

London N. Breed
MAYOR



Miguel Bustos
CHAIR

Mara Rosales
VICE-CHAIR

Sally Oerth
INTERIM EXECUTIVE DIRECTOR

Bivett Brackett
Dr. Carolyn Ransom-Scott
COMMISSIONERS

**MINUTES OF A REGULAR MEETING OF THE
COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE
OF THE CITY AND COUNTY OF SAN FRANCISCO HELD ON THE
16th DAY OF FEBRUARY 2021**

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 16th day of February 2021. 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: 187 602 9871

In accordance with the numerous preceding local and state proclamations, orders and supplemental directions - aggressive directives were issued to slow down and reduce the spread of the COVID-19 virus. Individuals were encouraged to participate in the meetings remotely by calling in during the public comment section of the meeting.

REGULAR MEETING AGENDA

1. Recognition of a Quorum

Meeting was called to order at 1:01 p.m. by Chair Bustos. Roll call was taken.

Commissioner Brackett - absent
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, March 2, 2021 at 1:00 pm.
- b) Announcement of Time Allotment for Public Comments from participants dialing in: Please be advised a member of the public has up to three minutes to make pertinent public comments on each agenda item unless the Commission adopts a shorter period on any item. Please note that during the public comment period, all dial-in participants from the public will be instructed to call a toll-free number and use their touch-tone phones to register any desire for public comment. Comments will be taken in the order that it was received. Audio prompts will signal to dial-in participants when their audio input has been enabled for commenting.

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Secretary Cruz read instructions for the public to call in.

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

4. Matters of Unfinished Business - None

5. Matters of New Business:

CONSENT AGENDA

a) Approval of minutes of regular meeting of January 19, 2021

PUBLIC COMMENT - None

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

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

Commissioner Brackett – yes

Commissioner Scott - yes

Vice-Chair Rosales - yes

Chair Bustos – yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS THAT APPROVAL OF MINUTES OF THE REGULAR MEETING OF JANUARY 19, 2021, BE ADOPTED.

REGULAR AGENDA

b) Workshop for the San Francisco Unified School District’s Mission Bay School Design (Discussion)

Presenters: Sally Oerth, Interim Executive Director; Gretchen Heckman, Development Specialist, Mission Bay Project Area; Sarah Price, Project Manager, SFUSD; Kristen Raymond, Project Manager, SFUSD

PUBLIC COMMENT

Speakers: Francisco Acosta, Director, Environmental Justice Advocacy (EJA); Sarah Davis, member, Mission Creek Harbor

Mr. Acosta stated that when it concerned children, environmental issues must be observed. He noted that this presentation involved the conceptual plan and that the environmental report would come later on. Mr. Acosta reported that some of the schools that had been built recently had not addressed the environmental issues in a forthright manner. He pointed out that during the presentation, there was mention made of the freeway and a tall building that was supposed to keep away the particulates, which moved very fast and followed the wind. He pointed out that close by was a pump operated by the San Francisco Public Utilities Company and no mention was made of that. Also, the land on which the school would be placed had been abated by the Santa Fe operations and creosote and other contaminants were found on that site and no mention was made of that. Mr. Acosta stressed that the abatement and mitigation must be done at very high standards, which had not been done recently by the SFUSD. He explained that they needed to pay attention to the environmental impact report; otherwise, our children might be put in harm’s way. He stated that he did not appreciate the mention of the name of the Ohlone natives, who he represented, because he had not been notified of this inclusion.

Ms. Davis stated that she had been a resident of MB for 46 years and was a member of the MB CAC. She explained that this project was the culmination of lots of collaboration by the community and members of SFUSD and OCII and reminded them that this was a new project for them. However, she

explained that the same process would be followed for Treasure Island and Hunters Point afterwards. Ms. Davis was in support of this project and she urged Commissioners to pass this item.

Commissioner Brackett referred to comments by Mr. Acosta and asked for details on how they mediated these issues; she inquired about whether they could provide answers to the questions regarding air quality. Ms. Brackett referred to the mention of noise mitigation by the building and inquired about what the findings were of the air quality report; inquired about whether they had a rough number of how many parking spaces there would be in the front drop-off area of the school and also many handicapped spaces there would be; inquired about any additional areas for future parking and whether there was any off-site parking.

Ms. Heckman responded that during the site analysis conducted by the SFUSD, air quality monitoring studies were run and those conclusions determined the position of the school on the site. She reported that they were currently undergoing technical studies for environmental review process. She deferred to Ms. Raymond for more detail.

Ms. Raymond responded that the safety of children was their first priority always. She stated that the school would comply with all Department of Toxic Substance Control (DTSC) and California Department of Education (CDE) requirements. She explained that before they could even apply for a building permit, they had to be approved by these other entities for all health and safety issues. She reported that they would be posting and going through the public process and everyone was welcome to join in that as well. She responded that there would be 7-9 parking spaces, two of which would be handicapped. Ms. Raymond responded that there was no additional onsite parking for this school and that they would be relying on the use of public transportation or shuttle.

Commissioner Scott stated that she was pleased with the presentation and especially the outdoor learning opportunities in this urban environment. She was grateful to learn that there would be open spaces for physically challenged children as well with plenty of space to travel around in wheelchairs.

Vice-Chair Rosales referred to the environmental assessment that would be concluded this year and requested that the Commission be updated and informed on this. Ms. Rosales was pleased with the layout and the schematic design. Regarding the design build contractor selection process, she inquired about how the school district procured design build contractors and inquired about whether the process included a San Francisco local or small business policy, competitive process, among others.

Ms. Heckman responded that they would be updated on the environmental work that the district would be doing. She deferred to Ms. Raymond for more detail on their sourcing for professional services.

Ms. Raymond responded that their typical design was a bid build model on large scale projects, which brought the contractor and architect on together early in the process to partner in designing the school in an integrated process. She explained that they started with a public RFQ and then an RFP. Ms. Raymond pointed out that they did accept joint ventures and had several current partnerships, which had proven to be very successful in bringing work to small businesses and sole proprietors and women-owned businesses.

Chair Bustos reiterated that they did indeed need to find out about the environmental assessment updates as requested by Vice-Chair Rosales. He expressed interest in the procurement process because they had a policy that put in place procedures to make sure that firms that had been in the City a long time had the opportunity to participate as well as a local hire policy of 50% and a small business policy, which was critical to OCII. Mr. Bustos explained that many times new businesses in SF got the new opportunities and long-term businesses were not considered. Mr. Bustos acknowledged that there was a current movement to exclude cars from the City, but he asked the SFUSD to reconsider this decision because of elderly or disabled teachers who might not be able to ride a bike or take the bus. He stressed that people should not be prohibited from working because

there was no parking. Mr. Bustos asked them to reconsider the parking issue. He commended staff of both OCII and SFUSD for working together to get the job done.

Commissioner Brackett inquired about what percentage of teachers currently lived outside the district.

Ms. Heckman responded that she did not know the answer to that question; however, she would follow up with staff and get an answer back to Commissioner Brackett.

Chair Bustos thanked Commissioner Brackett for that question and also thanked staff and the presenters for this presentation.

Agenda items 5(c) and 5(d) related to Mission Bay South Block 9a were presented together but acted on separately

- c) Approving an amendment to the Design for Development for the Mission Bay South Project Area in connection with Mission Bay South Block 9a; providing notice that this approval is within the scope of the Mission Bay Redevelopment Project approved under the Mission Bay Final Subsequent Environmental Impact Report (“FSEIR”), a Program EIR, and is adequately described in the FSEIR for the purposes of the California Environmental Quality Act (“CEQA”); and, adopting Environmental Review Findings under CEQA; Mission Bay South Redevelopment Project Area (Discussion and Action) (Resolution No. 06-2021)
- d) Conditionally approving an amendment to the 2004-approved Major Phase for Blocks 8- 10a, and Parks P18, P19, and P20, and, a Basic Concept and Schematic Design for Mission Bay South Block 9a to develop an affordable housing project of approximately 148 for-sale units; providing notice that these approvals are within the scope of the Mission Bay Redevelopment Project Approved under the Mission Bay Final Subsequent Environmental Impact Report (“FSEIR”), a Program EIR, and are adequately described in the FSEIR for the purposes of the California Environmental Quality Act (“CEQA”); and, adopting environmental review findings pursuant to CEQA; Mission Bay South Redevelopment Project Area (Discussion and Action) (Resolution No. 07-2021)

Presenters: Sally Oerth, Interim Executive Director; Annie Wong, Development Specialist, Housing; Malcolm Harris, Mithun Design; Charmaine Curtis, Curtis Development; Michael Simmons, Michael Simmons Property Development, Inc.

PUBLIC COMMENT

Speakers: Francisco Acosta Director, Environmental Justice Advocacy (EJA); Sarah Davis, member, Mission Creek Harbor and Mission Bay (MB) CAC; Oscar James, native resident Bayview Hunters Point (BVHP); Ms. [unintelligible]

Mr. Acosta reminded everyone that this MB land site was public tract land under the Santa Fe operations, which he had read about. He pointed out that during the presentation, flooding was mentioned but there was no mention of flood mitigation except by the design of the building. He reminded Commissioners that not many members of the public participated in these meetings, so when the public did speak, they did not speak nonsense. He warned Commissioners to think about what was happening to the City today. Regarding affordable housing he stated that they could not be making decisions based on the past because the demographics of SF had changed and they had to accommodate seniors and the physically challenged and take them into account by making them part of the deliberations. He referred to the “very corrupt” OCII; corrupt because there was no transparency or accountability because there was no input from the community.

Ms. Davis stated that her family had moved to that area when she was six years old. She explained that Mission Creek Harbor was an abandoned trainyard and that both projects were the result of thousands of hours of community input which prioritized affordable housing that had dignity and a place in the community. Ms. Davis stressed that this project was the embodiment of that community input. She reported that friends who came to visit could not tell the difference between the market rate, medium and below market housing and that this project would add another level of home ownership and equity to that neighborhood. Ms. Davis commended everyone working on it.

Mr. James remembered that during the 50's many of the men who had been laid off from the shipyard and other companies had to sleep in those train cars because they weren't allowed to live with their families because of discrimination. He was proud that this development was in total support of it. Mr. James stated that he wanted to make sure the environment was clean because there was a transfer. He was pleased that that would use a portion for COP holders there, in the Western Addition and in Hunters Point, all of whom were dislocated.

Ms. [unintelligible] stated that she lived across the street from the project and was in support of it. The design for the building was attractive and she was pleased that this affordable home ownership opportunity would provide 148 badly needed units to low to moderate income families. She was excited to see this finally come to fruition.

Vice-Chair Rosales stated that she was pleased with the design and especially with the roof view. She thanked all the presenters for the presentation. She requested that the Commission be briefed on the outreach as this project progressed.

Commissioner Scott was very proud of this project and was happy to have Mr. Bruckter aboard because she felt that he cared about people of color and had worked in the community helping to raise the bar and standards for equality. She inquired about the status of the COP holder who worked for MUNI and made a few dollars above the required income for getting into affordable housing. She inquired about how they would make that work and inquired about whether this project was for rental or home ownership.

Ms. Wong responded that many of their rental units had been affordable to households making up to 60% AMI, but now tax credit regulations would allow income up to 80% AMI. However, for this project, the qualifications had been opened from 80%-110% AMI. That meant that if someone was making, for example, just 2% over the AMI and would not normally qualify, they would now have the opportunity to apply for this housing. She explained that very often their affordable housing stock was cut off at a certain income level and here they were going up higher from 80-110% AMI, so teachers or drivers or anyone who was above 80% but not at the high-income level would be able to afford these homes. Ms. Wong clarified that this entire project was for home ownership for the 148 condos.

Commissioner Brackett stated that she was very excited about this project. She inquired about the lower band of the AMI; she inquired about what the price per condo would be; inquired about HOA dues and about what the amount of the HOA dues was based on; inquired about whether they had considered raising the building up to 110' in height.

Ms. Wong responded that the lower band would be at 80%. She referred to Ms. Curtis for unit prices.

Ms. Curtis responded that the range for a one-bedroom unit would be between \$203,000 to \$370,000; the two-bedroom unit would be \$290,000 to \$460,000 and the three-bedroom unit would \$306,000 to \$490,000. [unintelligible].

Ms. Wong responded that the HOA dues would be \$420/month for a one-bedroom unit; \$650/month for a two-bedroom unit and \$840/month for a three-bedroom unit. She explained that it would be the same regardless of any AMI because HOA dues went by size of the unit and not income. She deferred to Mr. Simmons for more detail on the dues.

Mr. Simmons responded that HOA dues were based on the range of other affordable housing HOA dues and that the amount was based on operational costs and reserves necessary for each building. He explained that once they had schematic approval, they would go through design development. The design development would be very specific regarding systems, window maintenance, painting requirements, etc. and then after that, they could draw up draft budgets, which reflect the specific building and were not for general purposes. So eventually they would have very specific numbers and the next time they came before the Commission, they would have more specific numbers regarding the HOA dues and the building requirements.

Commissioner Brackett inquired about whether they had considered raising the building up to 120' to be able to offer additional affordable housing and reduce HOA fees for this property.

Ms. Wong responded in the negative and stated that they had reached the 90' "sweet spot" because of construction costs. She explained that going above the 90' floor height would mean they would go into the high-rise designation, which would require more cost to make it reach the standard required under the building code for things like fire and elevator courts. That could translate to a higher per unit cost and possibly higher HOA dues if the building ended up costing more to maintain. Ms. Wong reported that there was a point of diminishing return and that they had maximized the number of units within the height they were allowed. S

Commissioner Brackett stated that she was impressed with the amenities on this site and especially there being a teen room and a space for youth to get out of their units and have a safe and secure place for them to go to.

Chair Bustos inquired about who would have access to the parking spaces.

Ms. Wong responded that there would be 34 parking spots, which was more than they normally provided to affordable housing projects. She explained that the parking would be unbundled and separated from the units and would be offered by lottery.

Chair Bustos responded that this response did not make any sense. He pointed out that there would be multi-generational families living in this project and they would probably have a car and they would need a parking place. So 34 parking spaces was not enough and it was not fair and they needed to revisit this matter.

Ms. Curtis responded that the amount of parking was not expandable at this point without starting all over with the design. There were 34 parking spaces and the question was how they would allocate them. She explained that the 3-bedroom units would be more likely to have multi-generational families living in them and the larger households would be given preference for parking. Ms. Curtis added that they would also offer car share so residents would have access to vehicles if they didn't own one.

Mr. Simmons responded that this was how they had done it at Fillmore Park and that preference had been given to the larger households. Any leftover would go to the next level of units. He pointed out that they had as many parking spaces (34) as they had three-bedroom units (35).

Ms. Wong added that many of their COP holders were seniors and pointed out that many might be going into the one-bedroom units. If they went by lottery rank order, they were already achieving that preference because their preference was to COP holders. She stated that they would continue to consider this issue.

Chair Bustos replied that they needed to do the right thing. If a senior had a car and needed a parking spot, they should get one. He suggested they look at the formula and look at who needed what.

Interim Executive Director Oerth interjected that they would go back and study this like they had at the Candlestick Point project, which was a combination of larger households and COP holders. She advised that they would revisit this and try to be able to serve all those who needed parking. They would report back later on the parking issue.

Commissioner Scott stated that Chair Bustos had raised a very important issue and stressed that they didn't want to make people get rid of their vehicles nor should they suggest that the parking spaces would only go to larger households when someone in a one-bedroom unit might need a parking space as well. Dr. Scott agreed with Ms. Oerth to keep searching for a remedy to this issue.

Commissioner Brackett inquired about whether parking would be another add-on cost besides the HOA fees and mortgage. She stated that she was pleased with the 8th floor design and inquired about whether the community room would be partitionable; inquired about how large that room was.

Ms. Wong responded that the price of the units would include the parking cost. The parking cost could not be any more than a certain percentage of the AMI. So the total unit price would include the HOA fees, taxes, insurance, mortgage and parking as well. She deferred to Mr. Simmons regarding the community room.

Mr. Harris responded that in recent projects they had decided not to use partitions because the partitions, if they were cheap, did not work very well acoustically and if they did work well, they were very expensive. He pointed out that generally they ended up with a large folding partition which did not work very well. Mr. Harris explained that in this project they had a yoga room, a kids room, an outside space and other spaces for residents other than the community room. He responded that he did not know how large the room would be.

Ms. Davis guessed that the community room was about 2,500 sq. ft.

Mr. Simmons responded that they would have five different community spaces--the teen room with a video player and pool table, etc.; a business center for people to work and meet; a kids room on the podium level and an outdoor kids space; the roof space and the multi-purpose room, which was divided into a kitchen, a media room for movies, a lounge area and a counter top where you could sit with your laptop and look out. Instead of dividing the community room, they decided to create different rooms for different groups. They had tried to remove all the moving parts, like a partition, so they could keep the HOA dues low.

Commissioner Brackett stated that the community room was very large, possibly too large, and could be very problematic if a family wanted to hold a birthday party there and was in competition with other families for that space to celebrate in. She strongly suggested they turn that room into two rooms because it would prevent someone from wanting to use the room if it was already in use by another family.

Mr. Harris clarified that the community room was 1500 sq. ft.

Mr. Simmons responded that they would take a look at that room again and would have more answers next time they met.

Ms. Wong admitted that she had spoken in error when responding to the parking cost question. Since the parking was unbundled in home ownership, it would be a separate cost; however, it would be made available at cost.

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

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

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

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS THAT RESOLUTION NO. 06-2021, APPROVING AN AMENDMENT TO THE DESIGN FOR DEVELOPMENT FOR THE MISSION BAY SOUTH PROJECT AREA IN CONNECTION WITH MISSION BAY SOUTH BLOCK 9A; PROVIDING NOTICE THAT THIS APPROVAL IS WITHIN THE SCOPE OF THE MISSION BAY REDEVELOPMENT PROJECT APPROVED UNDER THE MISSION BAY FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (“FSEIR”), A PROGRAM EIR, AND IS ADEQUATELY DESCRIBED IN THE FSEIR FOR THE PURPOSES OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”); AND, ADOPTING ENVIRONMENTAL REVIEW FINDINGS UNDER CEQA; MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA, BE ADOPTED.

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

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

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

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS THAT RESOLUTION NO. 07-2021, CONDITIONALLY APPROVING AN AMENDMENT TO THE 2004-APPROVED MAJOR PHASE FOR BLOCKS 8- 10A, AND PARKS P18, P19, AND P20, AND, A BASIC CONCEPT AND SCHEMATIC DESIGN FOR MISSION BAY SOUTH BLOCK 9A TO DEVELOP AN AFFORDABLE HOUSING PROJECT OF APPROXIMATELY 148 FOR-SALE UNITS; PROVIDING NOTICE THAT THESE APPROVALS ARE WITHIN THE SCOPE OF THE MISSION BAY REDEVELOPMENT PROJECT APPROVED UNDER THE MISSION BAY FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (“FSEIR”), A PROGRAM EIR, AND ARE ADEQUATELY DESCRIBED IN THE FSEIR FOR THE PURPOSES OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”); AND, ADOPTING ENVIRONMENTAL REVIEW FINDINGS PURSUANT TO CEQA; MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA, BE ADOPTED.

6. Public Comment on Non-Agenda Items

Speakers: Francisco Acosta Director, Environmental Justice Advocacy (EJA); Oscar James, native resident, BVHP

Mr. Acosta stated that, according to the Brown Act, when someone gave public comment, there was no need for the speaker to announce their name because public comment was sacrosanct. He stated that the public was being hoodwinked because of lack of transparency and accountability. Mr. Acosta reported that there was much investigation going on with OCII. He explained that he had just turned on the TV and was surprised to see this agenda item and decided to call in. He concluded that nothing had changed and it was the same old dog and pony show.

Mr. James referred to Chair Bustos’ comment about people getting up on a bus to give their seat to a senior citizen and clarified that that does not happen anymore because nobody was brought up to do that anymore. He commended OCII for looking out for the City communities and for doing the right things for the Bayview, the Western Addition and the City as a whole.

7. Report of the Chair

Chair Bustos announced that another COVID-19 vaccination site had opened the day before on Rankin Street in the Bayview. He recommended people try to book an appointment as soon as possible to get vaccinated.

8. Report of the Executive Director

Interim Executive Director Oerth stated that she had no report.

9. Commissioners' Questions and Matters - None

10. Closed Session - None


11. Adjournment

Chair Bustos announced that they were adjourning this meeting in honor of Black History Month and hoped everyone would have the chance to enjoy and learn from the greatness of the African American community in San Francisco.

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

Chair Bustos adjourned the meeting at 3:05 p.m.

Respectfully submitted,



Jaimie Cruz
Commission Secretary