

Mark Farrell
MAYOR



Marilyn Mondejar
CHAIR

Miguel Bustos
VICE-CHAIR

Mara Rosales
Darshan Singh
COMMISSIONERS

Nadia Sesay
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
19TH DAY OF JUNE 2018**

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 19th day of June 2018, 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 1:01 p.m. Roll call was taken.

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

Commissioner Rosales arrived late; all other Commission members were present.

2. Announcements

A. The next scheduled Commission meeting will be a regular meeting held on Tuesday, July 3, 2018 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 - None

REGULAR AGENDA

Agenda Items 5(a) and 5(b) related to Transbay Redevelopment Project Area were presented together, but acted on separately

- a. Approving, pursuant to the Transbay Implementation Agreement, a Third Amendment to the Contract with Conger Moss Guillard Landscape Architecture to complete design and construction administration for the Folsom Streetscape Improvements by increasing the not-to-exceed amount by \$667,969, for a total maximum aggregate amount of \$4,420,106; Transbay Redevelopment Project Area (Discussion and Action) (Resolution No. 27-2018)
- b. Authorizing, pursuant to the Transbay Implementation Agreement, a Third Amendment to the Memorandum of Understanding with the City and County of San Francisco, acting through its Department of Public Works to increase funding in an additional amount not to exceed \$17,966,556 for an aggregate total not to exceed \$19,079,347 for the Transbay Folsom Street Improvement Project that is within the scope of the Transit Center District Plan Project approved under the Final Environmental Impact Report Transit Center District Plan and Transit Tower ("FEIR"), a Program EIR, and is adequately described in the FEIR and its addendum for purposes of the California Environmental Quality Act; Transbay Redevelopment Project Area (Discussion and Action) (Resolution No. 28-2018)

Presenters: Nadia Sesay, Executive Director; Shane Hart, Transbay Project Manager; Carrie Rybczynski, Senior Associate, CMG Landscape Architecture; Kelli Rudnick, Project Manager, San Francisco Public Works; Dadisi Nahib, Public Relations Officer, San Francisco Public Works

PUBLIC COMMENT - None

Vice-Chair Bustos stated that he was concerned about the fact that many parking spots were being removed from downtown San Francisco as a result of new construction and commented that this was not good for ground floor retail in that area. He reported that prior to this project, there was parking for cars on those streets. He asked for a response to this.

Ms. Rybczynski responded that there would be some parking removed; however, about 22 parking spaces would remain between Essex and Spear Streets. One of the City goals as well as district goals was to bring some other type of transit, like bicycles and MUNI to the area. She reported that many of the residents in this neighborhood had parking and those residents would have access to the services on Folsom and would be within walking distance from them.

Vice-Chair Bustos commented that downtown San Francisco belonged to everyone and added that he drove down that street all the time and even though the goal might be able to remove cars from downtown, if residents owned a car and wanted to be able to use it, they should be able to. He expressed concern that the City was moving away from allowing people to have that choice. Mr. Bustos commented on the large Cape Rush bushes and expressed concern that at night there were many rodents coming in and out of those bushes as well as the presence of needles that were thrown into the shrubbery.

Ms. Rybczynski responded that in this neighborhood the Community Benefits District (CBD) would be supplementing all San Francisco Public Works (SFPW) work with regular maintenance of the landscaping.

Vice-Chair Bustos expressed concern over any project that had constant amendments being added because there were limited funds and the reason they went through the bidding process was to secure the best companies and the best cost. He inquired about why individuals were not sticking to

the bid that they had already brought forward. He inquired about whether this was the end of the amendment process for this project.

Mr. Hart agreed with Vice-Chair Bustos on this point. He reported that when they came before OCII with this project in 2013, the budget for construction contract was in \$12 million range and now it was \$12.8 million but he conceded that costs did increase. He deferred to Ms. Rudnick for more detail on this issue.

Ms. Rudnick responded that bids were coming in quite high these days because of the construction boom going on in the City right now. She reported that a low bidder was at \$16.5 million for this project and came in 150% over what they estimated. She explained that they could put this project on hold and wait for construction costs to come down, but added that there was great demand for these materials, such as for the concrete base for street paving. Ms. Rudnick stated that this issued was out of their control except to be able to wait for costs to come down but no one would know how long that would take.

Executive Director Sesay added that the first and second amendments were regarding soft costs, like design and construction documents. She reported that this was the first time Commissioners were approving the construction part of this contract and that it has been sequenced this way so they could have more certainty in what the construction costs would be.

Vice-Chair Bustos thanked Executive Director Sesay for that clarification; however, he stressed that they held the trust of the public for these resources and the question was why they were doing this over again.

Ms. Rudnick responded that this was a solid bid, with a good contractor, one that they worked with a lot.

Commissioner Singh inquired about how much time was required to maintain the landscaping; inquired about whether SFPW also took care of the plants and the streets.

Ms. Rybczynski responded that she did not have an exact number of hours because she was not part of that process; however, she added that CBD had a budget for maintaining the streetscape and the open space.

Ms. Rudnick responded that CBD would do the maintenance that was on top of the City standard. So SFPW maintained the street with standard maintenance and the CBD would do a higher level of maintenance on the landscaping to keep plants alive and keep them cleaned out. Ms. Rudnick stated that she did not have an exact number of hours for this but they had an agreement with CBD that they would maintain it. She responded in the affirmative that this was a partnership agreement between CBD and SFPW.

Chair Mondejar inquired about how information was being disseminated about changes in the neighborhood, because the outreach was not getting to everyone in the area. She stated that she lived in that neighborhood and would like to participate in this change.

Ms. Rudnick responded that residents living within a four-block radius of the project would be receiving the information in the mail and that outreach would cover residents and businesses that were adjacent to the area. She reported that they needed to work on the mailing lists now that construction was begun and they were counting on their partners, like CBD and the CAC's to help add to the mailing list and were counting on organizations like Next Door and other social media to get the word out.

Dadisi Nahib suggested paying attention to Next Door postings for more information. She reported that they would also be using the district supervisors' pages and be posting information on the SFPW website. Interested parties could go to the website and ask to be added to the newsletter updates.

Chair Mondejar stated that her point was that she was a neighborhood District 6 resident and, even though she was receiving Supervisor Kim's monthly newsletter, she was not receiving any information about this project. She inquired about how they were reaching out to the wider neighborhood and stated that they needed a more rigorous outreach and to be more aggressive to reach more people in the area. Ms. Mondejar stressed that the point here was to get more people from all over the City to come over to Folsom Street, which would be parking-restricted already. Even though security, transportation, maintenance, and bike routes would all be very important, the most critical thing was to get the word out and make more of an effort to reach out to the entire City population about this project.

Dadisi Nahib stated that Chair Mondejar would be receiving those updates once the contract was awarded. She explained that their aggressive outreach would start once they had a contractor on board and once they had a notice to proceed. At that point they would send out a 30-day notice to let residents know that the project was coming.

Ms. Rudnick stated that SFPW would be doing the tweeting and doing the standard citywide outreach and notifications to promote the project and talking to the City about the project. She reiterated that they needed to have something to announce, which was that construction was starting and once they had a contractor on board, the NextDoor notifications would be sent out. She thanked Chair Mondejar for that feedback.

Chair Mondejar reiterated how important it was that the community know what was going on, what was being funded, where the money was going, how it would benefit City residents and that there were new places to visit and new businesses to patronize.

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

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

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

ADOPTION: IT WAS VOTED BY THREE COMMISSIONERS WITH ONE ABSENCE THAT RESOLUTION NO. 27-2018, APPROVING, PURSUANT TO THE TRANSBAY IMPLEMENTATION AGREEMENT, A THIRD AMENDMENT TO THE CONTRACT WITH CONGER MOSS GUILLARD LANDSCAPE ARCHITECTURE TO COMPLETE DESIGN AND CONSTRUCTION ADMINISTRATION FOR THE FOLSOM STREETScape IMPROVEMENTS BY INCREASING THE NOT-TO-EXCEED AMOUNT BY \$667,969, FOR A TOTAL MAXIMUM AGGREGATE AMOUNT OF \$4,420,106; TRANSBAY REDEVELOPMENT PROJECT AREA, BE ADOPTED.

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

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

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

ADOPTION: IT WAS VOTED BY THREE COMMISSIONERS WITH ONE ABSENCE THAT RESOLUTION NO. 28-2018, AUTHORIZING, PURSUANT TO THE TRANSBAY IMPLEMENTATION AGREEMENT, A THIRD AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH THE CITY AND COUNTY OF SAN FRANCISCO, ACTING THROUGH ITS DEPARTMENT OF PUBLIC WORKS TO INCREASE FUNDING IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$17,966,556 FOR AN AGGREGATE TOTAL NOT TO EXCEED \$19,079,347 FOR THE TRANSBAY FOLSOM STREET IMPROVEMENT PROJECT THAT IS WITHIN THE SCOPE OF THE TRANSIT CENTER DISTRICT PLAN PROJECT APPROVED UNDER THE FINAL ENVIRONMENTAL IMPACT REPORT TRANSIT CENTER DISTRICT PLAN AND TRANSIT TOWER (“FEIR”), A PROGRAM EIR, AND IS ADEQUATELY DESCRIBED IN THE FEIR AND ITS ADDENDUM FOR PURPOSES OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; TRANSBAY REDEVELOPMENT PROJECT AREA, BE ADOPTED.

- c. Approving a variance under the Mission Bay South Design for Development for artwork on Block 40 at 1800 Owens Street that exceeds standards for vertical dimensions and for clearance from, and projection over, the sidewalk; Mission Bay South Redevelopment Project Area (Discussion and Action) (Resolution No. 29-2018)

Presenters: Nadia Sesay, Executive Director; Nikki Henry, Assistant Development Specialist, Mission Bay Project; Sabina Cheng, Rios Clementi Hale Studios; Marc Slutzkin, Project Manager, Mission Bay

PUBLIC COMMENT – None

Vice-Chair Bustos was pleased with the design but inquired about why they could not find a local designer for this project.

Mr. Henry deferred to Ms. Cheng to respond to that question.

Ms. Cheng responded that they had hired an art consultant and had looked at many artists from around the world, including local designers. Based on the design of the building, which was very graded and very structured with pop-up color and many adjustments to the top of the building and bright colors, they thought the Brazilian designer was the best choice for this Mission Bay neighborhood.

Vice-Chair Bustos asked the question again of staff this time. He reiterated that one of the critical concerns for OCII was how to get local artists involved in all the new construction and building going on in the City. He believed that San Francisco artists should get these gigs. Mr. Bustos stated that perhaps they needed to talk to the art consultants to let them know that local artists should be considered first to be able to derive income from their own art.

Mr. Slutzkin responded that they did understand his concern. He explained that in the future, when they were in direct control of the funds for this, they would be working directly with the San Francisco Art Commission and top priority would be given to local artists.

Commissioner Rosales commented that the design was very bold and very pretty; however, she concurred with Vice-Chair Bustos that local artists should be considered for this sort of thing.

Chair Mondejar concurred with Vice-Chair Bustos that local artists should be supported for this sort of project. She inquired about whether this was the final design.

Ms. Cheng responded that they were very close to finishing but were still working with the artists on nuances because of the perforations in the design and how much you could see through the perforation to the garage. She referred to the child’s hand and stated that the idea was to celebrate innocence and creativity through St. Francis.

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

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

Commissioner Rosales - yes

Commissioner Singh - yes

Vice-Chair Bustos - yes

Chair Mondejar – yes

ADOPTION: IT WAS VOTED UNANIMOUSLY BY FOUR COMMISSIONERS THAT RESOLUTION NO. 29-2018, APPROVING A VARIANCE UNDER THE MISSION BAY SOUTH DESIGN FOR DEVELOPMENT FOR ARTWORK ON BLOCK 40 AT 1800 OWENS STREET THAT EXCEEDS STANDARDS FOR VERTICAL DIMENSIONS AND FOR CLEARANCE FROM, AND PROJECTION OVER, THE SIDEWALK; MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA, BE ADOPTED.

- d. Authorizing a Personal Services Contract with Lowercase Productions (“Lowercase”), a sole proprietorship in an amount not to exceed \$100,000 for web development services, specifically the design, overhaul and revamp of the current OCII website (Discussion and Action) (Resolution No. 30-2018)

Presenters: Nadia Sesay, Executive Director; Max Barnes, Project Associate, PR & Media Relations

PUBLIC COMMENT – None

Commissioner Singh inquired about what the Drupal system was; inquired about whether OCII’s website was hosted by Drupal.

Mr. Barnes responded that Drupal was a content management system. He explained that any online website was hosted by a content management system; for instance, Google, which was hosted by some sort of template system. He reported that Drupal was the system that the City currently employed and allowed customization of the site. Mr. Barnes responded that the current website was on Drupal. He added that Lowercase had the Drupal knowledge and that this would expedite the process, if they were approved for hire.

Vice-Chair Bustos stated that this was long overdue and he was very excited about it. He wanted to make sure that it contained some type of “wow” factor so that when people visited the site, they would be so excited about it that they wanted to return to it.

Mr. Barnes agreed with Vice-Chair Bustos about the “wow” factor and stated that while they were doing the mock-ups, they could send them to Commissioners for their feedback and input while they were building the site.

Commissioner Rosales referred to slide 3 and was pleased that certain topics would be more navigable, such as affordable housing resources and developer resources, which she thought was very important to have available. She inquired about whether there would be a link to the Mayor’s Office of Housing, stressing that she did not want the OCII site to be a carbon copy of the City’s site but added that a simple link would be helpful. Ms. Rosales added that they should distinguish and showcase what OCII had to uniquely offer.

Mr. Barnes responded that all the City agencies had to follow the same constraints as the City’s website; however, working with Lowercase, they would be able to go completely away from the City’s look and added that it would be very clear how to navigate to different topics.

Chair Mondejar was very pleased and excited about this project. She inquired about being able to obtain a list of all the artwork located within the OCII redevelopment properties and having one place to go to for that information on the website.

Mr. Barnes responded that there was the \$100,000 budget; however, there was \$14,580 extra for contingencies that they might want to add in later. He agreed that making the artwork available on the website would be desirable.

Commissioner Singh motioned to move Item 5(d) and Commissioner Rosales seconded that motion.

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

Commissioner Rosales - yes

Commissioner Singh - yes

Vice-Chair Bustos - yes

Chair Mondejar – yes

ADOPTION: IT WAS VOTED UNANIMOUSLY BY FOUR COMMISSIONERS THAT RESOLUTION NO. 30-2018, AUTHORIZING A PERSONAL SERVICES CONTRACT WITH LOWERCASE PRODUCTIONS (“LOWERCASE”), A SOLE PROPRIETORSHIP IN AN AMOUNT NOT TO EXCEED \$100,000 FOR WEB DEVELOPMENT SERVICES, SPECIFICALLY THE DESIGN, OVERHAUL AND REVAMP OF THE CURRENT OCII WEBSITE, BE ADOPTED.

- e. 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. 31- 2018)

Presenters: Nadia Sesay, Executive Director; April Ward, Senior Personnel Analyst

PUBLIC COMMENT - None

Commissioner Singh inquired about salaries for the positions in questions; inquired about whether this was comparable to other City departments.

Ms. Ward responded that the average salary range for the five positions in question ranged from \$150/hour to \$1,150/hour at least. She responded in the affirmative and added that each position was tied to a city classification. She explained that when they were conducting the comparable ties, they realized that the position ties were off, so they hired an outside analyst to look at their work and the analyst agreed with their conclusion. Ms. Ward explained that in order to not harm the employee, they created a line b to protect the employee from line a, so the salary would not be affected and the employee would receive the cost of living increase along with the other staff.

Commissioner Rosales requested clarification regarding the number of positions being at 101; inquired about the current headcount and whether those were all full-time.

Ms. Ward responded in the affirmative to the 101 positions, but clarified that they were not all field positions. She responded that currently OCII had 51 employees and of those, there were one or two part-time employees. She reiterated that this decision would not affect the budget that was presented earlier, unless more people were hired.

Commissioner Rosales clarified that this meant that 50% of the positions were filled.

Chair Mondejar inquired about whether OCII was sufficiently staffed.

Ms. Ward responded in the affirmative.

Vice-Chair Bustos motioned to move Item 5(e) and Commissioner Singh seconded that motion.

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

Commissioner Rosales - yes

Commissioner Singh - yes

Vice-Chair Bustos - yes

Chair Mondejar – yes

ADOPTION: IT WAS VOTED UNANIMOUSLY BY FOUR COMMISSIONERS THAT RESOLUTION NO. 31-2018, 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 - None

7. Report of the Chair

Chair Mondejar announced the opening of the new Darshan Singh Technology Center at San Quentin State Prison which was named after Commissioner Singh. The new center would provide additional services for prisoners. Chair Mondejar commended Commissioner Singh for his work on this project.

Chair Mondejar stated that she was pleased to announce that the California Department of Public Health (DPH) had committed to the retesting of Parcel A at Hunters Point Shipyard in the coming weeks. She also announced that the Navy had recently released a detailed plan for retesting Parcel G. Ms. Mondejar stressed that the safety and well-being of the residents and workers at the Shipyard was paramount to the Commission and they would continue to collaborate with CDPH, the SFDPH and the regulatory agencies to address safety concerns at the Shipyard.

8. Report of the Executive Director

Executive Director Sesay concurred with Chair Mondejar's remarks concerning the Shipyard and stated that they would inform Commissioners when the testing occurred. She expected that CDPH would release a work plan soon and start testing in July. Ms. Sesay stressed that they needed to address concerns regarding Parcel A because individuals were currently living there.

Chair Mondejar requested that this be tweeted out to the public and be posted on the OCII website.

9. Commissioners' Questions and Matters

Vice-Chair Bustos publicly acknowledged that they now had a new mayor, London Breed, who was previously a member of the San Francisco Redevelopment Agency (SFRA) and therefore was someone who understood their work very well. He announced that it was (then) Commissioner Breed, Commissioner Singh, (then) Commissioner King and himself that pushed the Certificate of Preference Program to be passed on to allow more displaced residents return to San Francisco.

Vice-Chair Bustos requested that a note of congratulations be sent to Mayor Breed signed by all the OCII Commissioners to let her know that they were still there and still doing all the good work.

Commissioner Singh announced that he was with London Breed at her campaign office when the announcement was made that she had won the election.

Commissioner Rosales inquired about whether OCII or the former SFRA had any small business policies that were applicable to tenants in OCII developments regarding improvements.

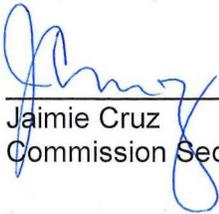
Jim Morales, General Counsel and Deputy Director, responded in the negative and stated that this would depend on the particular project but for the most part, the obligations of the builder of the project were for owner improvements rather than tenant improvements. He explained that it was the owner's obligations to comply with OCII policies regarding construction workforce and contracting and those obligations end when the owner improvements are complete. Tenant improvements are typically performed later by a third party either leasing, buying, or occupying space in a building. If the owner was finishing certain areas, which might, under certain circumstances, be considered tenant improvements and if the owner would be occupying the building, the owner would still be obligated to follow the SBE requirements for contracting and workforce. Mr. Morales added that in a true tenant improvement context, OCII policies did not extend that far.

10. Closed Session – None

11. Adjournment

The meeting was adjourned by Chair Mondejar at 2:39 p.m.

Respectfully submitted,



Jaimie Cruz
Commission Secretary