

London N. Breed
MAYOR



Bivett Brackett
CHAIR

Dr. Carolyn Ransom-Scott
VICE-CHAIR

Vanessa Aquino
Tamsen Drew
COMMISSIONERS

Thor Kaslofsky
EXECUTIVE DIRECTOR

**MINUTES OF A REGULAR MEETING OF THE
COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE
OF THE CITY AND COUNTY OF SAN FRANCISCO HELD ON THE
5TH DAY OF DECEMBER 2023**

The members of the Commission on Community Investment and Infrastructure of the City and County of San Francisco met in a regular meeting in person at 1:00 p.m. on the 5th day of December 2023.

REMOTE ACCESS:

WATCH LIVE ON SFGOVTV: <https://sfgovtv.org/ccii>

PUBLIC COMMENT:

Members of the public may provide public comment in-person at the noticed location or remotely via teleconference (detailed instructions available at: <https://sfocii.org/remote-meeting-information>). Members of the public may also submit their comments by email to: commissionsecretary.ocii@sfgov.org; all comments received will be made a part of the official record.

INSTRUCTIONS FOR PUBLIC COMMENT:

DIAL: 1-415-655-0001 **ENTER ACCESS CODE:** 2660 703 9739 **PRESS # PRESS #**
again to enter the call. Press *3 to submit your request to speak.

REGULAR MEETING AGENDA

1. Recognition of a Quorum

Meeting was called to order at 1:02 p.m. by Chair Brackett. Roll call was taken.

Commissioner Aquino - present
Commissioner Drew - present
Vice-Chair Scott - present
Chair Brackett - present

All Commissioners were present. Secretary Cruz noted that the Commission had one vacant seat.

2. Announcements

- a) The next regularly scheduled Commission meeting will be held **in person** on Tuesday, December 19, 2023 at 1:00 pm at City Hall in 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 that 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 from participants dialing in:**
Please be advised that 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. We recommend that members of the public who are attending the meeting in person fill out a "Speaker Card" and submit the completed card to the Commission Secretary. All dial-in participants from the public will be instructed to call a toll-free number and use their touch-tone phones to provide any public comment. Audio prompts will signal to dial-in participants when their audio input has been enabled for commenting.

PUBLIC COMMENT CALL-IN: 1-415-655-0001 ACCESS CODE: 2660 703 9739

Secretary Cruz read the 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: Regular Meeting of November 7, 2023

- b) Authorizing an Amended and Restated Personal Services Contract with Forster & Kroeger Landscape Maintenance, Inc., a California corporation, to extend the contract term by up to three years and increase the total expenditure authority by \$72,600, for a total overall contract expenditure authority of up to \$118,100, to provide continued landscape maintenance services at Ellis Driveway (Block 0725, Lot 026), and authorizing assignment of Contract to the City and County of San Francisco upon Transfer of Ownership of Ellis Driveway; former Western Addition Approved Redevelopment Project Area A-2 (Action) (Resolution No. 34-2023)

PUBLIC COMMENT - None

Commissioner Drew requested that Item 5(b) be removed from the Consent Agenda and moved to the Regular Agenda.

Chair Brackett requested that Item 5(b) be moved to the Regular Agenda.

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

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

- Commissioner Aquino - yes
- Commissioner Drew - abstained
- Vice-Chair Scott – yes
- Chair Brackett – yes

ADOPTION: IT WAS VOTED BY THREE COMMISSIONERS WITH ONE ABSENTION THAT APPROVAL OF THE MINUTES FOR REGULAR MEETING OF NOVEMBER 7, 2023, BE ADOPTED.

REGULAR AGENDA

- b) Authorizing an Amended and Restated Personal Services Contract with Forster & Kroeger Landscape Maintenance, Inc., a California corporation, to extend the contract term by up to three years and increase the total expenditure authority by \$72,600, for a total overall contract expenditure authority of up to \$118,100, to provide continued landscape maintenance services at Ellis Driveway (Block 0725, Lot 026), and authorizing assignment of Contract to the City and County of San Francisco upon Transfer of Ownership of Ellis Driveway; former Western Addition Approved Redevelopment Project Area A-2 (Action) (Resolution No. 34-2023)

Presenters: Thor Kaslofsky, Executive Director; Aaron Foxworthy, Deputy General Counsel & Real Estate Services Manager; Jim Morales, General Counsel and Deputy Director

PUBLIC COMMENT - None

Commissioner Drew had a process question regarding the fact that this was a sole-source contract and inquired about OCII's purchasing policies, about why staff was recommending to move forward with the sole-source and about how that would be appropriate in this instance.

Mr. Foxworthy responded that OCII's purchasing policy allowed for sole-source contracting in several different situations and OCII staff believed there was a combination of factors attendant to this extension that met those standards. The first sole-source standard being contractor had gained some very particular expertise with regard to the contract being administered and with this parcel, which, as described in the presentation, although not unique in the strictest sense of the word as there were other driveways privately owned in parts of the City – the collective circumstances of this parcel, becoming a potential health and safety issue during the pandemic and the potential for that issue to reinstate itself and having a contractor who was very familiar with the site and those attendant issues was critical in the decision. He added that the contractor provided a skill set here which would meet the sole-source standard of a contractor with unique skills and experience gained over the course of the administration of this contract. Mr. Foxworthy indicated that an additional sole source factor was that, in certain instances where Agency assets were at risk, they were allowed to pursue a sole-source contract if delaying the issuance of the contract through traditional methods could result in damage to the asset. Mr. Foxworthy pointed out that he did not want to cast aspersions upon this shopping center; rather, he praised it. However, there had been members of the community and the press in the past who had spoken about having difficulties with it and so staff was concerned that if the parcel was not maintained for several weeks or months, while OCII was involved in a longer process, those issues could return. So, to maintain the asset, staff believed that they were within the policy to issue the contract on a sole-source basis and on an expedited basis. Lastly, Mr. Foxworthy explained that it was likely that OCII would continue to hold this contract for no more than six months, and they were not sure that anyone would be interested in pursuing a contract of short duration. In that scenario, it was possible that OCII might be stuck with an RFP that no one responded to as well as a property that was not maintained, which would bring them back to the initial issues. So, it was the sum of these three issues that led them to decide on the sole-source contract.

Commissioner Drew stated that she was having difficulty finding justification for fitting this into the sole-source contract basis. She agreed that the situation during 2021-22 warranted this when they entered into the initial contract, but they subsequently have had ten months to conduct an RFP and the term of the contract was up to three years versus the potential six months. Ms. Drew was also not convinced that these were unique services given that they were essentially clean and safe. She clarified that she was struggling with the process here, not the need for the contract.

Mr. Morales responded that, in his view, OCII had the discretion to determine whether the circumstances warranted the application of the sole-source standard and, as pointed out, there were unique factors in this situation, such as: the short duration, the uncertain duration and that fact that it was associated with an assignment that was not guaranteed. Therefore, the City through the Mayor's Office of Housing and Community Development (MOHCD) could say they did not want the assignment or that they wanted to renegotiate the terms. Mr. Morales explained that these factors led staff to decide that they would not get a good pool of applicants for an RFP due to the short-term length and uncertainty of the contract. He repeated that OCII had the discretion to consider these unique circumstances and to decide that it was appropriate for them to award this short-term contract and it was on that basis that they proceeded. Mr. Morales stated that if Commissioners directed staff to offer an RFP for this, they certainly could do that but that would cause a delay of entering into the contract.

Vice-Chair Scott thanked staff for the presentation and stated that she was familiar with the area when it was kept clean and safe and when the dignity of the community was upheld. She believed that this community deserved to have the cleaning and safety brought back and should have the same quality as Pacific Heights or the Marina. Dr. Scott was totally in support of clearing up and cleaning up the area as well as making it safe and improving the appearance to be of the quality that it deserved and needed. She added that the pandemic worsened the area but that there were other issues that added to its demise as well. Dr. Scott felt strongly that if they had the opportunity to lift up and change this area and make it a better space for the community and those around it, then they needed to do this.

Chair Brackett referred to response times when there have been issues since the contract started and inquired about who those complaints went to and about what the response time was for debris in that area.

Mr. Foxworthy responded that they probably found their way to OCII staff either through the Supervisor's office or through other City departments. He explained that because OCII had regular visits to the site via this contract, issues were addressed within a few days at most. If a particular issue arose that needed immediate attention, then they asked the contractor to address it.

Chair Brackett referred to the timing for the scheduled maintenance for this parking lot and whether there was a scheduled weekly or monthly cleaning.

Mr. Foxworthy responded that the contractor visited the site at least once a week and they tried to vary it for unpredictability so that if someone wanted to dump something there, they would not be aware of the clean-up schedule. He stated that Forster & Kroeger staff is in the City managing other properties and had the ability to vary its schedule to visit the site; however, it was at least weekly.

Chair Brackett referred to the contract amount breakdown and inquired about whether there was an annual rate that OCII paid to the contractor and whether that rate would be increased with the increase in the contract.

Mr. Foxworthy responded that the contractor was on a monthly rate of \$1200, which would be increased by 3% for cost-of-living adjustments starting with the first term of the new contract and then yearly thereafter. He added that they had not increased the contract at all for the period of this contract for any inflationary or cost-of-living adjustments. They were also asking for a \$24,000 contingency for the duration of this three-year period for unforeseen accidents and issues. They had a contingency during the last contract and drew it down so they would be asking for a new one.

Chair Brackett inquired about what the previous contingency amount was.

Mr. Foxworthy replied that it was for \$5,000.

Commissioner Aquino inquired about whether staff had reached out to talk to community members and if so, what were their reactions to this.

Mr. Foxworthy responded that they had not done any outreach for this contract. He explained that the Ellis Driveway had been a big part of the Fillmore Heritage transfer and a big part of the community conversation and vision. But this contract was so in the background that it had not been the focus of concern for the community.

Vice-Chair Scott stated that she used to live in that area and was aware that the community and the small businesses suffered due to the condition of the area, which was connected to where Yoshi's was located. She stressed that the community was already feeling neglected and definitely needed that attention.

Chair Brackett informed that the Fillmore Heritage Center used to use the easement for parking and for additional parking and that previously it was used in combination with activation of the space. Ms. Brackett thought it would be a good idea to combine these when they transferred this over to MOHCD as being one property instead of two separate properties to avoid fights over parking or use of the easement for loading or other uses in the future.

Executive Director Kaslofsky highlighted that this SBE contractor had done outstanding work with the community by being highly responsive and engaging with residents directly to calm things down and were able to improve conditions there with little incident. He added that there was community acceptance in general with the weekly involvement at the site and that when issues escalated, Mr. Foxworthy would respond and direct the contractor to act swiftly.

Mr. Foxworthy commended Marie Munson (Senior Development Specialist, Real Estate Division) who was involved in the day-to-day work on this topic and who was very responsive to topics as they arose.

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

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

Commissioner Aquino - yes

Commissioner Drew - no

Vice-Chair Scott - yes

Chair Brackett – yes

ADOPTION: IT WAS VOTED BY THREE COMMISSIONERS WITH ONE NAY THAT RESOLUTION NO. 34-2023, AUTHORIZING AN AMENDED AND RESTATED PERSONAL SERVICES CONTRACT WITH FORSTER & KROEGER LANDSCAPE MAINTENANCE, INC., A CALIFORNIA CORPORATION, TO EXTEND THE CONTRACT TERM BY UP TO THREE YEARS AND INCREASE THE TOTAL EXPENDITURE AUTHORITY BY \$72,600, FOR A TOTAL OVERALL CONTRACT EXPENDITURE AUTHORITY OF UP TO \$118,100, TO PROVIDE CONTINUED LANDSCAPE MAINTENANCE SERVICES AT ELLIS DRIVEWAY (BLOCK 0725, LOT 026), AND AUTHORIZING ASSIGNMENT OF CONTRACT TO THE CITY AND COUNTY OF SAN FRANCISCO UPON TRANSFER OF OWNERSHIP OF ELLIS DRIVEWAY; FORMER WESTERN ADDITION APPROVED REDEVELOPMENT PROJECT AREA A-2 , BE ADOPTED.

c) Approving an amendment to the Mission Bay South Signage Master Plan to allow for a third District Sign in the Event Center Sign Program on Mission Bay South Blocks 29-32; Mission Bay South Redevelopment Project Area (Discussion and Action) (Resolution No. 35-2023)

Presenters: Thor Kaslofsky, Executive Director; Gretchen Heckman, Senior Development Specialist, Mission Bay (MB); Yoyo Chan, VP, Government and Community Relations, Golden State Warriors

PUBLIC COMMENT - None

Vice-Chair Scott thanked staff and Ms. Chan for the presentation and stated that over the past five years, the Warriors have made OCII proud. The Chase Center has served the people of every social level in the City helping them feel valued, thought about and cared about. Dr. Scott was thankful for the contributions of the Warriors beyond entertainment to the residents of the City. She added that this was a social service space and was about life and equality.

Commissioner Aquino echoed the words of Dr. Scott. She referred to the signage being illuminated and inquired about whether that was during the night or during the day as well and whether they would be blinking, etc.

Ms. Heckman responded that the illumination would match the illumination of the signs for retailers on the site and that was the planned coordination.

Commissioner Drew was very supportive of the Warriors arena and Thrive City and was looking forward to future changes to come in this project.

Chair Brackett referred to the process and inquired about, as they built out MB and the entire area in regards to retail, commerce and signage, how this overall signage plan would play into the whole area plan and about what feedback they had received from the community regarding signage.

Ms. Heckman responded that the event center had its own section within the MB Master Signage plan, so any changes made to that section would only apply to blocks 29-32, which was the Chase Center site. She added that they had not had any formal need to amend the signage plan for other land use areas within MB South, but if the need were to arise, they would evaluate that.

Chair Brackett referred to the small businesses in the space and to the process by which they had found it challenging to lease up the space and was aware that they were near the 50% lease up. She inquired about whether signage could help them to be able to get to 100%.

Ms. Chan responded that many of these businesses were learning for the first time what it would be like to have a brick and mortar in a unique space like the Chase Center, which was not a standard commercial corridor or along the street. She explained that much of the feedback had been captured in real time and during the past two years, so they were taking much of the feedback in this large comprehensive process. When Bayfront Park opened across the street, there would be a new audience that would see Thrive City from a different angle and they were considering that as well. In terms of retail, Ms. Chan reported that they were seeing the post-pandemic effect of retail spaces being filled up, which was a challenge across the City and was a work in progress. They felt very confident that over the next year they would make positive progress with two new restaurants coming in 2024.

Chair Brackett noted that during her visits to the Chase Center, it was difficult to find some of the small businesses there because there was no signage, even on the out-facing restaurants, and it was difficult to find them. She advised that better signage would be a great improvement to finding the Cupcake and Bakery and the Warrior Shop.

Vice-Chair Scott referred to the Bayfront Park and the activity there before the pandemic and inquired about whether they considered bringing that back. Dr Scott reported that it had brought so much joy to the entire City. She commended the Warriors for the space that was given over recently for mentally-challenged children and which brought hundreds of the City's families to the space to enjoy Christmas fun. Dr. Scott thanked them for that and urged them to keep up the good work.

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

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

Commissioner Aquino - yes

Commissioner Drew - yes

Vice-Chair Scott - yes

Chair Brackett – yes

ADOPTION: IT WAS VOTED BY FOUR COMMISSIONERS THAT RESOLUTION NO. 35-2023, APPROVING AN AMENDMENT TO THE MISSION BAY SOUTH SIGNAGE MASTER PLAN TO ALLOW FOR A THIRD DISTRICT SIGN IN THE EVENT CENTER SIGN PROGRAM ON MISSION BAY SOUTH BLOCKS 29-32; MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA , BE ADOPTED.

6. Public Comment on Non-Agenda Items

Speaker: James Donnelly, homeowner

Mr. Donnelly stated that he lived in MB in a condo named Arden, previously known as 12E. He wanted to discuss the item which was on the agenda for the meeting of November 7, which he was unable to attend, regarding 12W. He thanked Mr. Slutzkin (Marc Slutzkin, Deputy Director for Projects and Programs) and Ms. Heckman (Gretchen Heckman, Senior Development Specialist, MB) for meeting with over 40 homeowners and renters on September 7 to present 12W and he reported that there was spirited conversation over the proposed changes. Later there was much concern from the Arden residents and they ultimately decided to oppose it due to the increase in traffic, lack of parking, security and safety issues and possibly cleanliness issues. Mr. Donnelly explained that Arden had 450 units and 1200 residents and that there were many cars and much traffic in the area with traffic jams all the time, especially during a Chase Center event. He felt strongly that this would have a negative effect not only on the neighborhood, but also on the new MB school, the UCSF Orthopedics Center and Kaiser Medical Center. There was zero street parking in that area and nowhere to put parking spots; so simply, not enough parking there. Mr. Donnelly asked OCII staff to meet with the MB School Steering Committee regarding their access plan and their ability to get their students in and out of the space safely.

7. Report of the Chair

Chair Brackett wanted to say Happy Holidays to community, staff and fellow Commissioners. She stated that this had been a very challenging year in terms of economic development for the City and wanted to encourage everyone to stay the course to ensure the building of more affordable housing and more spaces for businesses to thrive throughout San Francisco. Ms. Brackett thanked staff for working long hours and for their hard work in being responsive to the community. She reported that she had received several emails from small businesses in MB with affordable development properties, mainly Mercy Housing, which was of concern to her. She thanked Executive Director Kaslofsky for responding to these issues and hoped Commissioners would be receiving a report on the results of those issues. She expressed concern that they might lose one of the restaurants in MB

and hoped they could do something to ameliorate that issue. Ms. Brackett stated that in 2024 she would like to see more work being done in working with the small business community to provide more opportunity to make sure they were here to stay for the long-term and not just the short-term.

8. Report of the Executive Director

Executive Director Kaslofsky thanked Chair Brackett for her words of appreciation for staff's hard work over the past year.

Executive Director Kaslofsky provided two updates: one on the conversion of parking at 185 Channel Street, otherwise known as Block 2. He advised that the Commission had approved an item in September 2023, which was to convert a portion of the off-street residential parking at this site for the opening up of 20 parking spaces for the residents of the nearby affordable buildings. Mr. Kaslofsky reported that, after that approval, staff conducted outreach to the property management and services staff of those buildings to see if residents were interested in this opportunity for below market rate parking. Each property submitted a list of names and altogether about 100 residents were interested in the 20 spaces. UDR, the owner of the site submitted an operating permit, which they needed from the Police Department to operate that onsite parking and currently they were interviewing parking operators. Mr. Kaslofsky indicated that OCII planned to conduct a lottery for the 20 spots as soon as the operating permit was approved by the City.

Executive Director Kaslofsky provided an update on the testimony by himself and Director Shaw (Eric Shaw, Director, MOHCD) at the African American Reparations Advisory Committee on November 13. He explained that the Committee requested their attendance to see if there were any elements of the report that they could begin to implement before January 2024. Mr. Kaslofsky discussed OCII's work on the replacement housing initiative and the planned enhancements to the Certificate of Preference (COP) Program as well as working with the Human Rights Commission to provide demographic information of the COP population. He reported that the Committee was preparing to make cash payments to seniors on the COP list. He added that those cash payments would be non-OCII money.

Executive Director Kaslofsky ended by stating that if any new developments came up regarding the above items, he would inform Commissioners thereof.

9. Commissioners Questions and Matters

Commissioner Aquino shared information regarding some events she had attended: one was a workshop in Dogpatch with the Dogpatch Neighborhood Association and the Potrero Boosters regarding the Link21 Program, which aimed to create faster and more connected, equitable and accessible network of train service focusing on passengers, improving the environment and quality of life by providing more train stations, bridge or tunnel, in the neighborhood. She reported that the turnout was very good and they planned to hold many more.

Commissioner Aquino referred to her interest in the arts. She announced that she had attended the Minnesota Street Project hosted by Adrian Burrell, an artist from Oakland. The Project had a new building which they had transformed into a film and photography studio and which was now a great space for art. Ms. Aquino was in support of the Bayview Shipyard artists and announced that during the past weekend she had attended the Bayview Art Christmas event with selected artists. Lastly, Ms. Aquino announced that she had attended the Castro's First Friday Art event with different locations in the Castro. Ms. Aquino stressed the need to continue supporting the arts, which helped with the livelihood of the artists and the San Francisco community.

Vice-Chair Scott referred to the issue with Mercy Housing. She stated that she would like to find some way OCII could put pressure on the organizations that OCII had helped and supported from their beginnings as small businesses and which had since grown into large developers and agencies. Dr. Scott pointed out that, unfortunately, some of them had moved from a position of

compassion and understanding to an attitude of indifference and oppression and had separated themselves from those small businesses enterprises that still needed help with development and growth. Dr. Scott wanted to see to discuss a remedy for this.

10. Closed Session - None

11. Adjournment

Vice-Chair Scott motioned to adjourn and Commissioner Aquino seconded that motion.

Chair Brackett adjourned the meeting at 2:14 p.m.

Respectfully submitted,



Jamie Cruz
Commission Secretary