON ROSALES: So, congratulations.

15 (Audience applauds.)

16 So, now we have the balance of the calendar,
17 but we can wait a little bit if folks want to not stay
18 with us.

19 (Audience exits room.)

20 CHAIRPERSON ROSALES: Okay. It seems
21 unbelievable, but we still have items on the calendar
22 that need to be addressed.

23 Call the next --

24 COMMISSION SECRETARY GUERRA: The next order
25 of business is Item 6, Public Comment on Non-Agenda

1 Items.

2 CHAIRPERSON ROSALES: Do we have any speaker
3 cards?

4 COMMISSION SECRETARY GUERRA: I do not.

5 CHAIRPERSON ROSALES: Okay. Please call the
6 next item.

7 COMMISSION SECRETARY GUERRA: The next order
8 of business is Item 7, Report of the Chair.

9 Madam Chair.

10 CHAIRPERSON ROSALES: I do not have a report.

11 COMMISSION SECRETARY GUERRA: The next order
12 of business is Item 8, Report of the Executive Director.

13 Madam Executive Director.

14 EXECUTIVE DIRECTOR BOHEE: Commissioners, just
15 to say that our next meeting is November 17th, and
16 we'll be in the regular meeting room and time.

17 That concludes my report.

18 CHAIRPERSON ROSALES: Okay.

19 Again, that there is no member of the public
20 here to comment, so we can move on to the next item.

21 COMMISSION SECRETARY GUERRA: The next item of
22 the business is Item 9, Commissioners' Questions and
23 Matters.

24 Madam Chair.

25 CHAIRPERSON ROSALES: Okay.

1 Does any Commissioner have a question or
2 matter for the Executive Director?

3 (No response)

4 COMMISSIONER MONDEJAR: Oh, I want to
5 congratulate Tiffany Bohee for receiving the Most
6 Influential for Latina Women Award.

7 CHAIRPERSON ROSALES: Congratulations.

8 COMMISSIONER MONDEJAR: And I finally met her
9 husband.

10 COMMISSION SECRETARY GUERRA: And the next
11 order of business is Item 10, Adjournment.

12 Madam Chair.

13 CHAIRPERSON ROSALES: Yes. The meeting is
14 adjourned at 2:00 p.m.

15 (Whereupon, at 2:00 p.m., the Special
16 Meeting of the San Francisco Commission
17 on Community Investment and Infrastructure
18 was adjourned.)

19
20 ---oOo---

CERTIFICATE OF REPORTER

I, KATY LEONARD, a Certified Shorthand Reporter, hereby certify that the foregoing proceedings were taken in shorthand by me at the time and place therein stated, and that the said proceedings were thereafter reduced to typewriting, by computer, under my direction and supervision;

And I further certify that I am not of counsel or attorney for either or any of the parties to said matter, nor in any way interested in the outcome of the cause named herein.

DATED: November 6, 2015



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