

London N. Breed
MAYOR



Miguel Bustos
CHAIR

Mara Rosales
VICE-CHAIR

Nadia Sesay
EXECUTIVE DIRECTOR

Bivett Brackett
Dr. Carolyn Ransom-Scott
COMMISSIONERS

**MINUTES OF A REGULAR MEETING OF THE
COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE
OF THE CITY AND COUNTY OF SAN FRANCISCO HELD ON THE
1st DAY OF DECEMBER 2020**

The members of the Commission on Community Investment and Infrastructure of the City and County of San Francisco met in a regular meeting via teleconference at 1:00 p.m. on the 1st day of December 2020. The public was invited to watch the meeting live on SFGOVTV: <https://sfgovtv.org/ccii>

PUBLIC COMMENT CALL-IN: 1-415-655-0001 **ACCESS CODE:** 146 671 6888

In accordance with Governor Gavin Newsom's statewide order for all residents to "Stay at Home" - and the numerous preceding local and state proclamations, orders and supplemental directions - aggressive directives were issued to slow down and reduce the spread of the COVID-19 virus. Individuals were encouraged to participate in the meetings remotely by calling in during the public comment section of the meeting.

REGULAR MEETING AGENDA

1. Recognition of a Quorum

Meeting was called to order at 1:02 p.m. by Chair Bustos. Roll call was taken.

Commissioner Brackett - present
Commissioner Scott - present
Vice-Chair Rosales - present
Chair Bustos - present

All Commissioners were present.

2. Announcements

- a) The next regularly scheduled Commission meeting will be held remotely on Tuesday, December 15, 2020 at 1:00 pm.
- b) Announcement of Time Allotment for Public Comments from participants dialing in: Please be advised a member of the public has up to three minutes to make pertinent public comments on each agenda item unless the Commission adopts a shorter period on any item. Please note that during the public comment period, all dial-in participants from the public will be instructed to call a toll-free number and use their touch-tone phones to register any desire for public comment. Comments will be taken in the order that it was received. Audio prompts will signal to dial-in participants when their audio input has been enabled for commenting.

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Secretary Cruz read instructions for the public to call in.

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

4. Matters of Unfinished Business - None

5. Matters of New Business:

CONSENT AGENDA

a) Approval of minutes of regular meeting of October 20, 2020

PUBLIC COMMENT - None

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

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

Commissioner Brackett – yes

Commissioner Scott - yes

Vice-Chair Rosales - yes

Chair Bustos – yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS THAT APPROVAL OF MINUTES OF THE REGULAR MEETING OF OCTOBER 20, 2020, BE ADOPTED.

b) Authorizing a Second Amendment to the Personal Services Contract with Century Urban LLC, a California Limited Liability Company, (“Contractor”) to increase the Contract amount by \$21,000 for a total not to exceed amount of \$97,000 for the negotiation of a Disposition and Development Agreement for Transbay Block 4, Assessor’s Parcel No. 3739, Portion of Lot 008; Transbay Redevelopment Project Area (Action) (Resolution No. 36-2020)

PUBLIC COMMENT

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

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

Commissioner Brackett – yes

Commissioner Scott - yes

Vice-Chair Rosales - yes

Chair Bustos – yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS THAT RESOLUTION NO. 36-2020, AUTHORIZING A SECOND AMENDMENT TO THE PERSONAL SERVICES CONTRACT WITH CENTURY URBAN LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, (“CONTRACTOR”) TO INCREASE THE CONTRACT AMOUNT BY \$21,000 FOR A TOTAL NOT TO EXCEED AMOUNT OF \$97,000 FOR THE NEGOTIATION OF A DISPOSITION AND DEVELOPMENT AGREEMENT FOR TRANSBAY BLOCK 4, ASSESSOR’S PARCEL NO. 3739, PORTION OF LOT 008; TRANSBAY REDEVELOPMENT PROJECT AREA, BE ADOPTED.

REGULAR AGENDA

- c) Appointing an Interim Executive Director of the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (Discussion and Action) (Resolution No. 37-2020)

Presenters: Nadia Sesay, Executive Director; Monica Davis Stean, HR Administrative Services Manager

PUBLIC COMMENT – None

Commissioner Scott commended Sally Oerth, current OCII Deputy Director, and supported her appointment for Interim Executive Director.

Vice-Chair Rosales supported the appointment of Ms. Oerth for Interim Executive Director.

As background, Chair Bustos announced that Ms. Sesay was leaving the position of Executive Director of OCII and thanked Ms. Oerth for stepping in to take over the position.

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

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

Commissioner Brackett – yes

Commissioner Scott - yes

Vice-Chair Rosales - yes

Chair Bustos – yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS THAT RESOLUTION NO. 37-2020, APPOINTING SALLY OERTH AS INTERIM EXECUTIVE DIRECTOR OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO, BE ADOPTED.

- d) Commending and expressing appreciation to Nadia Sesay for her dedicated service upon her departure as Executive Director of the Office of Community Investment and Infrastructure (Discussion and Action) (Resolution No. 38-2020)

Chair Bustos announced that this would be Ms. Sesay's last day and stated that she would be missed very much.

Each Commissioner read a portion of the resolution which described Ms. Sesay's civic history with the City of San Francisco (SF) and with OCII. The resolution commended and expressed appreciation to Ms. Sesay for her dedicated service to OCII.

PUBLIC COMMENT

Speaker: Marc Slutzkin, Project Manager, Mission Bay

Mr. Slutzkin stated on behalf of the Mission Bay team that Ms. Sesay had been great to work for and work with, was a great leader and friend, working through getting the Chase Center opened as well as many other projects, and they were very sad to see her go. He wished her the best.

Commissioner Scott stated that Ms. Sesay was the prime example of a humanitarian with the spirit of love and kindness. She recalled that from the moment she met Ms. Sesay, she knew she was a great leader who had a genuine love for the City, especially for those in the marginalized populations.

Commissioner Brackett stated that she was honored to have worked with Ms. Sesay for the past year and a half and commended her for all the work accomplished due to her leadership and praised how much she worked with and took care of the needs of the community. Ms. Brackett listed other additional community benefits which were gained due to Ms. Sesay's extraordinary negotiation skills. She stated that Ms. Sesay would be missed, and she wished her the best.

Vice-Chair Rosales thanked Ms. Sesay for being a friend to her and was grateful for her service to the City. Ms. Rosales stated that from the start she was sure that Ms. Sesay would be totally successful in the position of Executive Director. She displayed humility, intent, ability to listen and lead, persuade, and provide confidence to the public and the community. Ms. Rosales hoped that Ms. Sesay would stay in touch.

Chair Bustos stated that Ms. Sesay was able to put the public and the service together as a public servant and pointed out the immense heart that she had displayed in her leadership and work.

Commissioner Brackett motioned to move Item 5(d) and Vice-Chair Rosales seconded that motion.

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

Commissioner Brackett – yes

Commissioner Scott - yes

Vice-Chair Rosales - yes

Chair Bustos – yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS THAT RESOLUTION NO. 38-2020, COMMENDING AND EXPRESSING APPRECIATION TO NADIA SESAY FOR HER DEDICATED SERVICE UPON HER DEPARTURE AS EXECUTIVE DIRECTOR OF THE OFFICE OF COMMUNITY INVESTMENT AND INFRASTRUCTURE, BE ADOPTED.

Executive Director Sesay stated that this had been a very difficult decision for her and that she was grateful and honored to have been able to work with the Commissioners who also became friends and who made her a better leader through their knowledge and experience. She commended her staff who she learned from and praised their high quality of work. She credited her staff with the ability to help OCII implement amazing policies, advance affordable housing, create opportunities for workforce and small business, among many other accomplishments. Ms. Sesay stated that she would take this education forward with her. She also thanked other City agency members as well as the Mayor and Board of Supervisors who had helped her get through her time with OCII.

- e) Conditionally Approving an Amendment to the Schematic Design for Rincon Center, located at 101 Spear Street, to convert approximately 67,442 square feet of ground floor retail use to office use; Rincon Point - South Beach Redevelopment Project Area (Discussion and Action) (Resolution No. 39-2020)

Presenters: Nadia Sesay, Executive Director; Laura Shifley, Associate Planner, Planning Division; Melinda Sarjapur, Attorney, Reuben, Junius & Rose LLP; Carl Cade, VP Construction, Hudson Pacific Properties

PUBLIC COMMENT – None

Commissioner Scott thanked the team for the comprehensive presentation.

Commissioner Brackett referred to the fact that many changes had been made due to COVID 19. She referred to existing businesses which had occupied the space prior to COVID and inquired about whether they would remain or whether they would be removed; she referred to the difference of about 3,000' according to the schematic design and inquired about whether there were any businesses that wanted to remain but were not allowed to given the circumstances.

Ms. Shifley responded that there was one restaurant which remained at the corner, with more retail façade exposure to the street. She deferred to Mr. Cade for more detail.

Mr. Cade responded that they had one long-term restaurant that wanted to remain and that they would renew that lease but the remainder of the businesses had moved into the courtyard to a new location. He stated that they would be honoring all leases going forward. He indicated that several of the retailers were interested in moving on and others preferred to move to an external facing location in the courtyard side where they would have better foot traffic.

Executive Director Sesay reiterated that this had been a challenging location for any business to be in.

Ms. Shifley referred to Slide 10—a ground floor plan of the Rincon Annex building—which displayed the historic post office lobby to be retained, as well as the corner restaurant that will remain on the ground floor.

Vice-Chair Rosales inquired about the Yank Sing Restaurant and whether it would remain there.

Mr. Cade responded in the affirmative. He stated that Yank Sing had a long-term lease and they would continue to work with them to be able to stay.

Chair Bustos stated that he had worked in that building many years ago and he remembered that there were a number of spaces that were always empty. He appreciated the fact that they were trying to help the businesses who wanted to remain and was pleased that Yank Sing would be able to stay because he enjoyed that restaurant. Mr. Bustos inquired about the status of the murals in the rotunda area and the lobby.

Mr. Cade responded that the historic murals were in the historic lobby which was protected and would be untouched by this project and which would remain open to the public. He responded that the other rotunda murals were from the 1990's and not considered historic and had already been removed.

Commissioner Scott motioned to move Item 5(e) and Commissioner Brackett seconded that motion.

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

Commissioner Brackett – yes
Commissioner Scott - yes
Vice-Chair Rosales - yes
Chair Bustos – yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS THAT RESOLUTION NO. 39-2020, CONDITIONALLY APPROVING AN AMENDMENT TO THE SCHEMATIC DESIGN FOR RINCON CENTER, LOCATED AT 101 SPEAR STREET, TO CONVERT APPROXIMATELY 67,442 SQUARE FEET OF GROUND FLOOR RETAIL USE TO OFFICE USE; RINCON POINT - SOUTH BEACH REDEVELOPMENT PROJECT AREA, BE ADOPTED.

f) Workshop on Annual Housing Production Report Fiscal Year 2019-20 (Discussion)

Presenters: Nadia Sesay, Executive Director; Jeff White, Housing Program Manager

PUBLIC COMMENT – None

Chair Bustos thanked Mr. White and team for his hard work and presentation.

Agenda items 5(g) and 5(h) related to the Certificate of Preference Program were presented together but the Commission only took action on item 5(h)

g) Workshop on Annual Certificate of Preference Marketing and Outreach Report Fiscal Year 2019-20 from the Mayor's Office of Housing and Community Development (Discussion)

h) Approving the second, of two, five-year extensions of Residential A and C Certificates as authorized under the Property Owner and Occupant Preference Program (Certificate of Preference Program) (Discussion and Action) (Resolution No. 40-2020)

Presenters: Nadia Sesay, Executive Director; Pamela Sims, Senior Development Specialist, Housing Division; Jim Morales, General Counsel and Deputy Director

PUBLIC COMMENT

Speakers: [Unclear] O'Meara, Executive Board, [Unclear] Democratic Club and President, Black Women Caucus; Cheryl Thornton, employee, San Francisco Health Dept and youth advisor for NAACP; Gwendolyn Brown, co-founder of SF Black Wall Street; Sydney Carter, co-founder of SF Black Wall Street; [Unclear], member of SF Black Wall Street; Curtis Woo, outreach coordinator, Bill Sorro Housing Program

Ms. O'Meara stated that she was an immigrant, activist and organizer in her community and that one of her jobs was to address the issues affecting black people and people of color. She felt strongly that the COP program should be extended indefinitely and not have any date put on it. Ms. O'Meara spoke about reparations for people of color and native peoples and the fact that many had nothing. She reiterated the need to conduct extensive outreach to inform people of their rights, especially for black and Latino communities.

Ms. Thornton stated that the COP program should be indefinite due to the harm that the SF gentrification process had done to black people, especially due to redlining. She asserted that City housing practices and policies had been devastating to black communities. Ms. Thornton also supported more outreach to help bring people back to SF.

Ms. Brown echoed what the other callers had said and stated that the COP program should be extended indefinitely. She stressed that the redevelopment displacement had had profound impact on the economic progress of the black community. Ms. Brown acknowledged that the COP program was more focused on affordable housing and rental opportunities, but her organization supported economic wealth and freedom through home ownership.

Ms. Carter requested that the COP program be extended permanently. She reiterated that the SF redevelopment program had destroyed the black community and they needed more time to build back the black community in SF.

Ms. [Unclear] requested an indefinite extension of the COP program. As an immigrant, she felt that the displaced black community should be able to return to the City that they helped to build.

Mr. Woo stated that his organization was a SF non-profit that helped households navigate through the lottery system. He urged OCII to extend the program indefinitely and make it more accessible. He mentioned that the COP program was the least the City could do for the black community given the historic policies that had chipped away at black residency in the City.

Commissioner Scott thanked the community for stepping up to comment on this issue. She stated that they needed to take the brakes off and extend this program indefinitely and allow the black community as much time as it needed to return to the City.

Commissioner Brackett read a statement that she had prepared for this item. She referred to and expanded on the right-of-return principle in international law which allowed everyone to return to their place of birth. She spoke about the history of the black community in SF and displacement of black families by the SF redevelopment program. Later, she explained, the SF Redevelopment Agency created the COP program to ensure the right of return for the black community. Ms. Brackett described the steady decline of the SF black community. She reported that over 7 years only 83 of 1,283 lottery units had been secured by COP holders, or 6%. Thirty of those families were people who returned to SF. Ms. Brackett did an extensive review of the history of the COP program. She reported that none of the small businesses were ever issued their B certificates and thousands of residential A & C COP holders had not been claimed because records had been lost and due to poorly executed outreach strategies. Ms. Brackett requested that an amendment be adopted to remove the current clause and instate a new clause to amend the time limit until all projects areas were completed, which may not be finished for another 40 years.

Vice-Chair Rosales inquired about the status of certain ongoing studies ordered by former Mayor Lee regarding the outward migration of African Americans from SF.

Executive Director Sesay responded that she did not know the status of these studies.

Mr. Morales responded that he was not aware of these studies, so had no comment on them.

Commissioner Brackett interjected that there was a report done in 2009 by the Mayor's task force on African American out migration.

Vice-Chair Rosales stated that since then there was some action taken under Mayor Lee regarding that report, she stated that she was in support of the short-term extension of the program but was also interested in finding out what had happened since that time. Ms. Rosales pointed out that serious questions had been raised and the COP program was a small remedy for the harm done to African American San Franciscans. She recommended taking time to consider more information perhaps from the Mayor's Office and the City or Board of Supervisors to make a decision on an indefinite and permanent extension of this program.

Chair Bustos agreed with the need to extend this program. He expressed interest in seeing the 2009 report. Mr. Bustos asked Commissioner Brackett about whether she would be willing to continue this item to perhaps early January in order to acquire more information on this issue.

Commissioner Brackett responded that she was in agreement to continue this item because there were other issues, such as the inheritability of the certificate and the Certificate B issues, which also needed to be considered. She explained that most of the people originally displaced were now senior citizens and their children and grandchildren needed to be able to inherit their certificates to be able to return to SF. Ms. Brackett stated that the last study on inheritability issue was being handled by Fred Blackwell and stopped when he left. COP inheritability was a promise made by the Board of Supervisors 15 years ago to codify the inheritability of the COP certificates into law.

Executive Director Sesay concurred on all the comments made by Commissioners but wanted Commissioners to be aware of the time sensitivity of this item. She explained that the City was still working on this issue but they needed to extend the current item another five years to be able to continue this work. If they were to continue this issue, they would have to make a decision on this by December 15 because if they went to January, it would expire and be gone.

Chair Bustos suggested they approve this item now and to direct staff within the next 30-45 days to look at the issues brought up and then start working on this next year.

Commissioner Brackett was not in agreement with this idea because that would mean passing it off to the Mayor's Office of Housing. She stressed that OCII had the power and discretion to amend this indefinitely and that they should do this now and not pass it to another City agency.

Chair Bustos stated that there was a motion to amend this item as outlined by Commissioner Brackett and that it had been moved by her. There was no second to this item.

Commissioner Scott suggested they take time to look and read Commissioner Brackett's amendment first and then take action on it on December 15.

Commissioner Brackett was in agreement to continue this item to December 15.

Commissioner Brackett motioned to continue Item 5(h) until December 15 and Commissioner Scott seconded that motion.

Mr. Morales clarified that continuing this item was specifically for just this item but would not amend this item, which would require another agenda item on December 15, so there would be two items on the agenda for this item.

Chair Bustos reiterated that there would be two separate items and actions regarding this item on the agenda for the December 15 meeting.

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

Commissioner Brackett – yes
Commissioner Scott - yes
Vice-Chair Rosales - yes
Chair Bustos – yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS THAT CONTINUANCE OF RESOLUTION NO. 40-2020, APPROVING THE SECOND, OF TWO, FIVE-YEAR EXTENSIONS OF RESIDENTIAL A AND C CERTIFICATES AS AUTHORIZED UNDER THE PROPERTY OWNER AND OCCUPANT PREFERENCE PROGRAM (CERTIFICATE OF PREFERENCE PROGRAM), UNTIL DECEMBER 15, BE ADOPTED.

6. Public Comment on Non-Agenda Items - None

7. Report of the Chair

Chair Bustos stated that he had no report.

8. Report of the Executive Director

- a) Informational Memorandum on Issuance of a Request for Proposals to seek a consultant who can search for individuals who may be eligible to receive a Certificate of Preference; All Redevelopment Project Areas (Discussion)
- b) Informational Memorandum on Issuance of a Request for Proposals for interim activation of the former Transbay Temporary Terminal Site; Transbay Redevelopment Project Area (Discussion)

Regarding 8a), Executive Director Sesay reported that they had already discussed the RFP for a COP consultant in prior items.

Regarding 8b) Executive Director Sesay stated that there had been a few town hall meetings with the community who wanted to activate the temporary terminal to transfer the asset from the Transbay Joint Powers Authority (TJPA), among other things, to OCII. She explained that they were in the process of making this transfer, which would occur in early January. Ms. Sesay reported that knowing that development would start in the spring of 2022 and go beyond, the community wanted to see that space activated and they were proposing to issue an RFP for that activation this week.

PUBLIC COMMENT - None

Commissioner Brackett referred to the selection process on Feb 3 for Item 8b) and inquired about what the outreach would look like before that date.

Denise Zermani, Senior Development Specialist, Real Estate Division, responded that they were putting together a list of parties that might be interested in this type of opportunity, including farmers markets, outdoor recreation uses, food trucks, etc. and that the outreach would be done via the City's contracting website and OCII's website. She reported that the TJPA would be emailing the RFP announcement to its mailing list, and OCII would also send the announcement to the Transbay CAC. Ms. Zermani welcomed any additional suggestions.

Executive Director Sesay added that the OEWD would also be helping in this effort.

9. Commissioners' Questions and Matters

Commissioner Brackett reminded Commissioners that last year they had discussed their intent to break up into committees and meet and requested that they start setting up quarterly meetings for more community feedback.

10. Closed Session

- a) Conference with Legal Counsel-Anticipated Litigation: Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 (one case) (Discussion)

Chair Bustos announced that they were not ready to discuss this item and requested a motion to continue this item to the next meeting.

Commissioner Scott motioned to continue this item for the next meeting and Vice-Chair Rosales seconded that motion.

Secretary Cruz called for a voice vote on Item 10a).

Commissioner Brackett – yes

Commissioner Scott - yes

Vice-Chair Rosales - yes

Chair Bustos – yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS THAT CONTINUANCE OF THE CLOSED SESSION DISCUSSION OF THE CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION: INITIATION OF LITIGATION PURSUANT TO PARAGRAPH (4) OF SUBDIVISION (D) OF SECTION 54956.9 (ONE CASE) UNTIL THE NEXT MEETING, BE ADOPTED.

11. Adjournment

Commissioner Scott motioned to adjourn this meeting in honor of Nadia Sesay and Vice-Chair Rosales seconded that motion.

Chair Bustos adjourned the meeting at 3:31 p.m.

Respectfully submitted,



Jaimie Cruz
Commission Secretary