

Edwin M. Lee
MAYOR



Mara Rosales
CHAIR

Marilyn Mondejar
VICE-CHAIR

Miguel Bustos
Leah Pimentel
Darshan Singh
COMMISSIONERS

Tiffany Bohee
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
4th DAY OF OCTOBER 2016**

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 4th day of October 2016, 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 1:09 p.m. Roll call was taken.

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

Commissioners Bustos and Singh were absent. All other Commission members were present.

2. Announcements

A. The next scheduled Commission meeting will be a regular meeting held on Tuesday, October 18, 2016 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: August 2 and August 16, 2016
- b) Authorizing a Permit to Enter with Bay Area Motivate LLC, a Delaware limited liability company, for a bike share station at Yerba Buena Gardens for a period of ten years, from August 1, 2016 to July 31, 2026; former Yerba Buena Center Redevelopment Project Area (Action) (Resolution No. 43-2016)

PUBLIC COMMENT - None

Vice-Chair Mondejar motioned to move Items 5(a) and 5(b) and Commissioner Pimentel seconded that motion.

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

Commissioner Bustos – absent
Vice-Chair Mondejar – yes
Commissioner Pimentel - yes
Commissioner Singh - absent
Chair Rosales - yes

ADOPTION: IT WAS VOTED BY THREE COMMISSIONERS WITH TWO ABSENCES THAT Approval of Minutes for August 2 and August 16, 2016, BE ADOPTED.

ADOPTION: IT WAS VOTED BY THREE COMMISSIONERS WITH TWO ABSENCES THAT RESOLUTION No. 43-2016, AUTHORIZING A PERMIT TO ENTER WITH BAY AREA MOTIVATE LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR A BIKE SHARE STATION AT YERBA BUENA GARDENS FOR A PERIOD OF TEN YEARS, FROM AUGUST 1, 2016 TO JULY 31, 2026; FORMER YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA, BE ADOPTED.

REGULAR AGENDA

Agenda Items 5(c), 5(d) and 5(e) related to financial advisory services were heard together, but acted on separately

- c) Authorizing a Personal Services Contract with CSG Advisors, Inc. for financial advisory services in an amount not to exceed \$41,350 related to proposed sales of taxable housing tax allocation refunding bonds (Discussion and Action) (Resolution No. 44-2016)
- d) Authorizing a Personal Services Contract with Kitahata and Company for financial advisory services in an amount not to exceed \$79,960 related to the proposed sales of tax-exempt infrastructure tax allocation bonds for the Transbay Redevelopment Project Area and taxable housing tax allocation bonds to fund construction of low and moderate income housing in Mission Bay, Transbay, and Hunters Point Shipyard/Candlestick Point (Discussion and Action) (Resolution No. 45-2016)
- e) Authorizing a Personal Services Contract with Public Financial Management, Inc. for financial advisory services in an amount not to exceed \$226,000 related to the proposed sales of tax-exempt infrastructure tax allocation bonds for the Transbay Redevelopment Project Area and housing taxable tax allocation bonds to fund construction of low and moderate income housing in Mission Bay, Transbay, and Hunters Point Shipyard/Candlestick Point (Discussion and Action) (Resolution No. 46-2016)

Presenters: Tiffany Bohee, Executive Director, OCII; John Daigle, Senior Financial Analyst, OCII; Sally Oerth, Deputy Director, OCII

PUBLIC COMMENT

Speaker: Oscar James, Bayview Hunters Point (BVHP) native resident

Mr. James was in support of this item. He expressed concern for the homeless and especially homeless families with children in his community. Mr. James asked the Commission to set up a program to help those families be able to find homes to live in. He stated that they needed to take special care of children to prevent them from getting into trouble later and making sure they have a home should be first priority. He asked Commissioners to try to see life through the eyes of the homeless.

Chair Rosales referred to the section in the information memo regarding homeless families. She inquired about whether they knew the number of homeless families in San Francisco; if the total number of homeless families in the City amounted to 603, she inquired what the impact of the units being built for homeless families would have on that number.

Executive Director Bohee referred to the slide in question and responded that for Mission Bay (MB) Block 3 East, approximately 62 of the 119 units being built would be set aside for homeless veterans and the balance for homeless families. She added that these numbers always included a manager's unit as well. Ms. Bohee explained that some of the funds used for this development came from private donors via Mayor Lee, and that OCII had accepted a donation to jump start the predevelopment dollars. Ms. Bohee explained that typically they had set aside 20-30% of units for homeless families and now, as per discussions with the Department of Homelessness and Supportive Housing, the priority was to include units for single individuals. Therefore, in MB Block 9 100% units of the 120 units would be designated for single individuals, including wrap-around full supportive services. In MB Block 4, there would be at least 25 units for homeless families. Alice Public Housing Replacement was designated for low income families. In Candlestick, 25% was designated for homeless families, so Block 10A would designate 35 units and Block 11A would designate 38 units, including transitional age youth units. Overall, including Mission Bay Blocks 6 West and 6 East the total came to 306 units for supportive housing with emphasis on homeless individuals.

Vice-Chair Mondejar inquired about homeless youth and whether they were able to apply themselves or had to apply with their families.

Executive Director Bohee responded that there were some Transitional Age Youth (TAY) units that may be within a family development.

Ms. Oerth responded that through the Human Services Agency and the new agency for Homelessness and Supportive Housing, the City was focusing on TAY, which included children, coming out of the foster care system, who might be homeless or at risk of homelessness. This was accomplished through a referral system run by the City partners, which matched the TAYs to the appropriate level of services needed to serve that particular population.

Vice-Chair Mondejar inquired about whether OCII was directly involved in the referrals; inquired about whether these were OCII units.

Ms. Oerth responded that OCII was not a service agency and not involved in the referral system, but rather that was the job of the Department of Homelessness and Supportive Housing. If there was a unit designated for a TAY, they would make the referral to fill the units being provided by OCII.

Commissioner Pimentel inquired about the age of the TAY individuals and whether they would be placed in the homeless individual or family units; inquired about how the referral access points were calculated and what they consisted of; inquired about how many units would be set aside for TAY individuals.

Ms. Oerth responded that TAY individuals usually ranged from ages 18-24. She responded that the City departments and service agencies that worked with that population were in constant touch with them. She explained that as they approached lease-up, the call would go out to make the referral and case managers would work to match the individuals with the units. Ms. Oerth responded that she did not have the exact number of TAY units, but could make it available. She added that 25% of the units were set aside for the homeless and a certain number of them would be designated for TAY individuals and families. She added that more information would be available later.

Vice-Chair Mondejar remarked that this was a demographic that had been historically neglected and now they were realizing that this group of young individuals needing help and support services existed.

Chair Rosales added that they needed to catch these individuals early for help. She liked the idea that there was youth within the family housing that included older children.

Vice-Chair Mondejar motioned to move Items 5(c), 5(d) and 5(e) and Commissioner Pimentel seconded that motion.

Secretary Nguyen called for a voice vote on Items 5(c), 5(d) and 5(e).

Commissioner Bustos - absent
Vice-Chair Mondejar – yes
Commissioner Pimentel - yes
Commissioner Singh - absent
Chair Rosales - yes

ADOPTION: IT WAS VOTED BY THREE COMMISSIONERS WITH TWO ABSENCES THAT RESOLUTION No. 44-2016, AUTHORIZING A PERSONAL SERVICES CONTRACT WITH CSG ADVISORS, INC. FOR FINANCIAL ADVISORY SERVICES IN AN AMOUNT NOT TO EXCEED \$41,350 RELATED TO PROPOSED SALES OF TAXABLE HOUSING TAX ALLOCATION REFUNDING BONDS, BE ADOPTED.

ADOPTION: IT WAS VOTED BY THREE COMMISSIONERS WITH TWO ABSENCES THAT RESOLUTION No. 45-2016, AUTHORIZING A PERSONAL SERVICES CONTRACT WITH KITAHATA AND COMPANY FOR FINANCIAL ADVISORY SERVICES IN AN AMOUNT NOT TO EXCEED \$79,960 RELATED TO THE PROPOSED SALES OF TAX-EXEMPT INFRASTRUCTURE TAX ALLOCATION BONDS FOR THE TRANSBAY REDEVELOPMENT PROJECT AREA AND TAXABLE HOUSING TAX ALLOCATION BONDS TO FUND CONSTRUCTION OF LOW AND MODERATE INCOME HOUSING IN MISSION BAY, TRANSBAY, AND HUNTERS POINT SHIPYARD/CANDLESTICK POINT, BE ADOPTED.

ADOPTION: IT WAS VOTED BY THREE COMMISSIONERS WITH TWO ABSENCES THAT RESOLUTION No. 46-2016, AUTHORIZING A PERSONAL SERVICES CONTRACT WITH PUBLIC FINANCIAL MANAGEMENT, INC. FOR FINANCIAL ADVISORY SERVICES IN AN AMOUNT NOT TO EXCEED \$226,000 RELATED TO THE PROPOSED SALES OF TAX-EXEMPT INFRASTRUCTURE TAX ALLOCATION BONDS FOR THE TRANSBAY REDEVELOPMENT PROJECT AREA AND HOUSING TAXABLE TAX ALLOCATION BONDS TO FUND CONSTRUCTION OF LOW AND MODERATE INCOME HOUSING IN MISSION BAY, TRANSBAY, AND HUNTERS POINT SHIPYARD/CANDLESTICK POINT, BE ADOPTED.

f) Authorizing a Personal Services Contract with ALH Urban & Regional Economics, a Sole Proprietorship, for an amount not to exceed \$230,000 for economic and financial advisory services, for a term beginning on October 1, 2016 and ending on September 30, 2019, related to the Hunters Point Shipyard Phase 2 and Candlestick Point Project; Hunters Point Shipyard and Bayview Hunters Point Redevelopment Project Areas (Discussion and Action) (Resolution No. 47-2016)

Presenters: Tiffany Bohee, Executive Director, OCII; Tamsen Drew, Senior Project Manager, Hunters Point Shipyard/Candlestick Point Redevelopment Project, OCII

PUBLIC COMMENT - None

Chair Rosales inquired about when Lennar would provide the report in question; inquired about whether those were the only two reports from Lennar.

Ms. Drew responded that they expected the revised 2016 pro-forma report from Lennar later that week as well as an annual report. She responded in the negative and explained that a quarterly report on community benefits obligations was also due from Lennar and they were behind two quarters on that as well.

Chair Rosales expressed concern over this news. She commented that they would like to have all the reports that were due from Lennar because all the reports from them were important and this needed to be communicated to them.

Ms. Drew responded that she would communicate that comment to Lennar.

Vice-Chair Mondejar inquired about whether this was their first contract with ALH.

Ms. Drew responded in the negative and explained that ALH had provided economic consulting services on Mission Bay a few years ago.

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

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

Commissioner Bustos - absent
Vice-Chair Mondejar – yes
Commissioner Pimentel - yes
Commissioner Singh - absent
Chair Rosales - yes

ADOPTION: IT WAS VOTED BY THREE COMMISSIONERS WITH TWO ABSENCES THAT RESOLUTION No. 47-2016, AUTHORIZING A PERSONAL SERVICES CONTRACT WITH ALH URBAN & REGIONAL ECONOMICS, A SOLE PROPRIETORSHIP, FOR AN AMOUNT NOT TO EXCEED \$230,000 FOR ECONOMIC AND FINANCIAL ADVISORY SERVICES, FOR A TERM BEGINNING ON OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2019, RELATED TO THE HUNTERS POINT SHIPYARD PHASE 2 AND CANDLESTICK POINT PROJECT; HUNTERS POINT SHIPYARD AND BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT AREAS, BE ADOPTED.

6. Public Comment on Non-Agenda Items

Speakers: Shirley Moore, Bayview Hill Neighborhood Association; Oscar James, BVHP native resident

Ms. Moore was against the proposal to build a 2700-space underground garage at the Candlestick Point project, which would include two levels of open space parking. She reported that this structure was scheduled to be installed at the foot of Ingerson and Giants Drive within 200-300 feet of area residences and across the street from Gilman Park, which had just been renovated for \$2.8 million. Her association was asking that FivePoint/Lennar consider moving the garage to the southeast side of the project to avoid carbon monoxide pollutants permeating throughout the neighborhood. Ms. Moore stated that there was also a school across the street. She felt that building a parking structure of this size within a neighborhood was not a good idea

because Bayview was a care zone with a high rate of residents with respiratory illnesses. She added that they were trying to schedule a meeting with OCII to work out a solution regarding this topic.

Chair Rosales did acknowledge that they had received letters regarding this topic and it would be under consideration.

Mr. James commented that the land where the garage in question was proposed to be built was landfill. He recalled that he used to skid rocks out there when he was a child and his grandfather worked on filling in that area as well as Cargo Way in Hunters Point. Mr. James stated that he also opposed the parking structure. He was in favor of Prop O. Mr. James expressed concern that the areas in the Hunters Point Shipyard that were supposed to be 100% cleaned were not being cleaned up. He suggested that OCII press charges against Tetra Tech, the company in charge of the clean-up for the Navy, for not completely cleaning up the Shipyard. Mr. James stated that he was born and raised in that area and knew about the toxicity that existed there. He reminded Commissioners that the Hunters Point Shipyard was made a Superfund site because it was so toxic and if the City was going to allow people to live in that area, it needed to be cleaned 100%.

7. Report of the Chair

Chair Rosales stated that she did not have a report.

8. Report of the Executive Director

- a) Hunters Point Shipyard Environmental Remediation Update; Hunters Point Shipyard Redevelopment Project Area (Discussion)

Presenters: Tiffany Bohee, Executive Director, OCII; Amy Brownell, environmental engineer, San Francisco Public Health Department (DPH)

PUBLIC COMMENT

Speakers: Oscar James, BVHP native resident; Shirley Moore, Bayview Hill Neighborhood Association; Tom Gilberti, South Marina resident

Mr. James inquired about whether the area that Ms. Brownell showed on the map included Parcels E and E2.

Ms. Brownell responded in the affirmative.

Mr. James referred to areas in the City that contained a type of rock called clementine [serpentine] rock and stated that this rock was indigenous to northern California and needed to be watered to keep the dust down during construction. Mr. James referred to all the toxins that had accrued during war time by building bombs and the materials used to build bombs which were buried in Parcels E and E2. He expressed concern that if this ground were to be capped, an earthquake would liquefy this material and it would all be brought back up to the surface. It needed to be removed entirely.

Ms. Moore stated that she used to live at the Hunters Point Shipyard with her husband, who worked in the Nuclear Department for the Navy with one of the highest national clearances. She recalled that he was the one who had locked the gates when they closed it. Then he proceeded to write a paper to the Navy about the level of contamination in the soil and about how this area would not be inhabitable because of the radioactive material amounts there. He had made suggestions as to how to remedy the problem but would not speak about this because of his top

clearance. Ms. Moore stated that her husband was also knowledgeable about Angel Island and Treasure Island. She was trying to get her husband to come speak before the Commission.

Mr. Gilberti stated that he was not very knowledgeable about the area in question but had an artist studio at the Hunters Point Shipyard 28 years ago. He hoped that they erred on the side of caution and investigated fully because life was too rich and too short to pollute it so heavily for profit. Mr. Gilberti indicated that there was no reason to state that the area was not ready to develop because the land was not going anywhere and they should continue to work on cleaning it up. However, he stressed that residents should be able to sleep and live and dig in the dirt and stay healthy wherever they lived. He hoped that OCH would take care of this issue.

Commissioner Pimentel inquired about whether they could get a larger map of the area in question. She thanked the speakers from the Bayview for coming forward with public comment. Ms. Pimentel mentioned that she was a third-generation from the Bayview and remembered family members who had worked at the Shipyard and who became sick with cancer and died. She recalled that it had taken a long time for that information to come to light. Ms. Pimentel inquired about what made the Navy/DPH take a second look at the findings to discover that they were mishandled; inquired about why the individuals that participated had only received a warning and had to go to ethical training only and wondered why this punishment was so light. Ms. Pimentel expressed concern over the ramifications of their actions as well as the \$7,000 fine, which she stated was not enough money when dealing with people's health; inquired about how they could confirm whether the individuals involved in the clean-up were not contaminated themselves; inquired about who had authorized the individuals to take the incorrect samples and how far up the ladder did this go; inquired about the new claim that has come forward and whether there were any new whistleblowers.

Ms. Brownell responded that when they looked at the analytical data from the area, a normal part of the process, the plots did not match and that they should have. So they went back and did another data exercise, identified the areas shown on the map and figured it out. Regarding the fine, the Nuclear Regulatory Commission stated in the report that they had no health and safety concerns and they concluded there were no immediate exposure risk. The concern was that worker(s) were doing their work incorrectly. She responded that the radiological workers in the area are allowed to be exposed to a certain level of radiation and they wear radiation badges called dosimeters that monitor their exposure. Ms. Brownell responded that the outside area where they performed the work was fenced off and the work being done within the area was constantly being monitored. She responded that her understanding was that at least some of the individuals in question were fired.

Commissioner Pimentel inquired about whether any investigation was conducted as to where the individuals in question had gotten their direction to perform this way.

Ms. Brownell responded that a supervisor had told them to do it the wrong way.

Commissioner Pimentel inquired about whether the supervisor was still working there; inquired about whether the supervisor ever disclosed about why he would want the employees to falsify documents.

Ms. Brownell responded that information regarding the second question would only be speculation and the issue was still under investigation by the Navy. Details were not available at this time.

Vice-Chair Mondejar referred to Ms. Brownell's previous comment that this area was safe for the artists, workers and the administrators there but inquired about the residents of the area; inquired about what areas in particular were still contaminated.

Ms. Brownell responded that she had tried to make it very clear during the presentation that there were no allegations about problems in the areas where the new residents were living. The EPA had sent an email stating that there were no concerns in those areas. She displayed a map and

responded that the perimeter areas near the water were the areas where the samples in question were found.

Vice-Chair Mondejar asked for verification that the EPA confirmed that there was no danger to residents in the new development. She asked for confirmation that the US Navy could not transfer these parcels to the City, and whether work was still being done in the affected areas; inquired about what part the DPH played in all this; requested verification that OCII would have to just sit by and wait for all the reports to get approved and for the DPH approval.

Ms. Brownell responded that all kinds of work was going on in the affected area, much of which was paperwork and much of which had nothing to do with this contamination issue. She explained that part of the CERCLA process and prior to transfer of the property, a Finding of Suitability to Transfer report had to be completed, where all (environmental) activities that had been done on the property were summarized and assessed. Ms. Brownell explained that the next parcels scheduled for transfer were Parcels G, B-1 and Area IR7/18 and that this transfer was scheduled for 2017. At the same time, the NRC and the EPA investigations were ongoing and the Navy had indicated that they believed the affected area was limited in extent and scope and would likely deliver a report to that effect within the next couple of months. She added that criminal investigations were also being conducted by the Navy. Ms. Brownell responded that the DPH role was to review the technical information received with the assistance of an outside consultant and evaluate whether the transfer was protective of public health and if it was going to work for the redevelopment needs. She indicated that they attended weekly meetings and were apprised of what was going on but did not have a separate investigative role. She stressed that the property would not be transferred until all three regulatory agencies had signed off and approved the transfer.

Chair Rosales inquired about Tetra Tech's comments on the investigation, their employees, and whether they were being helpful to the investigation since they were in a defensive mode.

Ms. Brownell could not comment on the investigation but understood that Tetra Tech was being very cooperative with investigators.

Chair Rosales stated that this was of great concern because this problem had taken place in 2011 and was not discovered for two years. Ms. Rosales inquired about what assurances they had that something would not be revealed two years from now that they believed at this time was safe.

Ms. Brownell responded that the Navy has spent close to one billion dollars on all their work at Hunters Point Shipyard and that the Navy might have a new report within the next few months.

9. Commissioners' Questions and Matters

Commissioner Pimentel referred to Ms. Moore's comment regarding the parking structure. She inquired about whether they had a map detailing where the tentative parking structure would be; inquired about whether Lennar had presented to the community to help them understand the impact of this structure; inquired about whether they had a sense of whether the structure could be moved or not. Ms. Pimentel stressed that this was the reason why it was so critical to get neighborhood input and communicate with the neighborhood about how projects might directly impact them, not only during construction but demolition as well.

Executive Director Bohee responded that the Design for Development for the Candlestick development were all approved in 2010, which included the location for the parking garage. She explained that there were subsequent development applications approved in 2014. However, the specific schematic design of the Candlestick mixed use center including the parking structure would come before OCII later next year. She responded that they could provide the map with detail of the area. Regarding the flexibility for the parking structure, Ms. Bohee explained that the plans for the roads and transit were all set in the major phase document which had already been approved. However, the specific designs were still to come after discussion with interested stakeholders.

10. **Closed Session** – None

11. **Adjournment**

The meeting was adjourned by Chair Rosales at 2:54 p.m.

Respectfully submitted,



Interim Commission Secretary