

**MINUTES OF A REGULAR MEETING OF THE  
COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE  
OF THE CITY AND COUNTY OF SAN FRANCISCO HELD ON THE  
19<sup>th</sup> DAY OF MAY 2015**

The members of the Commission on Community Investment and Infrastructure of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 1:00 p.m. on the 19<sup>th</sup> day of May 2015, at the place and date duly established for holding of such a meeting.

**REGULAR MEETING AGENDA**

**1. Recognition of a Quorum**

Meeting was called to order at 1:11 p.m. Roll call was taken.

Commissioner Bustos - present  
Commissioner Mondejar – present  
Commissioner Singh – absent  
Chair Rosales – present

Commissioner Singh was absent; all other Commission members were present.

**2. Announcements**

A. The next scheduled Commission meeting will be a regular meeting held on Tuesday, June 2, 2015 at 1:00 p.m. (City Hall, Room 416).

B. Announcement of Prohibition of Sound Producing Electronic Devices during the Meeting

Please be advised that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised the Chair may order the removal from the meeting room of any person(s) responsible for the ringing of or use of a cell phone, pager, or other similar sound-producing electronic device.

C. Announcement of Time Allotment for Public Comments

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

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

**5. Matters of New Business:**

**CONSENT AGENDA**

a) Approval of Minutes: Regular Meeting of May 19, 2015

- b) Approving a second amendment to the construction contract with Azul Works, Inc. for the Shipyard Art Installation Project, Contract No. HPS 01-14, extending the date of Final Completion to August 31, 2015; Hunters Point Shipyard Redevelopment Project Area (Action) (Resolution No. 29-2015)

**PUBLIC COMMENT** - None

Commissioner Bustos motioned to move Item 5 (a) and Commissioner Mondejar seconded that motion.

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

Commissioner Bustos – yes  
Commissioner Mondejar – yes  
Commissioner Singh – absent  
Chair Rosales – yes

**ADOPTION:** IT WAS VOTED BY THREE COMMISSIONERS WITH ONE ABSENCE THAT THE MINUTES FROM THE REGULAR MEETING OF APRIL 21, 2015, BE ADOPTED.

Commissioner Bustos motioned to move Item 5 (b) and Commissioner Mondejar seconded that motion.

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

Commissioner Bustos – yes  
Commissioner Mondejar – yes  
Commissioner Singh – absent  
Chair Rosales – yes

**ADOPTION:** IT WAS VOTED BY THREE COMMISSIONERS WITH ONE ABSENCE THAT RESOLUTION NO.29-2015, APPROVING A SECOND AMENDMENT TO THE CONSTRUCTION CONTRACT WITH AZUL WORKS, INC. FOR THE SHIPYARD ART INSTALLATION PROJECT, CONTRACT NO. HPS 01-14, EXTENDING THE DATE OF FINAL COMPLETION TO AUGUST 31, 2015; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA, BE ADOPTED.

**REGULAR AGENDA**

- c) Conditionally authorizing a Permit to Enter with the City and County of San Francisco, acting by and through its Department of Public Works, the San Francisco Tourism Improvement District Management Corporation, a California Corporation Nonprofit Mutual Benefit Corporation, and Webcor Construction, LP, a California Limited Partnership, to allow construction related to the expansion of the Moscone Convention Center on the Office of Community Investment and Infrastructure's Yerba Buena Gardens Property, and adopting environmental findings pursuant to the California Environmental Quality Act; former Yerba Buena Center Redevelopment Project Area (Discussion and Action) (Resolution No. 30-2015)

**Chair Rosales announced that Item 5c would be continued.**

**PUBLIC COMMENT – None**

- a) Workshop on the Combined Basic Concept/Schematic Designs and Event Management Plan for the Golden State Warriors Event Center and Mixed-Use Development on Blocks 29 to 32 in the Mission Bay South Redevelopment Project Area (Discussion)

Presenters: Tiffany Bohee, Executive Director; Catherine Reilly, Project Manager, Mission Bay; David Manica, Manica Architects; Adam Van De Water, Project Manager, Office of Economic and Workforce Development (OEWD); Clark Miller, Strada Investment Group; Theo Ellington, Director of Public Affairs, Golden State Warriors

**PUBLIC COMMENT**

Speakers: Corinne Woods, Chair, Mission Bay CAC, Ace Washington, Community Activist; Patrick Valentino, Vice President, South Beach Mission Bay Merchants Association; Adam Gould, Dogpatch resident and member of the Dogpatch Neighborhood Association and Dogpatch Merchants Association; Ray Nyden, Owner, Potrero Bathhouse & Feed Company, Potrero Hill and Board member, South Beach Mission Bay Merchants Association; Tim Paulson, Executive Director, San Francisco Labor Council; Dennis MacKenzie, Round the Diamond Consulting and Education; Ken Johnson, native San Franciscan, Fillmore Bay Area Media Group; Freddie Reeves, Potrero Hill small business owner; Daniel Landry, event promoter and Certificate of Preference holder; Jon Ballesteros, Owner, SF Travel; Oscar James, native resident, Bayview Hunters Point (BVHP); Bobbie Webb, Fillmore resident and President of the San Francisco Blues and R&B Music Foundation; Emmitt Powell, concert promoter; Ahimsa Porter Sumchai, M.D.

Ms. Woods stated her committee was very familiar with this agenda item, as a result of significant community participation and involvement; many improvements had been made to the project. She stated the CAC had no issues with design and overall the project was well supported by the community. Ms. Woods expressed concerns over the occurrence of dual events because of the traffic congestion during Giants games and the cost and commitment for mitigations. She explained if money was given to the General Fund, which much of this revenue would, there was no guarantee it would be returned for use in the project. The CAC wanted to see a dedicated, committed funding source for the mitigations that were necessary and critical in order for their neighborhood to survive the impact of this project, such as having remote parking available so attendees weren't parking in the neighborhood, especially during simultaneous events. Ms. Woods indicated they would review the EIR when it was issued and would return before the Commission with their concerns and comments.

Mr. Washington stated he would soon be retiring as an activist but would continue his recording, documenting and preserving the activities and history of African Americans in San Francisco. He endorsed this item and wanted to pay tribute to Jim Jefferson, who was his mentor and one of the founders of Mission Bay. Mr. Washington wanted to make sure people coming to Mission Bay were aware that African Americans were part of the development of many City projects.

Mr. Valentino stated he lived in the neighborhood close to where the arena would be built and the merchants group was very much in support of this item. He felt he spoke for many people who were tired of boring Mission Bay and that this project represented a significant connection between the southeast side and the east side of the City. Mr. Valentino expressed concern about transit issues and reminded

Commissioners about the transit nightmares during Giants games. However, he believed they would be able to handle an average of 9,000 participants per event. Mr. Valentino stressed the need to push for transit first, more bike parking and to encourage attendees not to drive. He referred to the America's Cup where they had a 9,000 seat venue and had achieved 83% public transit use after telling attendees that they would not be able to find parking. Mr. Valentino indicated retail, open space and parks were of particular value to the neighborhood whether there was an event or not.

Mr. Gould stated both he and his wife owned small businesses in the area and spent lots of time on Third Street and at the ball park with family. He was pleased about the community investment this project would bring to the area and thought it was a good use of space. He was in support of this item.

Mr. Nyden stated that as a local business owner with locations in Potrero Hill and South Beach and as a resident, he was highly supportive of the Warriors moving into Mission Bay. He was pleased with the Warriors' interest and involvement in community events, such as Pints and Paws, which conducted fundraising for several animal rescue agencies. Mr. Nyden indicated that before the Warriors involvement, they raised an average of \$400/event and after the Warriors participation at their last event, they had raised \$1200. Mr. Nyden was in support of a new stadium with year-round retail and restaurants which would bring more jobs and services to the community and increase green open space which would be beneficial to the neighborhood and pets. He stated he had seen many large companies receive favorable tax breaks which had not been offered to small businesses. Mr. Nyden expressed concern that if the City denied this project to the Warriors, another large business more interested in tax breaks might take that space and that would not be good for the community at all.

Mr. Paulson stated his Council represented over 140 unions in San Francisco and wanted to officially go on record in support of this item. He stated the Warriors had been great players throughout the community process. As a former Vice President of the Building and Construction Trades Council, Mr. Paulson indicated he had seen many transformations in the railroad yard and on behalf of organized labor and working men and women in the City, he thought this was a great way to move a project forward.

As a teacher in San Francisco public schools and juvenile hall, Mr. MacKenzie was in support of this item. He was appearing before OCII once again to request that a high school classroom be included inside this arena. He referred to articles regarding the Warriors Community Foundation and encouraged city leaders and the Warriors to work in partnership with the school district and county schools. Mr. MacKenzie explained that when kids were released from juvenile hall, many of them went to a facility for six months and he requested support for training programs, including golf training, for youth at risk. He referred to the Woodside Learning Center, a high school program, and to a log cabin in the La Honda area in the Santa Cruz Mountains for this purpose. Mr. MacKenzie stressed professional sports had tremendous influence on kids and if the Warriors made presentations to students, integrating sports and careers, they could instruct students as well as youth at risk on to how to pursue professional sports careers.

Mr. Johnson stated his parents had owned a cleaners in South Park which was destroyed when they built the Moscone Center. He later became part of an organization called Black Man Power, which had the compliance contract for the Moscone Center and made sure San Francisco residents worked there as well as minorities from different communities. He requested the same thing for this project. Mr. Johnson stated there were non-San Francisco residents working on these projects. He stressed that they needed a compliance officer to make sure residents were being trained and hired and to make sure that people working on these projects starting as unskilled labor had a skill by the time they finished the project. Mr. Johnson inquired about whether OCII had an ongoing Community Benefit Plan to make sure that some of

the money generated from this project would go back into community organizations to support them. He felt this was the way to reduce crime and give people a chance to obtain a skill and live a good life.

Mr. Reeves stated he had been a small business owner for over 18 years and lived in Potrero Hill and was in support of this item. He stated that he had watched this area change over two decades from large gravel pits into businesses, buildings, living spaces and the Giants ballpark, all of which had sparked a positive growth in diversity. Mr. Reeves stressed the growth of professional office buildings only encouraged people to stay inside, which was not beneficial to area businesses. He reminded Commissioners how much small business would benefit from this kind of development by bringing people into the area and providing a great community destination space which would create the same spark and energy as the Giants had done. He encouraged everyone to embrace the Warriors.

Mr. Landry stated he had participated in many of the earlier Port meetings with the Warriors when they were considering different locations. Mr. Landry felt this could help repopulate the Mission Bay area with African Americans and support programs like Upward Bounds, which helped high school students get into college as well as the Fillmore area by holding events that would benefit people impacted by redevelopment. Mr. Landry stated he had been in contact with people who were interested in having retail space at the Warrior stadium and wanted OCII to support giving business to local residents.

Mr. Ballesteros stated SF Travel was committed to this project because it would create thousands of jobs and generate millions in economic activity for the City. He informed the Commission that in 2014, 18 million tourists had visited San Francisco and spent \$10.7 billion, which was approximately \$1.2 million every hour every day for 365 days. That had supported 67,000 jobs and contributed \$665 million to the General Fund for vital city services. Mr. Ballesteros referred to OCII's support of the expansion of the Moscone Convention Center and stated they could leverage this joint investment by creating a new venue. He spoke about the need for a large indoor meeting space which could accommodate 17,000+ participants for such events as a general assembly of the Democratic National Convention or large sporting events, like the NCAA finals or even one-day events. Mr. Ballesteros stressed that this project provided a spectacular venue that could meet those needs with transit access and crowd movement with four major access points. He pointed out this project would attract visitors from all over the world and the U.S. and would make their investment in the Moscone Center even more valuable.

Mr. James stated he was a former Commissioner of the Model Cities Project, which encompassed the Mission Bay drawbridge to Geneva Street to I-280. He indicated that this new development was trying to eliminate the Model Cities but Mr. James stated that he had been involved with this area since the 1940's. and wanted to ensure the surrounding communities, such as Dogpatch, BVHP, Potrero Hill, and Sunnyvale benefit from this project. Mr. James was in support of this project and stated the Warriors had worked with the community and had supported programs like the Young Community Builders (YCB), unlike UCSF, by preferring African Americans and local residents. Mr. James applauded Mr. MacKenzie and his efforts to help San Francisco students and youth because he felt that City youth needed to have a vision and an understanding of how to become a Warrior or an employee within the Warriors organization could get scholarships for college and be productive in life.

Mr. Webb stated he grew up in the Fillmore and still lived there. He had worked for the NCIU for 43 years and was retired. He now hosted Bobbie's Spider Web Blues Show on KPOO every Tuesday morning from 9am to noon. He was also a union musician. Mr. Webb explained that he had produced the California Blues Festival in Golden Gate Park every Memorial Day for 16 consecutive years, free to the public and had raised money to organize and pay for the event. Mr. Webb wanted to put together a major talent night show at Yoshi's in the Fillmore for San Francisco locals. He knew Yoshi's was vacant, but wasn't sure who to talk to about creating this. He recalled a similar event previously held at the Ellis

Theatre on Ellis Street with Johnny Mathis and other performers. Mr. Webb wanted to offer some type of entertainment at Yoshi's and asked OCII to please keep him in mind for solutions to help the Fillmore.

Mr. Powell owned Powell's Place Restaurant in San Francisco and was in support of this item. He explained he was a gospel singer and put on gospel concerts all over the Bay Area and was very excited about this stadium not just for basketball but for other venues as well and was looking forward to presenting a gospel concert there. Mr. Powell expressed concern about Black and Hispanic unemployment levels in San Francisco and supported employment for black and Hispanic youth in San Francisco and include and teach them so they are part of this great venture.

Dr. Sumchai owned a sports medicine center in San Francisco. She explained she had served as emergency physician for stadium operations for the Giants for 10 seasons from 1989 to 1999. In 1990 she had organized the stadium emergency medical control system for Nelson Mandela's visit. Dr. Sumchai pointed out San Francisco had been offered a very rich moment in time by the amazing performances of the Warriors along with the Giants. She offered her assistance in organizing an emergency medical plan for the proposed stadium which she stressed should be considered early in planning, so they could guarantee access to victims and ambulances, among other things, all of which needed to be thought out.

Commissioner Bustos referred to a public comment made about "being tired of the boring Mission Bay" and asked people to be careful of their language and respectful of how they described other people's communities. He reminded developers OCII had a 50% SBE and 50% local construction work hire goal and wanted to continue that as well as ensure long-time businesses were given the opportunity to get new business instead of newcomers. Mr. Bustos inquired about his request to obtain bios of the businesses applying for and getting these opportunities. He stated he would like to be invited to the open houses taking place to participate and observe. Mr. Bustos was hopeful the art consultant used for this project was local not only to be able to provide an historical approach and background but also to then be able to find and hire local artists as well. Mr. Bustos inquired about whether the bike valet would be open for non-events as well as events.

Ms. Reilly deferred to Mr. Miller to respond to the bike valet question.

Mr. Miller responded the bike valet accommodated 300 bikes and would be open for events only. However, he added there would be 75-100 bike racks available at all times around the stadium and there were bike storage rooms accommodating 50 bikes each within the office buildings. Mr. Miller explained for high capacity events, they would have the 300 in the valet, plus they had identified areas around the site for temporary corrals that would accommodate another 100 bikes, so they would be able to handle about 500 bikes total.

Commissioner Bustos referred to SFMTA event management on page 17 regarding residential parking permits and stated he hoped they were not planning on charging area residents for parking permits. He reminded developers they were already placing a burden on the community by bringing this project into their neighborhoods and stressed asking residents to pay for something they hadn't asked for would be totally unfair. Mr. Bustos wanted the Warriors Organization to provide free parking passes to people in the neighborhood as good faith gesture of thanks and gratitude. He suggested talking to the CAC members to get their opinion and talking to SFMTA members about it if necessary.

Mr. Van de Water responded this was about the City's existing residential parking permit program and was simply to cover any administrative costs of signage and stickers. He explained that residential parking varied by neighborhood but assured Commissioner Bustos they would not create any programs

against the majority will of the neighborhood. He added some residential parking permit, special event parking and metered rate areas had been created around AT&T Park as well. Mr. Van de Water explained the intent was to ensure arena attendees did not park in a metered rate spaces which could be used by residents and wanted the turnover to continue to exist in the neighborhood separate of arena traffic.

Commissioner Bustos referred to slide 20 and the proposal to tear down I-280 and inquired about how people would drive to the arena if I-280 were torn down.

Mr. Van de Water responded I-280 connected to the Transbay terminal and the new Caltrain modernization plans and the plan was really only from Mariposa Street north to try to knit the neighborhoods together. He explained that Mission Bay existed as a very strong neighborhood; however, the elevated highway created a physical barrier that separated it from the rest of the City. This would be realigned, so that high speed rail would not have to make such a large turn to get into the Transbay terminal downtown. He added the remainder of I-280 would exist up to the site.

Commissioner Bustos stated the Warriors had always been willing and effective in working with youth in the community and wanted to see how it could happen in this instance. He referred to Mr. MacKenzie's log cabin and he hoped that there would be opportunity for the Warriors to help the inner City youth via internship opportunities and other programs. As a Commissioner of the SFRA, Mr. Bustos remembered how he had admired the Salesforce project because of the Legorreta design, colors, and open space and looked forward to the opportunity to have another iconic property that would help define San Francisco. He commended staff and CAC members for their hard work and encouraged everyone to keep energy high and positive within the community.

Commissioner Mondejar complimented the Warriors for putting together the concept for the arena and the event center, for reaching out to the community and working with the CAC's and thanked the merchants for coming to speak. She stated her organization, the Filipino Women's Network, did receive benefits from the Warriors and, in fact, because the Filipino national sport was basketball, they had increased the number of Filipino Heritage games to two. Ms. Mondejar explained 4,000 Filipinos had been displaced when Moscone Center was built but saw very little in the plan to represent her people or those that had been displaced. She referred to a South of Market building that had been there for 100 years and was representative of the first Filipino agricultural workers in the City. Ms. Mondejar suggested representing the community via vendors' concessions in the food or the art pieces and to be mindful of the people that used to live there and who had been displaced. She stated so far she had not seen anything like that in the designs; this was all very modern and slick but not representative of community diversity. Ms. Mondejar added she still had concerns regarding parking because she lived in the area and during the games it was very difficult to get out of her building and get around either by car or public transit and usually had to deal with 30-45 minute delays and heavy traffic. She referred to the Oracle and Salesforce conferences coming up and the fact that 80,000 rooms had already been booked for the October season. Ms. Mondejar expressed concern about overlap of the Giants and Warriors seasons and hoped they would address this problem because the public transit remedies would not be ready for another 2-3 years. Ms. Mondejar echoed comments by Commissioner Bustos regarding SBE representation and paying attention to hiring minority subcontractors. She inquired about the outreach being done to attract the vendors, merchants and consultants that would be hired. Ms. Mondejar recalled a previous meeting regarding BVHP District 10 when, during public comment, someone had stated that no one in the Asian American community had been contacted, even though Asian Americans made up 21% of that community.

Mr. Ellington responded regarding outreach and the Warriors had been in contact with the community based organizations (CBO's), such as the YCD, Mission Hiring Hall, and the ABU's to get their feedback early on, to get their strategies aligned and get them involved in the front end, using the CAC as the sounding board. He felt the most effective strategy was to meet with residents in the communities and talk to them about the plan.

Commissioner Mondejar inquired as to whether OCII could get a list of the organizations contacted by the Warriors and well as a copy of their plan.

Mr. Ellington responded in the affirmative.

Commissioner Mondejar referred to funding sources and the issue about the General Funds and whether those funds would be earmarked to make sure all the plans were executed. She inquired whether there was a process in place to make sure all funds were allotted for and budgeted.

Mr. Van de Water responded in the affirmative. He explained there were some capital upfront improvements which would be budgeted over the coming years to put the service in place, such as the purchase of the extra light rail vehicles, cross over tracks, and changeable message signs. He reiterated the Mayor was fully committed to funding the transit service plan and providing flexibility to increase and adjust service as needed for these events. The City had put together the best possible plan based on their extensive experience with AT&T Park as well as other special events in the City to make sure they had enough traffic enforcement on the streets and enough transit service to serve the arena. Mr. Van de Water pointed out that the largest single cost annually was to MUNI; about 55% of MUNI costs were charter mandated to accrue to MUNI through parking tax collections and additions to the transit baseline, so a good portion of the money would go to MUNI regardless of discretionary general fund decisions. He acknowledged that at 30/32 they had had public land and the pier and a development agreement with a complicated financing proposal and had been able to come to an agreement which locked in future operating funds. However, there was no development agreement onsite and, therefore, as an acknowledgement of future funding uncertainty, in the event of a decision to change the transit service plan, they had put into place a series of performance measures in their draft EIR that would protect transit, such as traffic cueing, bike and pedestrian safety, bike parking, intersection blockages and other standards based on a level of service in line with the transit service plan. Mr. Van de Water explained should they not meet those performances standards, a series of transportation demand measures would be triggered such as increasing parking costs, adding extra event shuttles and private shuttles and providing incentives to get people onto public transit to protect the Mission Bay circulation. So there would be a backstop that didn't exist for AT&T Park. Mr. Van de Water added they were very aware of this public concern and had been working on how to mitigate it for a long time.

Commissioner Mondejar inquired about who was in charge of making sure all this would actually happen; inquired about who to call when one had been sitting in traffic for 45 minutes and could not move because of gridlock.

Mr. Van de Water responded that his contact information was available for project generated questions and there would be a neighborhood hotline that would be directly connected to the transit management center onsite which would be directly connected to the neighborhood foot patrol, police officers and parking control officers who could then be dispatched to clear up a driveway parking, double parking or a gridlock situation.

Commissioner Mondejar inquired about whether that number could be publicly posted along the streets or made available in other ways rather than looking it up on the internet or on the phone.

Mr. Van de Water responded they had not yet worked out the signage master plan but would be working through the Mission Bay Citizens Advisory Committee, the Mission Bay Ballpark Transportation Coordination Committee, the southern police district station, neighborhood outreach groups and the Warriors website on this topic. He stated they wanted to make sure this would be very publicly available.

Executive Director Bohee added they also worked with other City colleagues and regardless of the go-to neighborhood hotline, people should remember the 311 number, which went directly to the City's call center and would be able to route the public to where they needed to go.

Chair Rosales inquired about where the stop-gap would be for the performance measures. She expressed concern about neighborhood impact because she had no sense of how many Mission Bay residents were truly participating. She referred to newspaper articles indicating that not everyone in the community was very happy about this project. Ms. Rosales recalled the same concerns had come up during the AT&T Park project and inquired about what had been promised by the Giants for that project and inquired about how that materialized. She stressed traffic was bad on non-game days and inquired about how that wouldn't be worsened on game days?

To the stop-gap question, Mr. Van de Water responded it would be in the EIR. He explained the transit service plan outlined in the presentation referred to special event shuttles and services. He stated a provision of that service included an auto mode share or the percentage of attendees coming by vehicle to an event of 53% during the week, so 53% would be the maximum allowed. However, if the number exceeded 53%, then the mitigation measures suggested a dozen or more measures that would be triggered to get back to the 53% or under.

Ms. Reilly responded as far as the CAC meetings, attendance depended on the meeting. She explained that during the April 30 meeting they had had a full house of about 100 people but typically they got from 50-80 people and as design progressed, they expected attendance to drop off. She added depending on the topic, they scheduled either a smaller or larger room. Ms. Reilly acknowledged that staff knew there were concerns over this project but the fact that residents were not happy about the project was a surprise to them. She stated overall tone response had been very supportive, although with ongoing concerns about traffic and events management. She added that about 10 people had come from the Dogpatch/Potrero Hill area for a meeting. Many people who were not happy with the first location were happier with the next location. Ms. Reilly stated that they had been working with UCSF since day one on a weekly basis and they had been involved throughout the process.

To the Giants question, Mr. Van de Water responded the county transportation authority had assigned a senior transportation planner to assess the entire waterfront transportation situation. They had thought the arena would have a significant impact on the area as well as the development of Mission Rock, Pier 70, the NRG Station and other development in the area, but above all of that was the development around the Transbay Center and evening PMP commute traffic. Mr. Van de Water believed the traffic Chair Rosales referred to was caused by vehicles getting onto the bridge during the evening commute hour rather than by development in the neighborhood and added they also planned to address this issue. He pointed out this was a difficult scenario because the main artery serving the entire east part of San Francisco Bay ran right by the edge of the neighborhood. Mr. Van de Water added it was his understanding that the Giants covered all security within their premises and the City covered all parking control officers and police officers around the perimeter, which they were also contemplating in this project. He explained that when

the Giants stadium had opened, they had deployed a very robust set of measures, which had since been scaled back and this was causing concern in the community. Mr. Van de Water insisted the City would continue to deploy traffic enforcement and transit resources to meet that need. He pointed out the challenge was peaked arrivals. At AT&T Park there were 42,000 people arriving within an hour and a half and departing within an hour but in this project, there would be a quarter of that number, or an average of 9,300 arriving and departing, so the impact would be much less.

Chair Rosales inquired about whether the Board of Supervisors could create a special revenue fund so that not all the surplus would go into the General Fund but rather dedicate some for a continuing commitment to community needs and benefits; inquired whether this could be addressed in the EIR. Ms. Rosales clarified that Mr. Van de Water was talking measures while she was talking dollars and inquired whether the dollars associated with the performance measures were commitments and whether there was a revenue stream component to these measures that could be identified in the EIR.

Mr. Van de Water responded in the affirmative, that the Board of Supervisors could create a set-aside or reserve fund, but it would still be subject to the annual appropriations process and would have to be funded every year. Mr. Van de Water responded they were backstopping the EIR with the performance measures. He explained there were about eight measures in total, which he could make available to OCII, which included things such as pedestrian safety, auto mode share, transit queue times and bike parking. Mr. Van de Water responded the City was fully committed to funding the transit service plan and the Directors of the MTA and SFPD could speak to their ability to funding those operating costs based on existing revenues. However, he was talking about a backstop of performance measures which were not so much about dollars but the conditions on the street and how long it would take to get to a destination either by transit, vehicle, bike or foot. They had identified eight performance measures to make sure people could get going within a certain amount of time and that designated period of time would be preserved regardless of any funding.

Commissioner Bustos pointed out with costs rising every year; they should ensure there was enough money there. He inquired about how they would create the fund and whether OCII would have to provide a recommendation in their motion.

Chair Rosales responded OCII would have to make a recommendation to the Board of Supervisors. They would be certifying the EIR and to the extent they could encourage the Board to allocate the reserve fund, it would still be up to the Board to do it. Ms. Rosales suggested they have a discussion with some Board members. She thanked everyone for their work on this project so far.

- b) Workshop on the status of the U.S. Department of the Navy's environmental remediation at the Hunters Point Shipyard; Hunters Point Shipyard Project Area (Discussion)

Presenters: Tiffany Bohee, Executive Director; Tamson Drew, Senior Project Manager, Hunters Point Shipyard /Candlestick Point Redevelopment Project; Amy Brownell, Environmental Engineer, San Francisco Public Health Department

#### **PUBLIC COMMENT**

Speakers: Ahimsa Porter Sumchai, M.D.; Ace Washington, Community Activist; Dr. Espinola Jackson, BVHP resident

Dr. Sumchai stated she had been a physician specialist for the San Francisco Department of Public Health (SFDPH) on multiple projects from 1985-95 and that in 1997 she had headed the Palo Alto Veterans Administration project on the Persian Gulf Agent Orange Ionization and Radiation Registry and in 2001, she had founded the Hunters Point Shipyard Restoration Advisory Board Radiological Subcommittee and was currently a commentator of historic radiological assessment. Dr. Sumchai stated she had formerly filed complaints against Ms. Brownell with the California Board of Professional Engineers because Ms. Brownell was not an independent representative of the SFDPH. Dr. Sumchai had verified that Ms. Brownell's salary was being paid through Lennar and she was not licensed as a health professional but rather as an engineer and had no oversight in making statements on health impact and had made false statements. Dr. Sumchai stated she had complained to the White House regarding elevated levels of asbestos on the base and she had been contacted by a Shipyard worker who had a rare cancer that he attributed to working on Parcel A. Dr. Sumchai explained the historical radiological assessment published in 2004 stated there were no radiologically impacted structures on Parcel A. However, as a result of her advocacy, one year later she displayed a map that identified many structures that were impacted on Parcel A, including Buildings 813 and 819. She stated Ms. Brownell's statements were incorrect; the Department of Toxic Substances Control had not released the storm drains and sewer lines which were radiation impacted on the north side of these buildings and the buildings had not been fully cleared. She pointed out there were issues with lead contamination and soil testing of the utility corridor as well. Besides the NBC television report on this topic, Dr. Sumchai also referred to a Tetrattech report that identified about 50,000 false soil samples that had been obtained as part of an orchestrated activity, so there were significant health issues still pending at this site. She did not support this transfer.

Mr. Washington stated he was shocked to hear the previous speaker's report because he had been around for 10 years and had only heard reports that everything was safe at the Shipyard. Now people were moving into this area and inquired as to whether OCII really knew what was going on out there and whether OCII had the information they needed to verify whether this area was truly safe or not. Mr. Washington stated he knew many workers at the Shipyard area who were sick or had medical problems and reminded Commissioners that the City was responsible for the generations to come.

Dr. Jackson stated she was very happy there was no vote on this item because of the fact it was NBC that came to her and informed her about the 22 houses built at the Shipyard that had to be torn down because of the toxicity in the area. She stated her activism on this topic was not about helping black people get homes at the Shipyard, but rather trying to protect white people from dying. She reiterated people who went to the Shipyard were getting sick and dying and the public was not getting the correct information. She stressed developers didn't care about the residents. Dr. Jackson inquired about why OCII kept using the same people over and over as authority on this subject when they were the ones supplying the misinformation about it.

Chair Rosales stated they would continue this item. She announced they had been advised by counsel to end the meeting because one Commissioner had to leave and they would not have a quorum to continue the meeting.

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

**7. Report of the Chair**

**8. Report of the Executive Director**

**9. Commissioners' Questions and Matters**

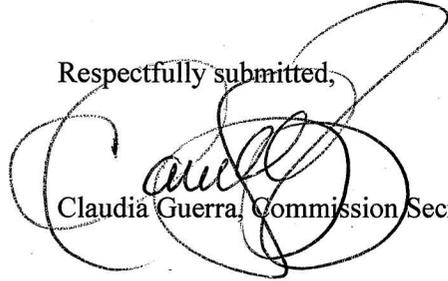
**10. Closed Session**

**11. Adjournment**

Commissioner Bustos motioned to move for adjournment and Commissioner Mondejar seconded that motion.

The meeting was adjourned by Chair Rosales at 4:22 p.m.

Respectfully submitted,



Claudia Guerra, Commission Secretary