

London N. Breed
MAYOR



Miguel Bustos
CHAIR

Mara Rosales
VICE-CHAIR

Bivett Brackett
Alex Ludlum
Dr. Carolyn Ransom-Scott
COMMISSIONERS

Thor Kaslofsky
EXECUTIVE DIRECTOR

**MINUTES OF A REGULAR MEETING OF THE
COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE
OF THE CITY AND COUNTY OF SAN FRANCISCO HELD ON THE
20TH DAY OF SEPTEMBER 2022**

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 20th day of September 2022. 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:** 2483 585 8587

In accordance with the numerous local and state proclamations, order and supplemental directions, aggressive directives have been issued to slow down and reduce the spread of the COVID-19 virus. Individuals are encouraged to participate in the meetings remotely by calling in during the public comment section of the meeting. Visit the SFGovTV website (www.sfgovtv.org) to stream the live meetings or watch them on demand.

REGULAR MEETING AGENDA

1. Recognition of a Quorum

Meeting was called to order at 1:00 p.m. by Chair Bustos. Roll call was taken.

Commissioner Brackett – absent
Commissioner Ludlum - present
Commissioner Scott - present
Vice-Chair Rosales - present
Chair Bustos - present

Commissioner Brackett arrived late; all other Commissioners were present.

2. Announcements

- a) The next regularly scheduled Commission meeting will be held remotely on Tuesday, October 4, 2022 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 to provide 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.

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:

Chair Bustos requested that Item 5b of the Regular Agenda be taken out of order and dealt with first.

REGULAR AGENDA

b) Authorizing the continuation of teleconferenced meetings and making findings in support thereof under California Government Code Section 54953(e) (Discussion and Action) (Resolution No. 27-2022)

Presenter: Thor Kaslofsky, Executive Director

PUBLIC COMMENT - None

Commissioner Scott motioned to move Item 5(b) and Commissioner Ludlum seconded that motion.

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

Commissioner Brackett – absent

Commissioner Ludlum - yes

Commissioner Scott - yes

Vice-Chair Rosales - yes

Chair Bustos - yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS WITH ONE ABSENCE THAT RESOLUTION NO. 27-2022, AUTHORIZING THE CONTINUATION OF TELECONFERENCED MEETINGS AND MAKING FINDINGS IN SUPPORT THEREOF UNDER CALIFORNIA GOVERNMENT CODE SECTION 54953(e), BE ADOPTED.

CONSENT AGENDA

a) Approval of Minutes of Regular Meeting of August 2, 2022

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 – absent
Commissioner Ludlum - yes
Commissioner Scott - yes
Vice-Chair Rosales - yes
Chair Bustos - yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS WITH ONE ABSENCE THAT APPROVAL FOR THE MINUTES OF REGULAR MEETING OF AUGUST 2, 2022, BE ADOPTED.

REGULAR AGENDA

Agenda Item Nos. 5(c) through 5(f) related to bond items were presented together, but acted on separately

- c) Authorizing a Personal Services Contract with PFM California Advisors, LLC, a Delaware Limited Liability Company, in an amount not to exceed \$170,000, for financial advisory services in connection with the proposed issuance of tax allocation revenue bonds and tax allocation revenue refunding bonds (Discussion and Action) (Resolution No. 28-2022)
- d) Authorizing a Personal Services Contract with Fieldman, Rolapp and Associates, Inc., in an amount not to exceed \$86,500, for financial advisory services in connection with the proposed issuance of City and County of San Francisco Community Facilities District No. 6 (Mission Bay South) Special Tax Refunding Bonds (Discussion and Action) (Resolution No. 29-2022)
- e) Authorizing a Legal Services Contract with the Law Offices of Alexis S. M. Chiu, in an amount not to exceed \$121,000, for disclosure counsel services in connection with the proposed issuance of tax allocation revenue bonds and tax allocation revenue refunding bonds (Discussion and Action) (Resolution No. 30-2022)
- f) Authorizing a Legal Services Contract with Jones Hall, a professional law corporation, in an amount not to exceed \$308,000 for bond counsel services in connection with the proposed issuance of tax allocation revenue bonds and tax allocation revenue refunding bonds and for bond and disclosure counsel services in connection with the proposed issuance of City and County of San Francisco Community Facilities District No. 6 (Mission Bay South) Special Tax Refunding Bonds (Discussion and Action) (Resolution No. 31- 2022)

Presenters: Thor Kaslofsky, Executive Director; John Daigle, Debt Manager

PUBLIC COMMENT - None

Commissioner Ludlum stated that because the consultants were chosen by the staff and consistent with the annual budget presented at a prior meeting, he was confident in their selections.

Vice-Chair Rosales stated that the team was solid and that they had worked with all the above consultants before. She inquired about how often the City Panel was established and at what intervals.

Mr. Daigle responded that it was every two years for the ones established by the Office of Public Finance. He explained that it was less consistent with City Attorney's Office because their rules were different, and they could extend the term. He reported that their terms were that the panel must remain in effect until it was replaced which was outlined in the memo.

Commissioner Scott motioned to move Item 5(c) and Commissioner Ludlum seconded that motion.

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

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

ADOPTION: IT WAS VOTED UNANIMOUSLY BY FIVE COMMISSIONERS THAT RESOLUTION NO. 28-2022, AUTHORIZING A PERSONAL SERVICES CONTRACT WITH PFM CALIFORNIA ADVISORS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, IN AN AMOUNT NOT TO EXCEED \$170,000, FOR FINANCIAL ADVISORY SERVICES IN CONNECTION WITH THE PROPOSED ISSUANCE OF TAX ALLOCATION REVENUE BONDS AND TAX ALLOCATION REVENUE REFUNDING BONDS, BE ADOPTED.

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

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

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

ADOPTION: IT WAS VOTED UNANIMOUSLY BY FIVE COMMISSIONERS THAT RESOLUTION NO. 29-2022, AUTHORIZING A PERSONAL SERVICES CONTRACT WITH FIELDMAN, ROLAPP AND ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED \$86,500, FOR FINANCIAL ADVISORY SERVICES IN CONNECTION WITH THE PROPOSED ISSUANCE OF CITY AND COUNTY OF SAN FRANCISCO COMMUNITY FACILITIES DISTRICT NO. 6 (MISSION BAY SOUTH) SPECIAL TAX REFUNDING BONDS, BE ADOPTED.

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

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

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

ADOPTION: IT WAS VOTED UNANIMOUSLY BY FIVE COMMISSIONERS THAT RESOLUTION NO. 30-2022, AUTHORIZING A LEGAL SERVICES CONTRACT WITH THE LAW OFFICES OF ALEXIS S. M. CHIU, IN AN AMOUNT NOT TO EXCEED \$121,000, FOR DISCLOSURE COUNSEL SERVICES IN CONNECTION WITH THE PROPOSED ISSUANCE OF TAX ALLOCATION REVENUE BONDS AND TAX ALLOCATION REVENUE REFUNDING BONDS, BE ADOPTED.

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

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

Commissioner Brackett – yes

Commissioner Ludlum - yes

Commissioner Scott - yes

Vice-Chair Rosales - yes

Chair Bustos – yes

ADOPTION: IT WAS VOTED UNANIMOUSLY BY FIVE COMMISSIONERS THAT RESOLUTION NO. 31-2022, AUTHORIZING A LEGAL SERVICES CONTRACT WITH JONES HALL, A PROFESSIONAL LAW CORPORATION, IN AN AMOUNT NOT TO EXCEED \$308,000 FOR BOND COUNSEL SERVICES IN CONNECTION WITH THE PROPOSED ISSUANCE OF TAX ALLOCATION REVENUE BONDS AND TAX ALLOCATION REVENUE REFUNDING BONDS AND FOR BOND AND DISCLOSURE COUNSEL SERVICES IN CONNECTION WITH THE PROPOSED ISSUANCE OF CITY AND COUNTY OF SAN FRANCISCO COMMUNITY FACILITIES DISTRICT NO. 6 (MISSION BAY SOUTH) SPECIAL TAX REFUNDING BONDS, BE ADOPTED.

g) g) Workshop on Amendment to the 2022-2023 Recognized Obligation Payment Schedule for January 1, 2023, to June 30, 2023 (Discussion)

Presenters: Thor Kaslofsky, Executive Director; Mina Yu, Budget and Project Finance Manager

Commissioner Brackett was pleased that the Mexican Museum project was moving forward especially in light of the celebration of Hispanic Heritage this month.

Vice-Chair Rosales inquired about whether they anticipated good news in terms of the approval process from the Department of Finance (DOF). She inquired about whether the road was easier now than in the past.

Ms. Yu responded that they were always very optimistic regarding the review process. Their work papers and other documents were in good order and they had been working closely with their development partners and were very optimistic in moving forward to DOF. She responded that they generally had a very high approval rate. After going through a very extensive review process with their auditors, many of the changes that had been requested in the past were due to property tax increment that was collected, so they had been asked to expend those more quickly rather than holding onto them. This was one of the major changes.

Chair Bustos thanked Ms. Yu for her presentation and commended staff for the time and effort they put into this report.

h) Workshop for an update on the San Francisco Unified School District's Mission Bay School Project (Discussion)

Presenters: Thor Kaslofsky, Executive Director; Gretchen Heckman, Development Specialist; Licia Iberri, Bond Program Director, SFUSD; Bolivar Puyol, Architect, DLR Group/Kwan Henmi

PUBLIC COMMENT

Speakers: Bruce Agid, Board member of the South Beach Rincon Mission Bay (MB) Neighborhood Association, Mission Bay Elementary School Steering Committee; Andrew Robinson, Executive Director, Eastcut Community Benefit District (CBD); Bettina Cohen, 11-year resident of affordable housing in MB; Ryan Tucker, resident of Potrero Hill and board member of Prefund; Chris Chang, Eastcut and Rincon Hill resident, President of Lumina Homeowners Association and board member, Eastcut CBD.

Mr. Agid stated that his steering committee consisted of community leaders and residents and that their representatives were from both market rate and affordable housing units. He explained that their affordable housing providers were Mission Housing, Mercy Housing, TNDC and CCDDC. He commented that it had been a long journey starting in 1998 with MB's redevelopment plan when this plot of land was set aside for this elementary school. Today with approx. 90% of the MB housing completed, 6400 units of housing with approximately 30% of those units being affordable, the school would also be providing needed capacity for children and families living in the eastern part of San Francisco (SF), which has experienced significant growth over the past 20 years with additional growth planned for the next 10 years. Mr. Agid reported that based on the June 15 and September 6, 2022 approvals from the Board of Education, the community was ecstatic and looking forward to the groundbreaking which would take place on October 27. There was tremendous community support with a petition with over 750 signatures and over 120 letters of support submitted by parents and community leaders to the Board of Education. In addition, at the June 15 Board of Education meeting, there were over 15 speakers providing public comment in support of the school including one young man who was part of the pilot program developing the curriculum. Mr. Agid urged OCII to support this project to ensure construction moved forward in face of the construction challenges associated with MB, so that doors could be open by 2025.

Mr. Robinson was in support of the MB school, which was much needed to serve the fast-growing communities in MB, Eastcut, Dogpatch, SOMA and Potrero Hill. It would fill a need for an elementary school in the area and would create a bridge for high schoolers heading to careers in science, technology, engineering and mathematics. He reported that this would culminate a decades long effort to achieve what the City's long-term planning was designed to achieve.

Ms. Cohen stated that it had been quite a long journey. She reported that from the turnout at the June 15 Board of Education meeting, it was evident that there was a great amount of excitement and enthusiasm regarding this project. People were aware and very interested and were asking lots of questions about the school. Ms. Cohen stated that the school would be beneficial in terms of helping families remain in SF because it would serve the adjacent neighborhoods around SOMA, Dogpatch and Potrero Hill which were experiencing population growth and would help anchor families in the City so they would not have to leave to find public education. Ms. Cohen stated that this was the final piece of infrastructure to complete the MB neighborhood, the design was beautiful

and it would be the jewel of the neighborhood. She urged OCII to move this project forward so it could be open for the 2025 school year.

Mr. Tucker stated that Prefund was an organization that helped keep Daniel Webster, a Potrero Hill elementary school, open in early 2000. He was in support of this project because he saw this as a model for the high-density housing needed in the City and this school would be critical in pushing development of the neighborhood further. As a father of two, Mr. Tucker was aware that schools became focal points of communities and helped families stay in SF.

Mr. Chang is the President of the Lumina Homeowners Association and a member of the East Cut Community Benefits District Board and of a coalition of below market rate and affordable housing residents and businesses along the Embarcadero and Transbay areas. He stated that he had heard many concerns from families living in high density neighborhoods about having access to adequate public education opportunities within their neighborhood in order to not have to transport their children outside the neighborhood, attend private schools or leave the City altogether. Mr. Chang reported that even though there was great population growth in this area, schools had not kept up. He stated that this school would be an important step in ensuring public education for all families in the area. Mr. Chang urged OCII to support this project so that construction could move forward in time to open for school year 2025.

Commissioner Scott referred safety cost and the one-way windows and inquired about whether this was safe in light of the gun violence in schools.

Ms. Heckman deferred to Ms. Iberri for this question.

Ms. Iberri responded that the district was very involved in site security. She explained that the classrooms had appropriate door hardware, functioning PA systems, and the ability to go into lockdown when necessary. She reported that the MB School would have many modern educational features, which would allow it to control access points in and out of the school, allow children to move fluidly about the school, and secure access points. Ms. Iberri stressed that their focus was on the learning needs for every student to increase transparency and fluidity of the space. She added that she would like to have a broader discussion on this topic but would need more time than she had here.

Commissioner Ludlum stated that he was eager to see this project move forward.

Commissioner Brackett referred to the EIR report which indicated poor air quality and to the fact that this school was very close to the freeway. She inquired about air quality and whether any additional air ventilation or filtration systems would be added at the school. Ms. Brackett referred to the reduction of the professional learning space and inquired about the dimensions of the multi-purpose space since it was originally stated that the room would be broken up into three spaces with a kitchen and other spaces. Ms. Brackett referred to the garden space which had been added to the school and inquired about how that would impact the school yard space; inquired about how that would impact the monetary agreement between OCII, the district and FOSL as well as the reimbursement process.

Ms. Heckman responded that the school would have an enhanced ventilation system due to the results of the air quality assessment.

Ms. Iberri confirmed Ms. Heckman's statement that there would be enhanced filtration in all the classrooms.

Mr. Puyol responded that the space would be designed to hold a whole-school assembly. To air quality concerns, he explained that they had kept the building away from the freeway by 500' and they had relocated the playground to shield it from the freeway and added that the windows on the west face were not operable. Mr. Puyol was not able to display the drawings of this space but would send them later.

Ms. Heckman responded that there would be a defined exterior garden space in the school yard which would be agreed upon between OCII, the district and the master developer, FOSL.

Commissioner Brackett inquired about whether there was any estimation of costs going higher and inquired about what would happen during that process and the PLA agreement.

Ms. Heckman responded that they had been dealing with cost escalation for two years but they had no concerns with it now.

Ms. Iberri responded that this project would be delivered through a design build model which meant that the contractors were required to deliver the project within the stated price which, based on the programs submitted with their proposal, included the educational garden and the school yard. She stated that, at this point, the risk and design build delivery would shift to the developer. However, there were change provisions both in the design build contract for extraordinary events as well as owner required changes. Ms. Iberri added that there were also change provisions in the agreement which would guide the reimbursement, so as unforeseen circumstances arise in construction, there would be contractual pathways to be able to deal with them. She remarked that at this point there was no reason to believe that any of the program elements would be removed as a result of rising costs.

Commissioner Brackett inquired about whether upkeep of the garden would be an OCII responsibility or the district's and inquired about what the cost of upkeep would be.

Ms. Heckman responded that the upkeep and maintenance of the gardens would be taken care of by the school district.

Ms. Iberri responded that school gardens were usually integrated into the student curriculum so many school sites hired a garden educator to provide gardening curriculum for the students so that students could work in the garden after school or on weekends. There would be seasons when the gardens might not look very productive and appear dead and brown but they were always taken care of.

Mr. Puyol responded that his children went to the Claire Lilienthal school where there was a robust outdoor education program with two gardens and opportunities for the children to get involved with growing and maintaining the gardens and to learn about the food they ate. Regarding the multi-purpose room, he reported that the dimensions were 65' by 60' in area and that there would be a warming kitchen used for lunches and a picnic area outside.

Commissioner Brackett inquired about outreach to people outside of the east side of the City.

Ms. Iberri responded that any changes had been focused on internal conversations within the district because this school was a specialized facility and they had been focusing within the neighborhood. Therefore, they had not engaged anyone outside the community.

Commissioner Brackett inquired about whether the school would still be serving 500 students or whether this number had been reduced.

Ms. Iberri responded that the school was still at 500-600 students. However, she explained that they would not be opening with 500 students but would more likely be opening grades in succession to allow the school to fill up over time.

Commissioner Brackett thanked callers for their public comments regarding this school.

Vice-Chair Rosales commented that the design was beautiful and met Chair Bustos' WOW factor with the vibrancy of the colors and the welcoming space. She was pleased to hear the excitement in the voices of the public comments. She referred to slide 15 where it stated that the school district would adhere to OCII's contract compliance goals for the play yard scope of work and inquired about whether that meant that the play yard would be the only area where OCII's compliance goals would apply. Ms. Rosales inquired about whether the school district had its own small business or local hire policy.

Ms. Heckman responded in the affirmative because the play yard was the only part of the school being funded by OCII dollars and because of that, it would adhere to OCII's SBE goals.

Ms. Iberri responded that the school district did not have a small business or local hire policy. The only labor policy they had that guided their bond work was the PLA.

Commissioner Brackett inquired about the parking situation.

Ms. Iberri responded that they had not increased the amount of parking on site.

Chair Bustos was pleased with the design and confirmed that it had the WOW factor that they required. He stated that they had a naming opportunity here and wanted staff to consider naming the school after Corinne Woods who was a major leader in this area and helped make this whole project happen. Mr. Bustos asked the school district and the community to consider naming the MB school after her. Then he asked the Executive Director to consider naming new OCII projects in the City after community leaders, which were many in San Francisco.

- i) Workshop on the July 2021 – June 2022 Report on OCII Small Business Enterprise and Local Hiring Goals Practices (Discussion)

Presenters: Thor Kaslofsky, Executive Director; George Bridges, Contract Compliance Supervisor; Maria Pecot, Contract Compliance Specialist; Jiban Gurung, Program Intern Fellow; Ken Nim, CityBuild

PUBLIC COMMENT - None

Commissioner Brackett was pleased about the high placement rates on the programs and wanted to congratulate all the people responsible for this. She inquired about whether there was improvement in retention rates for positions over time.

Mr. Bridges responded in the affirmative and stated that the increase in participation had translated into increase in retention rates.

Mr. Nim responded by thanking all the staff working with the programs. He explained that the retention rate for CityBuild programs was 60-70%. He reported there had been a decline due to the pandemic and workers had shifted out of construction to other jobs. Mr. Nim described the retention service they provided for their graduates due to the fact the first-year apprentices had the highest dropout rate. The service helped graduates find work if they were laid off. Mr. Nim reported that they had different projects to help graduates maintain employment, which were funded by the City, by UCSF and private concerns. He added that they had also sent people out of the City to stay employed.

Commissioner Ludlum applauded the work given the tough past few years.

Commissioner Scott was very pleased with the numbers and about meeting the goals. She inquired about what they did to reach the goals and beyond. She explained that she had been working with many students who would be looking for jobs and inquired about who they should connect with to move forward.

Ms. Pecot responded that interested parties should contact her and she gave her contact information, maria.pecot@sfgov.org, and further stated that the 2023 application would be available on the OCII website for students to apply for jobs and internships.

Vice-Chair Rosales thanked staff for the report. She referred to workforce and requested clarification that local hours were increasing even though overall hours were not.

Mr. Bridges responded that unfortunately the local and the overall hours were decreasing; however, the overall percent of individuals living in the city had increased 9.5%.

Vice-Chair Rosales requested clarification that this meant that even though there were less hours available to work, the local workforce was still getting some of those hours.

Mr. Bridges responded in the affirmative.

Vice-Chair Rosales referred to the unemployment rate in SF for construction, which was 1.9% to 2.1% and stated that she wanted to get a perspective from the construction industry. She inquired about whether the increasing number of hours was reaching more people or whether it was the same workforce as before.

Mr. Bridges responded that their numbers had increased but the number of locals working on OCII projects had decreased because of the total hours. However, in SF, individuals that lived in the 94124 zip code had the highest placement citywide. So, he explained that more than likely OCII project area residents were working on other city projects. Mr. Bridges deferred to Mr. Nim for more detail.

Mr. Nim referred to a report published by EDD in September 2022 that stated that for SF and San Mateo counties, the unemployment rate was 2.3% compared to a year ago when unemployment was 4.8%. He explained that unemployment for construction was higher due to pandemic and that the construction industry was still recovering. Mr. Nim reported that last quarter there was a great increase in construction. However, over 1,000 active construction workers in the union halls remained unemployed. He mentioned that the SF DreamForce event had called for 200 construction workers.

Vice-Chair Rosales referred to the small business program and was surprised to hear that the school district did not have a local hire policy. She inquired about whether it would be considered unique to have a developer on an OCII project area for what appeared to be a substantial development where only a small portion of the project was subject to OCII's SBE policy and the balance would not.

Mr. Bridges responded that this project was unique and the last project they had like this was a PUC project for the Public Safety Building, in which the PUC had their own program for disadvantaged businesses. However, he assured the Commission that the park would be built subject to OCII's policies. He added that the General Contractor for the school district, McCarthy, had a Director of Inclusion and Diversity who had worked with other contractors, so even though they did not have a goal, there would be outreach there.

Vice-Chair Rosales stated that she encouraged that outreach. She inquired about whether it would be helpful for OCII to adopt a resolution urging the school district to apply OCII SBE policies to the extent possible to balance out their program. She pointed out that the school district is a sister state agency to OCII and that there was no reason why they should not have an SBE policy, since City College had one.

Executive Director Kaslofsky stated that they would get back to Vice-Chair Rosales about the resolution suggestion as soon as possible.

Chair Bustos thanked Mr. Bridges and Mr. Kim for their presentation.

Agenda Item Nos. 5(j) through 5(l) related to employment contracts were presented together, but acted on separately

- j) Authorizing approval of the Memorandum of Agreement with the International Federation of Professional and Technical Engineers (IFPTE) Local 21 for the term of July 1, 2022 through June 30, 2024 (Discussion and Action) (Resolution No. 32-2022)
- k) Authorizing approval of the Memorandum of Agreement with the Service Employees International Union (SEIU) Local 1021 for the term of July 1, 2022 through June 30, 2024 (Discussion and Action) (Resolution No. 33-2022)
- l) Establishing classifications of positions and compensation schedules for successor agency staff and establishing authority for appointment to and vacation from positions under said classifications and other matters (Discussion and Action) (Resolution No. 34-2022)

Presenters: Thor Kaslofsky, Executive Director; April Ward, Principal Personnel Analyst; Monica Davis Stean, HR Manager

PUBLIC COMMENT - None

Commissioner Ludlum inquired about what percentage of OCII employees were covered by one of these unions.

Ms. Ward responded that she did not have the numbers available.

Chair Bustos inquired about whether Ms. Stean had those numbers.

Ms. Stean responded that she would have the information shortly.

Executive Director Kaslofsky responded that they had 38 full-time employees and seven who were exempt from the union MOA's.

Commissioner Ludlum commented that the rate increase seemed appropriate given the macro-inflationary environment. He stated that the only item he found curious was the sealing of personnel files because he was not sure how having less information would lead to better decisions.

Ms. Stean responded that this provision was directly related to disciplinary actions that might occur, consistent with City standards. If a disciplinary action had occurred and had been rectified, the request was that those documents and information be sealed. She explained that this only applied to disciplinary actions but not other information.

Commissioner Ludlum stated that he believed that disciplinary actions would be highly relevant to decision making. He asked for a hypothetical situation to explain how this would benefit the organization.

Ms. Stean responded that the file would not be permanently sealed if an action was in violation of labor law or equal employment opportunity and would not be permanently sealed if it was an egregious action. Then they would be required to address any personnel issues.

Commissioner Brackett was happy to see this agreement coming into place and that most of the workers were now supported and that they could continue to receive services. She thanked staff for their work on this and added that this was a well-deserved retroactive and future compensation.

Commissioner Scott stated that she was happy to see this agreement because she was concerned about how many workers in SF could not afford to live in the City. She referred to a statement made by Ms. Ward during the presentation concerning salary increases and indicated that it was different in the paperwork and inquired about whether the true number was \$200 million or \$300 million.

Ms. Ward responded that there was an error in the paperwork and the number was \$200 million.

Ms. Stean corrected Ms. Ward's statement and stated that the true number was \$300 million.

Chair Bustos stressed that this information needed to be corrected and reconciled.

Executive Director Kaslofsky clarified that the paperwork before the Commissioners was the correct number; the statement made during the presentation was incorrect.

Vice-Chair Rosales commented that she was happy with the negotiations and especially the bereavement leave provision, which was appropriate and necessary.

Chair Bustos thanked everyone for their work on this presentation.

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

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

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

ADOPTION: IT WAS VOTED UNANIMOUSLY BY FIVE COMMISSIONERS THAT RESOLUTION NO. 32-2022, AUTHORIZING APPROVAL OF THE MEMORANDUM OF AGREEMENT WITH THE INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL ENGINEERS (IFPTE) LOCAL 21 FOR THE TERM OF JULY 1, 2022 THROUGH JUNE 30, 2024, BE ADOPTED.

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

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

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

ADOPTION: IT WAS VOTED UNANIMOUSLY BY FIVE COMMISSIONERS THAT RESOLUTION NO. 33-2022, AUTHORIZING APPROVAL OF THE MEMORANDUM OF AGREEMENT WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU) LOCAL 1021 FOR THE TERM OF JULY 1, 2022 THROUGH JUNE 30, 2024, BE ADOPTED.

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

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

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

ADOPTION: IT WAS VOTED UNANIMOUSLY BY FIVE COMMISSIONERS THAT RESOLUTION NO. 34-2022, ESTABLISHING CLASSIFICATIONS OF POSITIONS AND COMPENSATION SCHEDULES FOR SUCCESSOR AGENCY STAFF AND ESTABLISHING AUTHORITY FOR APPOINTMENT TO AND VACATION FROM POSITIONS UNDER SAID CLASSIFICATIONS AND OTHER MATTERS, BE ADOPTED.

6. Public Comment on Non-Agenda Items

Speaker: Andrew Robinson, Executive Director, Eastcut Community Benefit District (CBD)

Mr. Robinson urged OCII to prioritize the development of UnderRamp Park, which had been in development since 2011. He reminded Commissioners that in February 2022, OCII, the Transbay Joint Powers Authority (TJPA) and the Eastcut CBD had entered into an agreement mapping out a path forward to simultaneously advance the park while the Eastcut CBD raised the funds to address the projected operating deficit. The agreement stipulated that the schematic design for the park would be completed and brought to OCII as well as the TJPA Board last spring. In June 2022 the Eastcut CBD launched a sponsorship campaign to raise funds for the park, believing that the park's designs would gain approval shortly. Mr. Robinson pointed out that it was now September and Eastcut was facing questions from potential park funders who indicated a willingness to support the project but were requesting to see the park entitled before committing significant resources to support the park's future operations. He explained that the vision enshrined in the agreement was that all the parties would be advancing their respective pieces in tandem. Now the Eastcut CBD was on the cusp of meeting all the fundraising milestones, which was to secure \$1.2 million and the funders were requesting action on the part of the public partners to confirm the project would advance. Mr. Robinson stressed that hitting that milestone was a trigger meant to move to design development and construction documentation. However, with schematic design approval currently in limbo, they were experiencing serious reluctance from the community to commit more funds for the project until there were assurances that it was advancing in a timely fashion. He requested that OCII staff commit to finalizing the schematic designs and bring this project forward to the Commission for approval as soon as possible. He added that this park was desperately needed in the fast-growing community to offer all the services in these high-density neighborhoods.

7. Report of the Chair

Chair Bustos stated that he had no report.

8. Report of the Executive Director

Executive Director Kaslofsky announced that the temporary terminal area that was being managed by The Crossings in conjunction with the Eastcut CBD would hold an event on October 16 called the Glassy Arts Festival from 4-7 pm and would take place at 250 Main between Folsom and Howard. Commissioners were notified of this event. He urged Commissioners to attend.

Executive Director Kaslofsky announced that the Hunters Point Shipyard would hold its twice-yearly Open Studios Event with over 300 artists' studios on October 22-23 from 11am-6 pm both days at 457 Galvez.

Executive Director Kaslofsky announced Bayview Beautification Day in the Candlestick area organized by residents for Together SF on Saturday, September 24, starting at 10am to clean up illegal dumping and trash. Those interested would meet at 750 Jamestown.

Executive Director Kaslofsky recognized Commissioners Ludlum and Scott, who had attended the India Basin Shoreline Park groundbreaking at 900 Guinness on September 14. Mr. Kaslofsky stated that this was an important park project led by the City Rec & Park Department. He added that the park was adjacent to the Hunters Point Shipyard area.

Executive Director Kaslofsky provided an update on the Civil Grand Jury, a City entity out of the court system which produced an annual report that reviewed city operations and recommended improvements. This year the report was about the Shipyard and the cleanup of contamination program going on there and the effect of sea level rise on groundwater levels in the Shipyard. The report was issued on July 14 and the Board of Supervisors undertook a hearing on September 15 under the Government Audit and Oversight (GAO) subcommittee. Mr. Kaslofsky reported that OCII

and the SF Department of Public Health participated in that hearing. The report asked for the Mayor and the Board of Supervisors to respond directly. Mr. Kaslofsky reported that the GAO would hold another hearing on September 29 when the Board of Supervisors would present their response to the findings.

Executive Director Kaslofsky announced that he had been working with Commissioner Ludlum and staff on the design approval of Transbay UnderRamp Park, which was located between 1st and 2nd Streets along Clementina Street underneath the overpasses there. This involved collaboration between the TJPA and CalTran, who were the underlying property owners. Mr. Kaslofsky reported that staff had a design which would be brought before OCII later in the year.

Executive Director Kaslofsky reported that a Certificate of Preference (COP) subcommittee meeting was held on August 26 involving the MOHCD and contractor Lynx, who OCII hired in 2021 to begin research in finding some of the COP holders whose addresses had been lost. They were updated on the new leadership Community foundation outreach to recruit community investigators to help in that process. He announced that a disparity study meeting was scheduled for September 22.

Executive Director Kaslofsky reported on the hearing related to the TB Block 4 project, in which OCII had approved a 680-unit of housing with developer Hines. OCII was going to the Board for approval of a plan amendment and some related zoning changes. However, the developer had come back to OCII reporting that they were having trouble with financing with their development on adjacent Parcel F and needed more time for that. The hearing was continued until later in the year. The continuation had been approved that day by the Board of Supervisors.

Chair Bustos reminded Executive Director Kaslofsky they both had attended the groundbreaking of the park across the street from the Chase Center. He encouraged Commissioners to attend some of these events.

9. Commissioners Questions and Matters - None

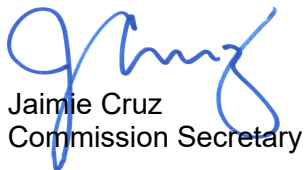
10. Closed Session – None

11. Adjournment

Commissioner Scott motioned to adjourn and Commissioner Brackett seconded that motion.

Chair Bustos adjourned the meeting at 3:41 p.m.

Respectfully submitted,



Jaimie Cruz
Commission Secretary