CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF

COMMUNITY INVESTMENT & INFRASTRUCTURE COMMISSION

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TUESDAY, NOVEMBER 3, 2015

SPECIAL MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

RE

THE GOLDEN STATE WARRIORS

EVENT CENTER AND MIXED-USE DEVELOPMENT

AT MISSION BAY SOUTH BLOCKS 29-32

CITY HALL

1 Dr. Carlton B. Goodlett Place, Room 416
San Francisco, California  94102

REPORTED BY:  KATY LEONARD, CSR
Certified Shorthand Reporter
License No. 11599
IN ATTENDANCE

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COMMISSION ON COMMUNITY INVESTMENT & INFRASTRUCTURE

CHAIRPERSON MARA ROSALES

COMMISSIONER MIGUEL BUSTOS

COMMISSIONER MARILY MONDEJAR

COMMISSIONER LEAH PIMENTEL

COMMISSIONER DARSHAN SINGH

EXECUTIVE DIRECTOR TIFFANY BOHEE

DEPUTY CITY ATTORNEY ROBERT BRYAN

COMMISSION SECRETARY CLAUDIA GUERRA

OCII DEPUTY DIRECTOR SALLY OERTH

PROJECT MANAGER ADAM VAN de WATER

SENIOR ENVIRONMENTAL PLANNER CHRIS KERN

GENERAL COUNSEL AND DEPUTY DIRECTOR JAMES MORALES

CONTRACT COMPLIANCE SUPERVISOR RAYMOND LEE

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CHAIRPERSON ROSALES: Good morning. It is now 10:12 a.m. This is the Special Meeting of the Commission on Community Investment and Infrastructure, the Successor Agency Commission to the San Francisco Redevelopment Agency, for Tuesday, November 3, 2015.

Welcome to the members of the public.

Madam Secretary, could you please call the first item.

COMMISSION SECRETARY GUERRA: Thank you, Madam Chair.

The first order of business is Item 1, Roll Call.

Commission Members, please respond when I call your name.

Commissioner Mondejar.

COMMISSIONER MONDEJAR: Here.

COMMISSION SECRETARY GUERRA: Commissioner Pimentel.
COMMISSIONER PIMENTEL: Here.

COMMISSION SECRETARY GUERRA: Commissioner Singh.

COMMISSIONER SINGH: Here.

COMMISSION SECRETARY GUERRA: Commissioner Bustos.

COMMISSIONER BUSTOS: Here.

COMMISSION SECRETARY GUERRA: Madam Chair Rosales.

CHAIRPERSON ROSALES: Here.

COMMISSION SECRETARY GUERRA: All members of the Commission are present.

The next order of business is Item 2, Announcements.

A, The next regularly scheduled meeting of November 17th, 2015, will be held at 1:00 p.m. at 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 similarly 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 persons responsible for the ringing of or use of a cell phone, pager, or other similarly
sound-producing electronic devices.

C. Announcement of time allotment for Public Comment. 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. It is strongly recommended that members of the public who wish to address the Commission fill out a speaker card and submit that completed card to the Commission Secretary.

The next order of business is Item 3, Report on Actions Taken at a Previously Closed Session Meeting, if any. There are no reportable actions.

The next order of business is Item 4, Matters of Unfinished Business. There are no matters of unfinished business.

The next order of business is Item 5, Matters of New Business Consisting of Consent and Regular Agenda. First, the Consent Agenda. There is no Consent Agenda.

The next order of business is the Regular agenda. Items 5-A, 5-B, 5-C, 5-D, and 5-E related to the Golden State Warriors Event Center and Mixed-Use Development on Blocks 29 through 32 in Mission Bay South will be heard together but acted on separately.

5-A, Certifying the Subsequent Environmental
Impact Report for the Golden State Warriors Event Center and Mixed-Use Development on Blocks 29 through 32 in Mission Bay South under the California Environmental Quality Act (CEQA) and the CEQA Guidelines; Mission Bay South Redevelopment Project Area, Discussion and Action, Resolution No. 69-2015.

5-B, Adopting environmental review findings under the California Environmental Quality Act (CEQA) and the CEQA Guidelines, including the adoption of a Mitigation Monitoring and Reporting Program and a statement of Overriding Consideration in connection with the development of the Golden State Warriors Event Center and Mixed-Use Development at Mission Bay South Blocks 29 through 32; Mission Bay South Redevelopment Area, Discussion and Action, Resolution No. 70-2015.

5-C, Approving amendments to the Mission Bay South design for the Development in connection with the Golden State Warriors Event Center and Mixed-Use Development on Block 29 through 32 in Mission Bay South; Mission Bay South redevelopment Project Area, Discussion and Action, Resolution No. 71-2015.

5-D, Conditionally approving the major phase and Basic Concept/Schematic Design applications for a Golden State Warriors Event Center and Mixed-Use Development on Blocks 29 through 32 in Mission Bay.
South, pursuant to the Owner Participation Agreement with FOCIL-MB, LLC; Mission Bay South Redevelopment Project Area, Discussion and action, Resolution No. 72-2015.

And 5-E, Informational presentation on the Executive Director's determination regarding certain Event Center uses as allowed secondary land uses pursuant to the Mission Bay South Redevelopment Plan in connection with the Golden State Warriors Event Center and Mixed-Use Development on Blocks 29 through 32 in Mission Bay South; Mission Bay South Redevelopment Project Area, Discussion.

Madam Executive Director.

EXECUTIVE DIRECTOR BOHEE: Thank you, Madam Secretary.

Good morning to the Commissioners and good morning to the members of the public. Thank you so very much for joining us.

Commissioners, over the course of the last year you've held a number of public hearings and informational presentations on the proposed project. There are a number of actions before you for your consideration and action today.

We will have Executive Director Sally Oerth walk through the proposed actions before you in the
informational presentation. She'll also be joined by representatives of the project sponsor and the project consultant team.

With that...

PRESENTATION BY DEPUTY DIRECTOR OERTH

DEPUTY DIRECTOR OERTH: Thank you, Director Bohee.

Again, I'm Sally Oerth. I'm Deputy Director. I think Tiffany might have given me a promotion just now.

So, I'm here before you this morning to present a number of items related to the Event Center and the Mixed-Use Development on Blocks 29 to 32 in Mission Bay South that the Golden State Warriors are proposing.

So, I'd like to first go over our agenda and then we'll dive into it. So, our agenda for today is as follows.

I will highlight for you the various actions that are before the Commission today, walk you through the project site and description, go into more detail on the Subsequent EIR certification action that's before you and the C.E.Q.A. findings that you are being asked
to adopt.

There have been some project refinements since the Draft Subsequent EIR was published, and we'll walk through those -- and putting a number of transportation-related refinements. Then I will invite the project sponsor to come up and present their project and walk you through the designs as well.

And there are a number of other actions before us as well, so then we'll go into the second half and talk about the Design for Development amendments that we are recommending, and provide you information regarding the Executive Director's secondary use determination.

We'll highlight for you the various contracting goals and our Small Business Enterprise program goals in the -- for the project, describe the public outreach that has been undertaken for this project, and walk through the next steps.

So, again, the actions before you are in four separate resolutions: Certifying the final SEIR in Resolution 69-2015; Adopting C.E.Q.A. findings, which includes the findings themselves, along with the Mitigation Monitoring and Reporting Program, or the MMRP in Resolution 70-2015; Amending the Design for Development for Mission Bay South in Resolution 71-2015; and conditionally approving the major phase and the
combined Basic Concept/Schematic Design in Resolution No. 72-2015.

So, the project, as I mentioned, is located on Blocks 29 to 32 in Mission Bay South. You can see it here highlighted in blue. It's an 11-acre site of currently vacant property, and the Golden State Warriors completed their purchase of the site from Salesforce.com in October.

Here is the Site Plan showing the 18,064 seat multi-purpose Event Center. The project includes approximately 513,000 leasable square feet of office space and approximately 50,000 leasable square feet of retail space, 950 parking spaces, and 13 loading docks on site, and an additional 132 parking spaces at the 450 South Street parking garage.

The site also includes 3.2 acres of open space for the project.

I'd like to note that the Site Plan, you can see, there is a Gatehouse element sort of between the two office towers. You'll see that the Basic Concept in Schematic Designs include a variant that does not include the Gatehouse.

This is because there is an easement that U.C.S.F. has that needs to be completed -- or, an agreement with U.C.S.F. is under way to agree to not
have the Gatehouse -- sorry -- to allow the Gatehouse to
be in that easement.

I'd like to just correct. There is an error
in my staff memo where I said that that process was
completed, and I would just like to say that the project
sponsor and U.C.S.F. have entered into an agreement that
lays out the process to do that, and that's under way.
It's just not officially complete, but everybody is
moving forward with the understanding that the Gatehouse
is the preferred scenario.

So, moving forward into the Environmental
Review. So, OCII is the lead agency responsible for
administering the Environmental Review of projects in
Mission Bay South. And so, we've taken a number of
steps in consultation with our colleagues at the City
Planning Department to undertake this Environmental
Review for this project, beginning with an Initial Study
and Notice of Preparation that was issued on
November 19th, 2014.

We held a Public Scoping Meeting on
December 9th, 2014, and then the Draft SEIR was
published on June 5th, 2014.

The Public comment period began on June 5th,
and we extended it actually through July 27th for a
total of 52 days. And then we published a Responses to
Comment document on October 23rd.

The Responses to Comment document responds to all the comments received during both the June 30th Draft SEIR hearing and all the written comments received during that 52-day Public Comment period, which ended on July 27th.

In addition, the Responses to Comments includes Responses to Comments received after the close of the Public Comment period, including a comment letter from the Mission Bay Alliance, dated October 27th, 2015, concerning U.S. Army Corps of Engineers' jurisdiction.

And we've received a few additional comments that are not addressed in the Response to Comments document, including a letter from the Mission Bay Alliance, dated October 13th, concerning the SEIR alternatives analysis, and another letter from the Mission Bay Alliance, dated October 20th, concerning hazardous materials.

Finally, we received two letters yesterday, one from the Bay Area Air Quality Management District concerning the amount of ozone precursor offset be identified as a mitigation measure in the SEIR, and one from John Templeton regarding environmental justice.

These letters, along with written responses,
are included in your packets, and copies are available for the public as well.

None of these last-minute comments, though, change the conclusions reached in the SEIR concerning the impacts of the proposed project on the environment.

So, the Responses to Comments document itself is organized as follows: It contains a list of all the persons, organizations, and public agencies that commented on the Draft SEIR, copies of all of those comments received, written responses to those comments, a description of project refinements, a description of a project variant, and revisions to clarify correct information as needed in the Draft SEIR.

But since publication of the Responses to Comments, an errata sheet was prepared to correct minor editorial errors in the EIR, and that errata sheet was distributed to the Commissioners in your packets and is also available for the public here.

These text changes do not present any new information that would alter the conclusions presented in the EIR.

I would like to note two other changes that we want to note for you since we drafted the errata sheet. One is regarding in the MMRP, it references the Transportation Management Plan, or the TMP, as an
exhibit to the MMRP. Rather, instead, that is already
provided as an exhibit in the appendix of the Draft SEIR
in Volume III. So, it is not preprinted as a separate
exhibit, so we will strike the reference as Exhibit 1 to
the MMRP.

And then I'd also like to note in Volume V of
the Response to Comments document in Chapter 14,
U.C.S.F. has requested that we change the wording
regarding the mitigation measure MTR 9-D, which is about
the Event Center Exterior Lighting Plan. And in the
fifth bullet they would like us to change the language
where it describes the use of light configurations
similar to those associated with the U.C.S.F. helipad
landing area. We had language that said "and where
feasible, locating primary outdoor lighted displays," et
cetera, they would like to us remove the "where
feasible." So, we will strike that out.

So, as noted before, the Public Comment period
has closed on the SEIR, and the Commission action today
is to consider certifying the SEIR, which means that the
Commission has considered the adequacy and accuracy of
the Final SEIR; is certifying that this Final SEIR has
been presented to and considered by the Commission; is
certifying that the Final SEIR was completed in
compliance CEQA and reflects the Commission's
independent judgment and analysis; and will consider 
adoption of CEQA Findings, including the Mitigation 
Monitoring and Reporting Program.

The CEQA findings that the Commission is being 
asked to adopt include a project description, a 
description of the environmental impacts of the project, 
an evaluation of project alternatives and considerations 
that support approval of the project and rejection of 
alternatives, and a Statement of Overriding 
Considerations providing specific reasons in support of 
Commission actions and rejection of alternatives not 
included in the project.

The MMRP identifies the parties responsible 
and timing for implementing, monitoring, and reporting 
on the required mitigation measures. OCII will either 
directly monitor these measures or we will enter into 
agreements as necessary with other City departments to 
act as our designee.

So, now I'd like to note that -- the various 
project refinements that were included in the Response 
to Comments document. Again, none of these refinements 
changed staff's conclusions regarding the project and 
its environmental impacts.

These refinements include change of location 
for on-site generators, project redesign to reduce wind
hazards, refinements to the construction crane plan, and
construction-related refinements including those related
to on-site soil treatment and de-watering pump
generators.

Also included were various refinements related
to transportation. And I'd now like to ask Adam Van de
Water from City's Office of Economic and Workforce
Development to come up and present those transportation
items to you.

PRESENTATION BY PROJECT MANAGER VAN de WATER

PROJECT MANAGER VAN de WATER: Thank you, Sally.

Good morning, Commissioners. Adam Van de
Water in the Office of Economic and Workforce
Development. I'm pleased today to walk you through some
of the project refinements as they relate to
transportation.

When we were last before you at our Schematic
Design Workshop, we presented a number of transportation
improvements that are coming to this neighborhood
irrespective of the project.

Those are listed on the slide here and have
not changed, but are pretty substantial investments on
the City's behalf into multi-billion dollar projects such as the Central Subway, the Transit Priority Lanes on 16th Street, the Transbay Terminal, the Priority Landing for the Water Emergency Transportation Agency in Golden Gate near the Ferry Building, completion of the street grid in Mission Bay, the Blue Greenway and others listed here. These are unchanged since our last discussion.

Sitting on top of those improvements are a number of specific improvements for the arena. This is our special event service buses, extra service on the T 3rd, and coordination with the regional transit agencies.

But there is one difference here. As we started to refine our analysis as part of the Transit Service Plan, we identified the need for a potential central boarding platform, which is included as a variant in the document.

We released as part of the Draft EIR our intention to expand the closest existing platform to serve the arena. Those platforms currently are configured as a northbound- and a southbound-separated platform on either side of the intersection, and this contemplates potentially combining them. So, you'd have added capacity in both directions pre and post event.
So, we're studying that as a project variant in the EIR. That's one change since May.

We've also had about 18 months of conversation in the community with various stakeholders from the residential interests from Rincon through Mission Bay, Dogpatch, Potrero, and the Bayview, and throughout the eastern neighborhoods, as well as commercial interests from the biotech community in the Mission Bay, the U.C.S.F. Mission Bay Hospital, the Giants, and advocacy organizations such as the Bicycle Coalition, et cetera.

As a result of those conversations, we've added some additional parking control officers, and those are listed here.

It's a little difficult to see on the screen, but the stars that are shown on the map show three categories of parking control officers: Those that we analyzed as part of the Draft SEIR and released in the June draft, those that we added as a result of the analysis that was conducted as part of the Draft, and then a few additions to create what we've called the Local/Hospital Access Plan.

This is a specific plan to allow patients, doctors, and staff at the hospital to get to their destination without commingling with arena arrivals, and directing arena attendants to the arterial streets --
16th Street, 3rd Street, Mariposa -- and protecting 4th Street, Nelson Rising, Campus Way, and some of the interior circulation streets for local use. And we would use parking control officers and signage to separate that traffic.

We're also analyzing two parking lots to the south of the site as intercepts so that cars that are driving into the area would have both a place to park and a place to park that's away from the immediate adjacency of the venue itself so that we don't have conflicts with transit, bikes, peds, and hospital use. And those are shown here.

We'll be before the Port Commission a week from tomorrow on November 10th to consider the preliminary steps to realizing these as parking locations.

One of them is a 250-space lot, at grade, at 19th and Illinois, which would serve the future Crane Cove Park/Pier 70 development, Dogpatch neighborhood, Mission Bay, and the Event Center.

And the other is further to the south off of Cesar Chavez Street. It's another Port-owned property called the Western Pacific Site just north of the border of Pier 80, which is a graded and gravel site that we use for construction staging and staging of delivery
vehicles for Moscone Convention events today, and we
could use for overflow parking under kind of a
dual-event scenario. So, a less frequent use, but when
that's in use, there would be a free shuttle from that
location to the Event Center.

In terms of capital and operating costs for
transportation serving the Event Center, there are
one-time costs of about 55 million. This is in 2014
dollars so that we're comparing apples and apples across
all sources and uses.

That 55 million will purchase four of the
modern Siemens light-rail vehicles that the MTA is in
the process of acquiring and will soon debut, as well as
crossover tracks on the T 3rd line to add flexibility
throughout the line to make sure we're not interrupting
service further down line on the T 3rd; some
signalization and other in-the-ground infrastructure.

It's about $25 million in one-time sources,
largely from the Transportation Impact Development Fee
that the project sponsor will be paying to offset these
costs, and about a $30 million delta that we will be
looking to finance with annual revenues generated by the
Event Center.

In terms of annual revenues, we contracted
with Economic & Planning Systems and had Keyser Marston
& Associates and the Controller's Office peer review those estimates.

They conservatively estimated that the Event Center net of the project's property taxing permit that stays in the neighborhood for infrastructure and affordable housing would generate about $14.1 million per year once operational for the City's General Fund.

I won't go through the sources, but the sources are listed here. A portion of them are dedicated by the Charter or the voters, and those will continue to go to their dedicated sources.

So, if we break that $14.1 million into its uses, 2.9 of which goes to those dedicated and restricted sources, 6.1 million is our estimate of operating costs. This is largely MTA to pay for those parking control officers, those extra bus drivers, trains and operators, transit fare inspectors, personnel and rolling stock to get people to and from the site.

And then there's a payment for the capital improvements, which is an estimate of the financing costs to pay that delta on capital.

And then there's two remaining funds. One is a dual-event reserve, which was an important thing to the community, to the hospital, to make sure under a peak condition when there is a lot of activity in the
neighborhood, we have available resources to add extra
service where necessary. And that would be at the
discretion of the Director of Transportation.

All of that included, we have 2.9 million for
the dedicated and restricted existing funds, and an
additional 1.5 million we think would be returned to the
General Fund as a result of the project.

On October 6th, we introduced an ordinance at
the Board of Supervisors to create a Controller's
Reserve titled the Mission Bay Transportation
Improvement Fund. A consideration of that will be heard
in Budget and Finance Committee next Monday and
subsequently at the full Board of Supervisors.

The fund, as envisioned, would set aside the
funding to pay for the operating costs, the debt service
costs, the dual-event reserve, and other resources so
that we know that we have those funds into the future
and we can continue to provide that service without
degradation of service elsewhere in the City.

There is some built-in public review and
accountability as part of that. It is still subject to
annual appropriations by the Board of Supervisors, but
should a future mayor or board allocate less than the
full amount, there is a public process that is built in
to make that a very transparent decision-making process.
As part of it, it also creates a five-member Advisory Committee to the Mission Bay Transportation Improvement Fund, which would advise the Director of Transportation both on annual budget requests and then on the expenditures of that dual-event reserve. So, they would be able to collectively provide advice to the MTA in order to reallocate transit service, traffic enforcement, or other services that the MTA provides.

I should also mention we are before the MTA Board later today with our resolution considering both CEQA adoptions and findings, as well as committing to the Transit Service Plan and the implementation of the Mission Bay Transportation Improvement Fund adopted by the Board.

I'll turn it back to Sally.

DEPUTY DIRECTOR OERTH: Thank you, Adam.

Before we turn to the design phase, I'll ask the Commission's patience to let me correct the record.

I misspoke when describing the correction that is needed for mitigation measure TR 9-D, so I'd like to just reread the correct correction.

So, again this is the Event Center Exterior Lighting Plan, and in the fifth bullet of that mitigation measure, it will now read, "Avoid the use of light configurations similar to those associated with
the U.C.S.F. helipad landing area," and then adding new language, "and where feasible, locate primary outdoor lighted displays and television, slash, lighted screens away from the project property line at 16th Street, South Street, or 3rd Street," and then strike "where feasible." Thank you.

So, now I'd like to turn to the other project approvals before you, including the Major Phase and the combined Basic Concept and Schematic Design.

As you may recall, staff has done several workshops for on this project, including a Draft Major Phase workshop in January of this year, and then we presented drafts of the Basic Concept and the Schematic Designs in a workshop to you in May of this year.

So, the project sponsor is here today to present to you information on the project, including updated Schematic Designs. And so, I'd like to invite Rick Welts, President of the Golden State Warriors, up there to kick off that presentation, and he'll be joined by David Manica of MANICA Architecture.

PRESENTATION BY RICK WELTS,
PRESIDENT OF THE GOLDEN STATE WARRIORS

MR. WELTS: Good morning, Commissioners.
Actually, if you're checking any NBA scores on your smart phones, you don't have to adjust them. The Warriors did win an NBA game by 50 points last. So, if I hadn't seen that with my own eyes -- I'll rephrase my salutation to "Great morning, Commissioners."

It's great to be here, and thank you -- thank you for your time.

This day is actually the culmination of three-and-a-half years of a journey that began on Piers 30 and 32 in May of 2012.

Little did we know what a circuitous route we would take to finally get to this point, but speaking for our ownership -- Joe Lacob, Peter Guber, and the entire organization -- we are thrilled to be here with you today.

Since moving to Mission Bay, we've been overwhelmed by the positive support and the encouragement from the neighborhood and the City as a whole.

In addition, we've been tremendously impressed with the work of OCII, Planning, the MTA, and the Mayor's Office.

And I'm really not just paying lip service when I say that the City team has played a very integral role in helping shape the plans you're gonna hear about
today.

And I think I'd be remiss without
acknowledging just a few of the people that worked so
hard to bring today to pass.

You've already met a couple of them. Sally
Oerth, Jim Morales, Pedro Arce of OCII, Adam Van de
Water and Ken Rich from the Mayor's Office, Chris Kern,
Brett Bollinger and David Winslow from Planning, Peter
Albert and Erin Miller from MTA.

And actually, as I was coming over here today,
there is one other person that I wish was gonna be here
with us today, and that was Jen Matz, whose hard, hard
work is very much a part of what you're considering
today. We lost her a year ago, but she's very much in
the room today.

As you know, this project is also the product
of extensive community process. Since coming to Mission
Bay, we've had 11 separate public meetings with Mission
Bay CAC, and more than 50 meetings with the Dogpatch,
Potrero, and South Beach neighbors, U.C.S.F., and the
Mission Bay biotech community.

That community dialogue has resulted in
significant improvements to the project across the
board. Of particular note is our recent announcement of
agreements between the Warriors, U.C.S.F., and the City
to address hospital and neighborhood access during
Warriors events that Adam just presented.

Along with all of the funding commitments just
described, the Warriors have made an unprecedented
commitment to cap the number of events held in our
building under certain circumstances when the Giants are
playing.

This cap on events, which has been called by
Chancellor Hawgood the last tool in the tool box, is
unprecedented for any other NBA or NHL arena anywhere in
the county, and it really demonstrates our commitment to
addressing U.C.S.F. concerns and those of the neighbors.

And while there's been very appropriate focus
on transportation these last months, I'd be remiss if I
didn't mention the project design itself.

You're gonna hear from David Manica. We have
evolved the project designs considerably since our last
presentation to you, and I think you will see
substantial improvements to the pedestrian experience
throughout the project and numerous refinements to the
building architecture and materials.

And this will definitely be the entertainment
portion of your day today, so I'm going to turn this
over to David Manica, who really gets to have all the
fun.
MR. MANICA: Thank you, Rick. That's a nice
introduction.

Good morning, Commissioners. Nice to see you
all again.

I want to start off, actually, by saying I'm
from Kansas City, and today is a big day in Kansas City
for us. After 30 years, we brought home a championship.
And my family and my friends, along with every other
person in the city right now, is celebrating, probably
much like you all celebrated when the Warriors brought
home their championship earlier this year.

And, you know, for me, the chance to work on
these kinds of projects that unite cities like that is
an incredible blessing, and I feel so lucky to do it.
I've worked on projects for 20 years in the sport and
entertainment industry around the world.

And the other thing that -- besides the fact
that I think you'd be hard-pressed to find a building
type that people enjoy going to or that unite cities
more than these do, it's bigger than any one person.
I alone did not do this project. I get to be up here and speak to you about it, but there is an army of people behind me that are working on this day and night, and making sacrifices to make sure that this project is exceptional in every way.

And I'm also happy to say that for me, an unprecedented moment in teamwork on this is that 50 percent of the team are -- we're on target for the 50 percent threshold for SBA involvement on this project.

That means that approximately half the people working on this project are local small businesses. And I want to be sure and recognize them. A lot of them are here in the room today, and I'd like them to stand up if it's convenient for them.

(Members of the audience stand up.)

MR. MANICA: So, again, my voice is the voice of all these people that are working so hard to make this project something really special for this City, and I'm proud to be up here today to talk about it.

All right. Okay. I won't reiterate the Site Plan. Sally did a good job of walking you through it with the numbers, but I do want to take a moment to say that nothing significant has changed on the project since I spoke with you last time.
This is the same project that I presented to you and that you've seen before. There should be no significant surprises.

What there are, however, are improvements. I've said before that buildings are like people, and they grow up, and if we're lucky and you're disciplined and you're thinking, you get better with time. And projects are the same way.

So, what we're gonna talk about today is a part of the normal process for development, refinements, and improvements to a project. This should already look very familiar to you.

In your packages, we've created a series of before-and-after diagrams. Now, some of these refinements may be more difficult than others to notice, but I want to take the time to walk you through them so you can understand clearly how the project has been improved and bettered since we last spoke.

In May, the project was primarily steel and glass with a base of GFRC or precast. As we began to work through the interiors of the project, the arena, and also as we began to balance the exterior of the facade with the other buildings on the site -- the office buildings in the commercial and retail areas -- it was important for me to think about the ways that the
arena could respond to that.

So, you can see that we've added some sustainable wood materials to the exterior of the arena. I have used this analogy before. Hopefully it makes sense to you. We've thought about the arena like a piece of fruit, where when you peel that fruit open and you see the juice and the meat inside, it's something different.

And that relates to the kinds of warmth and materials that we're bringing to the interiors of the building. They're beginning to reveal themselves on the exterior. And I think it really softens the exterior appearance of the building.

So, some of the soffits you can see there have been now dressed with this sustainable wood material.

The other thing we did was we began to think about the articulation of the metal panel on the exterior of the building. Before it was an unarticulated metal panel.

We're now beginning to accentuate and puncture that panel with a perforation that adds another level of scale to the exterior of the building.

And you can see that in some of the renderings as to, you'll see the dash marks in the exterior of the facade. That begins to add another level and scale of
the material. It actually reduces and -- in our minds, reduces the scale of the building and makes it more visually comfortable.

The big -- one of the big changes -- and I'm really excited about this one -- one of the big changes you can see is on the Bayfront Terrace. Previously, in May, that terrace was supported by columns. I think there were five -- one, two, three, four, five, six -- seven columns that supported that cantilevered accessible space.

As we improved the design -- and I want you remind you -- maybe you didn't know this, but those columns came down and sat on top of the practice court area -- the two practice courts that the players practice in. So, those columns had to be transferred out before they go down and be supported on the foundations.

Well, as we reduced and refined the size of the Bayfront Terrace, we actually got it pulled back small enough to where we could eliminate the columns and the structural engineer was comfortable with removing the columns, because it actually decreased the complexity of the structure in order to actually support that portion of the building up at the roof level rather than transferring all those columns at the practice
court level.

That really creates an even more dramatic appearance, an iconic visual for the project on that side. So, we've been able to optimize the size and also optimize the structure in a visually exciting way.

Here you can see from a human scale walking around the project. Remember the pedestrian path I told you about before that links the main plaza clockwise around the arena to the southeast plaza.

Before, you can see there in the May drawings the columns that you had to walk under and through, and now those columns have disappeared, but we've added these wind gates.

Now, we did extensive studies on wind and the way wind travels around this project, and we found that we would be potentially at risk for wind turbulence around the pedestrian pathway as it's coming from north-northwest and spinning around the building.

So, these not only add a scale and a delight to the pedestrian pathway, making it feel more like an urban street, but they're also functional in the sense that they break the wind to make it a comfortable place to be.

Some minor improvements around -- on the 16th Street side. Further improvements and refinements to
the parking garage entrance and the accessibility and
pathway up to the main plaza that continues the 360
pedestrian walkway in and around the site.

And I want to take a moment to mention
landscape materials. The landscape designers here
locally are doing a fantastic job of breaking the
exterior site into neighborhoods, neighborhoods that are
articulated and supported with indigenous materials that
are both friendly to the environment, sustainably
supported with low irrigational water needs, but also
very indigenous and appropriate for the site.

The streetscape -- the designers, as they
designed -- I'm talking the landscape designers -- as
they designed the softscapes, the landscape, and those
areas, they're also working on the streetscape.

And I just want to point out -- I won't read
all these to you -- I want to point out the level of
detail that we're also thinking about.

The way the furniture around the site is going
to -- where are the trash receptacles so that they're
where they need to be to keep the site clean and, you
know, comfortable?

Where are the bike racks? And we're providing
more bike racks than we actually need to, because we
want this to be a comfortable place for bikers to come
and attend events.

    I'll let you read the rest, but the point is that we're creating a soft and urban environment that's comfortable for people 365 days a year.

    Parking by use. We are continuing to study and refine the way the parking spots on site and around the site will be utilized for different events and allocated to the different program needs of the site and the development.

    Sally took the time to mention the variant that we're seeking and currently in discussions with U.C.S.F. about.

    This -- these diagrams here show what would happen if we did not or were not successful in negotiating that variant.

    The Gatehouse is the fourth side of that urban room. I've talked about that before. It's the pavilion right at the center of 3rd Street on our block. It mitigates wind that would be coming down the street adjacent to it, but it also creates that room, that enclosure.

    We've had the study and we've spent some time studying what would happen if that Gatehouse was not there, if it was relocated to the side of the pedestrian -- sorry -- if the plaza was actually
depressed.

And we -- unfortunately, in that scenario, we would end up with a two-height plaza. We would not have a continuous plaza level. It would be broken into two levels. It would be a little less functional. And I think depressed plazas in general have a difficult time succeeding in urban environments. But we are nonetheless studying the options there, and we certainly hope that we are successful with our preferred plan.

So, an aerial view. You've seen this shot before. It's simply been updated.

The incorporation of green roofs, the plaza space, the location of the arena, and the updated Bayfront Terrace, which has now been pulled back tighter to the building and is column-free.

This is a nice shot of the northwest corner of the site. We believe and understand still that a majority of spectators will be arriving from the Muni stop on this corner of the site.

We've been careful to think about what that experience is like as you enter the plaza as you pass up the eight feet from 3rd Street into the elevated plaza and enter the arena.

I've talked before about how this becomes the front porch of the project, and we expect it and want it
to be a place that people enjoy being, not just passing through. So, you can stop and have a sandwich or wait for a friend and enjoy that moment.

This is the shot after you walk up and you arrive in the plaza. Your back is now to the Gatehouse looking in the front entrance of the arena. Grand lobby space inside.

We've shown the plaza, the basketball court area, but it will do much more than that. This is the flexible space. Think of it as an outdoor multi-purpose room.

I've mentioned before it could be the pumpkin patch in October. It could be a Christmas tree farm in December. It could be Spring Festival. It can host outdoor community events at any time.

So, again, think of this as a fully flexible outdoor room in a place that people from all over the City and neighborhood can enjoy.

There it is. Looking again now, our back is to the arena, looking back at the Gatehouse there. You can see the Gatehouse in its preferred location.

So, this is a nice corner shot of the corner of 3rd and 16th. This is, let's say, the beauty shot of the commercial building, and I think the designers all along here in the City have done a fantastic job with
the design of these buildings.

You can see how the materials have even helped inspire some of the materials that I brought into the arena later. So, they were working with these warm colors, and I felt inspired, let's say, to bring that kind of sustainability in those wood products to the arena as well.

Very dynamic shape. It's difficult, honestly, to design a commercial building like this, and they've done a fantastic job, especially -- I think I mentioned this before -- with the side court location.

It optimizes the floor plates for the kinds of tenants that might be wanting to lease those spaces, but it is a difficult design challenge, and they've done a fantastic job on the exterior design of that building.

Here it is from a different angle. You're looking between the point where the commercial building and the arena almost touch each other. It can pass up into the main plaza from here, completing again your 300-degree pedestrian walk around the site and around the arena.

This is the bike valet on the corner of southeast -- the southeast corner. So, we are on 16th Street looking towards the water here, and you can see the glass atrium of the southeast entrance lobby and the
pedestrian bike valet there on 16th Street.

For me, this is one of my favorite shots of the building, the shot of the southeast corner. Very, very dramatic. And again, a repeat of some of the things I've told you before with the updated materials, but the integrity and the impact of that view of the building remains unchanged.

Walking along TFB, you can see the building still sits on a podium of commercial retail areas -- restaurants, cafes, all that open up to the park with street dining and operable walls.

It really improves the scale of the building here. We don't have to bring the building full height all the way down to the curb. It actually sits on a comfortable pedestrian-scale podium, the roof of which is absolutely accessible to the public 365 days a year.

And you can see that here. This is -- we're up at the pedestrian pathway level now. Our back is to the water. We're looking at what I call the tertiary entrance for the third -- the third-level entrance to the arena.

We can enter the main concourse of the building here even though it is not one of the main entrances of the building. We're allowing for that kind of access, and maybe more importantly, egress.
Walking around the building, we have an access-way or an elevator lobby to get up to the Bayfront Terrace from two areas of the site, one at TFB. Just off Terry Francois, we have an elevator lobby that takes you directly to the elevators that can access the Bayfront Terrace. Those elevators make a stop on the rooftop level of the commercial area and retail areas. Here you can see that shot there with the gateways in the background as you begin to walk around back towards the plaza.

And there you get a nice feeling of what that street feels like. Cafes and shops along the way. The gateways that break the wind and add a scale to it. And maybe even some twinkly lights that make it feel like an active space.

Another shot of it there.

So, one of the most significant changes we made to the exterior of the building was to introduce these light bands. Now, we, as a normal part -- again, a normal part of the development project, we had to optimize the side of the building.

We needed to reduce it as much as possible to reduce the girth of the building, the amount of surface area that we were actually building so it's smaller in girth than it was before.
It's like the difference between wearing a winter coat and a tight tee shirt. It's in a tight tee shirt now. The skin is as tight to the structure as we could make it, and that was important for two reasons. First of all, it makes it more constructable, which is obviously important.

The other thing we had to do is we had to pull warpage out of the panels. So, a building that's shaped like this, it's very difficult to actually generate the geometry such that the panels don't have to bend in two directions. They can only bend in one direction.

So, we had to work with some sophisticated computer programs and some really smart engineers to redesign the exterior to where those panels were only bending in one direction. That's the only way it can be built.

Well, one of the ways we did that and one of the ways we also reduced the girth was to introduce these offsets in the facade. We're actually using those offsets as the potential for light bands that could -- that could be -- that add more drama, frankly, to the exterior of the facade, especially during night.

And you can also see the punched pattern of perforation could also be articulated with light in some way. We're still working on the final details.
Here's another shot of the exterior southeast corner. Lobby entrance with the patterning in the metal.

The other thing I would say is we introduced -- on 16th Street, we introduced some windows. Before, that was a large, very blank facade. It was a little bit onerous for me. I knew we would get to it, but we just hadn't yet in the previous time that we met.

Since then, we've redesigned that facade of the building to include some light glass into the concourse, because it brings light into the concourses, but also at night, you can see it helps break down that facade to something that's a little more human scale and friendly to the street.

And then a quick shot of the interior of the building. Very few changes in the seating bowl area from what I might have presented before. Just again, further refinement.

This is a shot of the main entrance lobby off of the main plaza. So, we're just off 3rd Street -- I want to get you oriented here. Just off 3rd Street off the main plaza there, you walk in that large glass atrium and you see the entire building explode in front of you.
With a grand space, you can see the floor levels stacked above one another. Lots of excitement, lots of drama in that space.

And then the aerial with the City in the background. You've seen this before. Again, just updated for the current design.

And with that, I want to say thank you and pass the baton back to Sally. Thank you very much.

CHAIRPERSON ROSALES: Thank you.

FURTHER PRESENTATION BY DEPUTY DIRECTOR OERTH

DEPUTY DIRECTOR OERTH: Thank you, David.

So, as is typical with design approvals, this is a conditional approval. So, I'd like to just go over the conditions that are described to you in your memorandum and are incorporated into the resolution.

So, these conditions include, the project will comply with the MMRP and the improvement measures. It's contingent on the Event Center being approved as a secretary use.

The staff level -- staff will have approvals on various administrative variances on streetscape and infrastructure plans. So, we'll go through that process.
We've asked that on retail and restaurant spaces under 5,000 square feet -- that Notice of Special Restrictions be applied to those spaces to ensure that they stay those restaurant and retail spaces as we've planned.

We've requested certain additional detail design information as is typical as we go through the next level of design review.

We have asked that they submit a Project Signage Plan. That will come back before the Commission for you to review.

And we'd like to see some -- again, very typical -- some further refinements on certain elements of the design, including the retail frontages along Terry Francois Boulevard.

We've asked that they provide us with mock-ups of materials and colors as we move forward.

And then just noting that the project is, of course, required to pay any required Development Impact Fees, including but not limited to the Child Care Fee listed in the Redevelopment Plan, and the Transportation Impact Development Fee.

So, now turning to the Design for Development, or the D For D as we call it, design of all projects in Mission Bay South is regulated through the Mission Bay
South D For D document, and the project itself is consistent with the basic land use controls of the Redevelopment Plan, and is overall consistent with the design controls and design guidelines of the D For D.

However, staff is recommending that the D For D be amended to accommodate the specific characteristics of an event center and the related elements in the project.

To date, the D For D has been amended three times, so this would be the fourth amendment.

And so, the amendments related to this project would fall into the following categories listed for you there.

We would add relevant definitions of an "event center" and "events" in our project.

We would describe the height for the Event Center would be 135 feet, which is under the overall maximum of 160 feet for the project area.

You'll note there are two towers located on the site, so we're making that notation in the D For D to show that those two towers are located in this particular height zone of the Redevelopment Plan. We are allocating unused towers from elsewhere and showing it here.

We've also created a minimum tower separation
distance between the tower and the Event Center.

We're creating a bulk allowance for an event center, and we're adjusting the streetwall and setbacks to reflect the nature of the project with the plaza and the gatehouse, et cetera.

We've adjusted the definition of "view corridor." The design guidelines allow for view corridors to terminate in buildings that provide important architectural statements. And so, we're just noting that that is the case here with the Event Center as that important architectural moment.

And then we've included information related to the Event Center around parking ratios as well.

So, so far we've talked about the four resolutions that are before the Commission, and I'd also like to present information related to an action that would be taken by the Executive Director, and this is related to secondary land use determinations.

So, the Mission Bay South Redevelopment Plan lays out principal and secondary land uses, and the Redevelopment Plan delegates the authority for approval of secondary land uses to the Executive Director.

Past secondary uses -- secondary use approvals include those made for the U.C.S.F. Hospital and the Kaiser building.
The Event Center itself actually includes a variety of uses, including both principal and secondary uses. So, staff prepared an analysis of those secondary uses for the Executive Director's consideration, which was included in the information provided to the Commission.

So, I'll walk you through both the principal and secondary uses for the Event Center.

The principal uses include office use, accessory office space for the Golden State Warriors and meeting rooms; retail sales and services -- obviously, retail spaces and restaurants -- arts activities and art spaces, performing arts events, conventions of an artistic or cultural nature, other arts-related uses.

Other uses include outdoor activities such as on the Bayfront Terrace.

And then the secondary uses of the Event Center fall under assembly and entertainment, including nighttime entertainment, a recreation building, and other uses such as a public structure and use of a non-industrial character.

So, staff has analyzed the secondary uses and has concluded that the secondary uses included in this project generally conform with the Redevelopment Objectives and Planning and Design Controls established
under the Redevelopment Plan, and are -- uses at this
size and intensity contemplated and proposed at this
location will provide a development that is necessary
and desirable for and compatible with the neighborhood
and the community. And therefore, staff is recommending
that the Executive Director approve the Event Center as
a secondary use.

So, under the Mission Bay South Owner
Participation Agreement, the project must comply with
OCII's SBE and Equal Opportunity Programs.

So, the project sponsor has been working
closely with our Contract Compliance staff, and they've
undertaken an extensive outreach and multi-stage
solicitation effort in bringing on team members.

Approximately 95 percent of the disciplines
needed for the project have been identified, and they
are meeting the OCII goal of 50 percent SBE
participation credit.

Actual SBE participation totals $8.2 million
to date, which 90 percent is committed to San Francisco
SBE's.

In your packets, there was a break-out of all
of the Professional Services SBE's with percentages
there for you.

Moving forward, once they move into the
construction phase, they will have the 50 percent SBE subcontracting goal, and will also include a 50 percent local construction workforce hiring goal and, of course, the payment of prevailing wages.

And then, in the permanent stage, their permanent hiring would be done in accordance with the City's First Source Hiring Program.

So, now I'd like to just describe for you all of the various public outreach that we've undertaken along with our colleagues in the City as this project has been under review.

So, key stakeholder outreach includes neighborhood groups in Mission Bay, in Rincon, Potrero, Dogpatch, and other eastern neighborhoods; obviously U.C.S.F., Mission Bay, the San Francisco Giants, the Biotech Roundtable, the San Francisco Bicycle Coalition, Walk SF, and the Mission Bay Ballpark Transportation Coordination Committee; and, of course, our Citizens Advisory Committee, which we can't -- I can't do any projects without. And we thank them for their dedication and attention to this project as it's moved through the various stages.

But I'd like to also note some endorsements -- some key endorsements that the project has received.

On October 6, U.C.S.F. endorsed the project.
On October 20th, we received a letter from the life sciences community endorsing the project.

I mentioned the CAC. We had about 10 meetings with the CAC over the last year, year and a half, including most recently on October 8th, we had a unanimous recommendation of the CAC to approve the project.

And I'd like to note another approval letter that is in your packets, this one from the Metropolitan Transportation Commission, or MTC. They have written a letter of support for the project. And again, that's in your packets, and copies are available for the public.

So, again, just to go over the different phases of review and actions that we've taken to date, under Environmental Review, again we started with an Initial Study and Notice of Preparation back in November of last year.

We published the EIR -- the Draft EIR in June of this year. We held a public hearing to accept oral comments on June 30th. The public comment period closed on July 27th. And then we published the Responses to Comments on October 23rd.

On the Project and Design Approvals, we have been before the Commission a number of times, including all the way back in April of 2014 when the Executive
Director provided a report to the Commission on the
Warriors then proposed purchase of the site, which has
since been completed.

In December of 2014, a presentation was made
to the Planning Commission regarding the overall design.
And then we came before you in January to talk through
the major phase, and then again in May, as I mentioned,
to do a Draft Schematic Design Workshop. Again, went
back to the Planning Commission for that Schematic
Design Workshop.

We went to the CAC October 8th.

And again, we're here before you today for the
Environmental Impact Report certification, adoption of
findings, and the D For D amendments, and the design
approvals.

So, the next steps. The immediate next steps
would be to accept public comment on the items I've just
gone through, so we will do that.

The Commission will then consider the SEIR
certification and adoption of the CEQA findings and
MMRP.

You'll then consider other actions and hear
from the Executive Director on secondary use.

And then after the project's Environmental
Impact Report has been certified and the project
approvals have been made, the project will go before a variety of other public bodies.

As Adam mentioned, the project will go before the MTA's Board for their adoption of CEQA findings and resolution on applying the funds to the project that he described.

This week, on Thursday, the project goes before the Planning Commission. They have design review of office projects in Mission Bay as laid out in the Redevelopment Plan.

And then on Monday, November 9th, the Mission Bay Transportation Improvement Fund legislation goes before the Budget and Finance Committee of the Board of Supervisors.

And then a number of actions before the PUC, Port, and Entertainment Commission on November 10th.

And with that, that concludes staff's presentation, and we're available for any comments after -- or questions after public comment. Thank you.

CHAIRPERSON ROSALES: Thank you. That's a very thorough presentation.

So, before we entertain any questions, we need to take public comment.

Madam Secretary, do we have any -- I'm sure we have speaker cards, but can you tell me how many?
COMMISSION SECRETARY GUERRA: I can't tell you how many, but we have several -- a number of speaker cards.

CHAIRPERSON ROSALES: Okay.

Without objection by my fellow speakers, I'd like to limit the public comment to two minutes and see how we do.

So, can you please begin the calling of the members of the public, five names at a time?

COMMISSION SECRETARY GUERRA: Members of the public, I will call five names at a time. Please come to the podium in this order.

If you are in the Overflow Room 421, please make your way to Room 416 when I call your name.

Members of public are asked to be seated in Overflow Room 421 after making public comments in order to provide space for the next speakers.

Brian Wiedenmeyer, Tom Lippe, Victor Parra, LeRoy Penny [sic], and Jim Lazarus.

PUBLIC COMMENTS

BRIAN WIEDENMEIER: Hi there, Commissioners.

My name is Brian Wiedenmeier, and I'm here speaking on behalf of the San Francisco Bicycle Coalition.
We have been working with the Warriors closely over the last year to improve and refine the arena project's bicycle facilities and program. And I'm happy to say that after many months of discussions with the Warriors, SFMTA, and OEWD, we are pleased with the proposed bicycle and transportation designs, as well as bicycle safety and encouragement programs proposed with this project.

The significant bicycle improvements to Terry Francois Boulevard, 16th Street, and intersections in or around the arena site and the project's very important, the project's coordination with the expanding Bay Area Bike Share system, all make this a safe and comfortable destination to travel to and from by bicycle.

The event-based traffic management proposals are also strong, and with ongoing monitoring, evaluation, and adjustment, will help ensure the arena is a great place for people of all ages and incomes to bike to.

We're also thrilled to see the Warriors propose a large, dedicated space for bicycle valet parking that will accommodate the City's growing number of bike trips.

And speaking from experience, running the
bicycle valet parking at the Giants Stadium, which has 150 spaces, we routinely have to turn people away. So, it's a very popular option.

The bike valet parking, along with the improved bike network and robust encouragement programs will help make this the single most bicycle-friendly professional sporting venue in the country upon completion. So, it could be a real feather in the City's cap.

We also acknowledge that the growing number of bicycle trips to a venue like this takes an ongoing effort over time, so we are looking forward to continued partnership with the Warriors to ensure this project and the City meet their goals to make this a great place to bike to.

Thank you.

CHAIRPERSON ROSALES: Thank you.

TOM LIPPE: Good morning, Members of the Commission. My name is Tom Lippe. I represent the Mission Bay Alliance.

And a couple of points. First of all, on the secondary use finding, Susan Brandt-Hawley, my cocounsel, has sent a letter by E-mail yesterday, contesting the secondary use — the appropriateness of finding that this as an allowable secondary use under
the Redevelopment Plan. So, I would encourage you to
take a look at that. She's also going to speak today to
flesh out the reasons for that.

If it turns out that it is a proper secondary
use, then you actually need a variance under the
Redevelopment Plan. You can't just amend the Design for
Development.

And I have a letter on that point, which I'd
like to submit to you today, which I also E-mailed
yesterday, and that is here.

(Letter submitted to staff.)

With respect to your finding that the EIR
complies with CEQA, it turns out it doesn't for lots of
reasons. One of those reasons has to do with the fact
that the EIR took the position that compliance with the
City's NPDES permit, which is a water-quality permit,
would ensure no water-quality impacts of significance.

Well, I objected and said you have to prove
that you comply. And the Response to Comments said,
Well, we comply.

So, we got the Water Board enforcement files,
which are five binders of ten years of noncompliance by
the City. So, that simply is not a proper basis to find
that there would be no significant effect on water
quality. So, I'd like to give you those binders.
(Binders submitted to staff.)

There's also my comment letter on the EIR, which is in two binders, with Exhibits A through S.

(Binders submitted to staff.)

CHAIRPERSON ROSALES: So, is this the first time you're giving us this?

TOM LIPPE: It is.

And just on that point, we only had 11 days after your staff of 58 people had two months.

Two quick points. The Bay Area Air Quality Management District is not participating in your offset mitigation for ozone precursor pollution; therefore --

CHAIRPERSON ROSALES: Continue.

TOM LIPPE: -- that mitigation measure is no longer effective to reduce -- we never thought it was, but even on your own terms, it's not effective to reduce those impacts to less than significant, because the agency to do the offset program is no longer agreeing to the price.

And that is a mitigation measure that the project sponsor apparently has refused to adopt, and that's a trigger for recirculating the EIR as a draft so that people can comment on this development. And this is a development that occurred yesterday, apparently, based on the letter that was on the table this morning.
And then, finally, I have a letter from my co-counsel, Soluri Meserve, on the noncompliance of the EIR by CEQA.

(Letter submitted to staff.)

Thank you.

JIM LAZARUS: Commissioners, Jim Lazarus, San Francisco Chamber, also our partner in labor and other civic organizations, the Alliance for Jobs.

Our visitor economy will benefit greatly from this facility. This is a transit-rich location, one that can accommodate not only the great growth that we all appreciate at Mission Bay, but the growth of our visitor industry through the development of this facility.

I urge people to look at the ballot handbook from 1996, when the ballpark was on the ballot, challenged by early residents of Mission Bay and China Basin.

That ballpark said the world as we know it -- or, that ballot argument said the world as we knew it at the time would end with the development of AT&T Park -- congestion, driving jobs and tax revenues away from the City, gridlock -- opposed the ballpark. We know that didn't happen.

The privately built AT&T Park is one of the
great economic engines of San Francisco, and a privately
developed arena at Mission Bay will do the same.

This is a site that can accommodate this
public and privately -- jointly developed facility. And
like other downtown facilities, it will have a
tremendous impact on jobs and tax revenues to the City.

For decades, U.C.S.F. lived comfortably with
Kezar Stadium down the hill, with college and high
school and professional football in a 70,000-plus-seat
stadium.

I'm sure that U.C.S.F. Mission Bay can live
just as comfortably with this great Event Center a block
or two away.

Thank you very much.

COMMISSION SECRETARY GUERRA: Victor Parra and
LeRoy Penny [sic].

VICTOR PARRA: Good morning, Commissioners.

My name is Victor Parra.

I'm the business manager at Laborers Local 67,
Northern California, and the vice president of the
San Francisco Building and Trades Council for
San Francisco.

We're here to support and express the
importance of having an arena to be built at
Mission Bay.
We are extremely excited about the great jobs with great benefits and good, liveable wages that this arena will generate, or will create and, once again, give the San Franciscan community one more reason to be proud.

The Warriors have worked so hard at this and have done everything right, and I think it's just possible that we get all the support that they need.

And I'm here to let you know that we are extremely frustrated with the Mission Bay Alliance, who has been an obstacle obstructing this great project that has so much support.

Thank you very much.

CHAIRPERSON ROSALES: Thank you.

COMMISSION SECRETARY GUERRA: Can the following people please come up: Pete Varma, David De La Torre, Lori Yamauchi, Corinne Woods, and Cathy Scarby [sic].

PETE VARMA: Good morning, Commissioners.

CHAIRPERSON ROSALES: Good morning.

PETE VARMA: My name is Pete Varma, and I'm here representing National Association of Minority Contractors and Suppliers.

We are a Northern California chapter. The Association is a national organization that provides
subcontracting opportunity to minority contractors and suppliers.

Having built numerous projects in the Bay Area and now this particular project, we welcome that this project would provide a lot of subcontracting opportunities for minority contractors and suppliers. It will create jobs in the community.

This is an excellent project for Bay Area to have a stadium right in their backyard, and we support that the Commissioners will look forward to approving this.

Thank you.

CHAIRPERSON ROSALES: Thank you.

LEROY PERRY: Good morning, Commissioners. My name is LeRoy Perry. I am an 18-year resident in the Dogpatch community.

There's a lot of wonderful things going on in the Dogpatch community, and this right here is another addition to it.

This right here would bring more than just jobs. It will bring comfort. It will bring comfort to the parents that don't have anywhere to take the kids in the afternoon, kids that want something to do positively -- enjoyment for everyone in the family to do.
The neighborhood is definitely coming up and developing well, and I ask that all of you endorse this.

Thank you very much.

CHAIRPERSON ROSALES: Thank you.

LORI YAMAUCHI: Good morning, Commissioners.

Lori Yamauchi, Associate Vice Chancellor, Campus Planning, U.C.S.F.

On behalf of U.C.S.F., I wish to express the University's support for the Golden State Warriors Event Center Project. I'm submitting a letter for your review and consideration, highlighting the key points of that letter in my oral remarks.

(Letter submitted to staff.)

Since the Warriors announced its intent to build a new Event Center complex at Mission Bay, U.C.S.F. has expressed its concerns about the impacts of the proposed project on traffic and parking in the area, with particular focus on the effects on patient safety.

We reviewed and commented on multiple documents issued by the City, as well as participated in numerous meetings and testified before this body in the Planning Commission. We submitted a comment letter on the Draft SEIR. And after review of the Final SEIR, we concluded that the City's responses to our comments are generally satisfactory.
We appreciate the addition of a Local Hospital Access Plan to the Transportation Management Plan for the project. We also appreciate the proposed off-site parking to the south of the Event Center for use by event attendees, namely the 19th Street lot at Pier 70 and the rest of the pier site near Pier 80.

And we wish to reiterate that U.C.S.F. is unable to make its off-street parking garages and lots available to event attendees, because U.C.S.F. needs this parking to meet the demands of staff, patients, and visitors.

We also appreciate the proposed Mission Bay Transportation Improvement Fund, including the Designated Overlapping Event Reserve Account to fund traffic management programs implemented by the City to serve the project.

We also appreciate the proposed formation of an Advisory Committee which would include U.C.S.F.

We appreciate the refinements in the construction plan and the proposed Muni/U.C.S.F. Mission Bay station variant, recommending that the OCII Commission adopt that variant as part of the project approval.

A few areas where we believe the Final SEIR and project could be strengthened include the City
making long-term commitments on providing off-site parking, and asking that the City provide a solution to the traffic congestion at Mariposa I-280 off-ramp, and produce an explanation of how this wastewater treatment capacity in Mission Bay will be made adequate to serve all protected development in Mission Bay.

Thank you for consideration to my written and oral comments.

CHAIRPERSON ROSALES: Thank you very much.

DAVID DE LA TORRE: Good morning, Commissioners. David De La Torre, Laborers Local 261. I'm here on behalf of both Laborers Local 261 and the A. Philip Randolph Institute San Francisco chapter of which I am the chairperson.

I'm here to voice our support in moving forward with this project because of the commitment to building it with union labor, securing the area's standard and community involvement.

So, I strongly encourage the approval of the EIR report and moving one step closer to finally getting this project built, and to flourish.

Thank you.

CHAIRPERSON ROSALES: Thank you.

COMMISSION SECRETARY GUERRA: Can the following people please come forward: Ramon Hernandez.
CATHY SEARBY: Good morning. My name is Cathy Searby and I live in Mission Bay. The proposed arena site is directly next to my home.

I am so excited, not only to watch the Warriors play basketball at the arena, but to have concerts and family shows like Disney on Ice, Harlem Globetrotters, that we all can attend -- San Francisco needs this kind of arena to be a first-class entertainment destination.

I'm also excited about the waterfront park, as there's nothing in this community in the south neighborhoods. It provides a place for the kids and the families to enjoy the beautiful views in a fun and safe environment.

The Warriors and the City have done an impressive study of this project, and as a result, they've come up with a project that fits well in our Mission Bay community.

Thank you.

CHAIRPERSON ROSALES: Thank you.

CORINNE WOODS: Good morning, Commissioners. My name is Corinne Woods.

I chair the Mission Bay Citizens Advisory Committee, which has unanimously approved a Schematic Design Plan for the arena.
I'm also representing the Mission Bay CAC on the ballpark, Mission Bay Transportation Coordinating Committee, where I've worked for at least 10 years -- I don't know how long -- to try and deal with the existing traffic and transportation implications of both Mission Bay and the ballpark.

To me, approval of this EIR is the first step, and it's all about implementation. It's all about making sure that we don't get forgotten once the approvals go through.

There are some inconsistencies between the requirements of the EIR, in terms of traffic and transportation mitigations and improvements, and the legislation that's moving through both the MTA and the Board of Supervisors in terms of how it's going to be managed.

OCII is the responsible agency for this project. OCII has taken a very low-key approach to Mission Bay over the years. And, in fact, the last couple of years, we've been starved for staff help and support, as Tiffany knows.

We need dedication. Even if you can delegate these approvals and monitoring and everything else, we need you, OCII, to make sure things happen, because they won't happen if it's up to just this agency or that
agency that you delegate to.

It took us 15 years to get a bus in Mission Bay that was promised to us in 2003. We still have streets that are open -- that are finished and not open, parks that are finished and not open.

We need OCII to take a very much more aggressive approach to managing the process so that we can survive this.

Thank you.

CHAIRPERSON ROSALES: Thank you.

COMMISSION SECRETARY GUERRA: Ramon Hernandez, Matt Prieshoff, Thomas McDonagh, David Lombardi, and Scott Van Horn, please make your way to the podium.

DAVID LOMBARDI: Good morning. My name is David Lombardi, and I'm coming here in support of the Warriors Arena Project.

First off, as a resident of San Francisco -- haven't always lived here -- but I live in the Mission now, and I remember visiting from about three hours away, when I was about 10 years old, back in 1998.

My dad drove me to the area near 3rd and King Streets, where AT&T Park would once be. It was desolate, abandoned. Definitely not a source of pride for what I think is the most beautiful city in America.

And my dad told me that the Giants are going
to be playing here, Barry Bonds is going to be hitting home runs here in three years or four years. I didn't believe him. As a young sports fan, it just blew my mind.

And now we look 18 years later, we see what that area has become, what it's becoming, and what kind of boon that has been for the City.

I see this Warriors Project in much the same way, although I think Mission Bay is a little bit more developed, obviously, already than that whole South Beach area was when AT&T Park was proposed. I think that we can see similar benefits from this from the perspective of the City.

Second, not as a resident, but as a person who covers sports, I work for ESPN, and I cover college football. I've covered a bunch of other sports. I've traveled a lot, and I've seen different venues around the country. It's just part of my job every weekend, and I see which ones fit into the fabric of a city and which ones I'm not excited to go to.

I can say that AT&T Park has been a major success in that regard, and based on the plans that I've seen today and I've studied from this Warriors proposal, I think that this one will fit perfectly into the urban fabric of San Francisco in a way that will improve the
You just can't be taken seriously as a major
city in the world without a venue like this, and I think
that will fill the void. So, I encourage you guys to
approve it.

Thank you.

CHAIRPERSON ROSALES: Thank you.

THOMAS McDONAGH: Good morning, Commissioners
and thank you for this opportunity. My name is
Thomas McDonagh.

I live, work, and have a small business in
San Francisco. I've been a resident of the City since
the 1970s, and I have lived South of Market for 15 years
plus.

I've witnessed the difference the construction
of the ballpark brought to the neighborhood in 2000, and
it helped to reignite the development of the
neighborhood since then. The Golden State Warriors will
help reignite the neighborhood and the City and the
region with this development.

Sports plays a large role in our society. It
teaches people enduring values such as teamwork and
sportsmanship.

This venture will stimulate the economy.

Tourism and entertainment are a major part of
San Francisco's economy. By building the arena in Mission Bay, San Francisco would be positioned to put on world-class performances to larger audiences.

Thank you.

MATT PRIESHOFF: Good afternoon. My name is Matt Prieshoff.

I'm the chief operating officer for Live Nation in the State of California.

Anaheim, Bakersfield, Carson, Fresno, Long Beach, Redding, Oakland, Ontario, San Jose, Sacramento, Los Angeles times two, San Diego times two, and Stockton -- they all have arenas. We don't in San Francisco. Our best opportunity in history to have a world-class arena is now, because of the Golden State Warriors.

They've done a phenomenal job creating an EIR, with the City's help, that addresses all of the concerns that have been raised.

Our office in San Francisco is at 16th and Rhode Island, so we have great familiarity with this location. We know what the traffic concerns are, and we know that they've been addressed by the plans that have been put in place by this EIR.

This organization has done a phenomenal job reaching out to the community and will continue to do so
for its entire history in San Francisco if given the
opportunity to bring this arena to San Francisco.

And if they do, Live Nation will provide many
great entertainment concerts and other events to this
amazing city that currently you have to go to Oakland
and San Jose because of the lack of an arena in
San Francisco.

Thank you very much for your time.

CHAIRPERSON ROSALES: Thank you.

COMMISSION SECRETARY GUERRA: Would the
following individuals please come forward:
Henry Wimmer, Anthony Urbina, John Ballesteros,
Mike Therault, and Nina Ladow.

SCOTT VAN HORN: Hi. Scott Van Horn. Thank
you for the chance to speak to you today.

I live and work in Dogpatch, just two blocks
from the site. I can actually see the site from my
unit. When I addressed this Commission in June, I
stated that I fully support the project, and I still do.

Today, however, I want to address the EIR
process and those that are attempting to undermine it,
specifically, the Mission Bay Alliance.

Since they were formed at the beginning of
May, they have been saying that they will do everything
they can to stop this project. Instead of participating
in the City and State processes that fully analyze the
impact to the environment and to the community, they
have been planning from the beginning to use their
considerable wealth to litigate this forever.

I was even at the Mission Bay community
meeting on May 7th, when Jack Davis said that they
would, quote, sue until the cows come home.

The Warriors have worked with the community
from the beginning. They have worked with the MTA to
ensure that there will be massive improvements to Muni
to put in place for everyone to use. There will be
improvements to waterfront parks that will benefit
everybody. They even worked with the City to put aside
a reserve fund for the unexpected issues.

As you can see from these articles that I'd
like to submit, they did not even wait for the Draft EIR
to be published before they just started to attack it,
at least what they assumed would be in it. This
includes the Matier & Ross article on May 4th, where
they make it clear that they will not be funding an
effort that would benefit the community in any way, but
instead, these billionaires want the land for
themselves. They want to throw away all the
improvements that will happen with this project so they
can build their own selves, leaving the community out in
the cold.

I urge you to approve this EIR so that we can see the massive benefits to my neighborhood and to the City. I also hope to see the Warriors bring another championship to San Francisco.

Thank you.

CHAIRPERSON ROSALES: Thank you.

HENRY WIMMER: Good morning, Commissioners.

My name is Henry Wimmer.

I've lived in the City 27 years. I'm a resident of Potrero Hill, small business owner since 1994, and I just wanted to speak on a number of terms, but I'll be brief.

I wanted to commend the Warriors for their outreach in the community. I've been part of a number of neighborhood meetings that have addressed a lot of concerns with neighbors, including transportational issues and educational opportunities for the 3rd Street corridor and development of the area.

I'm very much in favor of the project, and I'm exited about the design of the arena as well. I think the open space -- 30 percent of the protected project allocated to open space with the open plaza and being able to 360 degrees around the arena and the lakefront -- bayfront area is really substantial and noteworthy.
I think it provides a lot of opportunity for the citizens of the City and others who come visit our great City to enjoy the lakefront and the opportunities of retail and business in the area. I think it will stimulate the economy.

I think it's really, really a beautiful design. And I'll keep it brief and just say I'm very much in favor of the project.

Thank you so much.

CHAIRPERSON ROSALES: Thank you.

ANTHONY URBINA: Good morning. My name is Anthony Urbina.

I'm a business representative in the Sheet Metal Workers Union Local 104.

Local 104, we're also affiliates with the San Francisco Building Trades Council and members of the San Francisco Alliance for Jobs and Sustainable Growth. I'm here to express the strong support for the Warriors Arena.

Organized labor has fought hard to see that this project happens. We're frustrated by the efforts of the Mission Bay Alliance that is now funding opposition to the project, a project that has so much community support.

The Warriors have worked hard with the
community, and they have worked with labor. This project will bring good career pathways for San Francisco youth, opportunities to become state-certified apprentices. It will bring good jobs with living wages and benefits to thousands of workers.

The Warriors Arena will be added to a long list of great San Francisco projects that have provided opportunity, employment, and entertainment.

Please support this project.

Thank you.

NINA LADOW: Good morning, Commissioners. I'm Nina Ladow.

I'm a longtime resident of Potrero Hill. I have been there 24 years. I'm an active community volunteer.

What I see, what the Warriors have done and what they're committed to is to help the underserved of our community have an opportunity for education and training, particularly through the trades, and then those jobs can translate into other jobs as they move on through their careers.

I commend the Warriors for their plan. I can see from my house -- I'm by Mariposa and the on-ramps, so I know the traffic congestion.

I also commend the effort that has gone into
the traffic mitigation.

I urge you in all sincerity to approve this project and help our community and the Warriors succeed.

CHAIRPERSON ROSALES: Thank you.

MIKE THERAULT: Commissioners, Mike Therault, San Francisco Building and Construction Trades Council. We were thrilled to read about the agreement between U.C.S.F. and the Warriors with regard to this arena.

U.C.S.F. is an institution we certainly respect, and its landing in Mission Bay, you will all recall, through the deal that was brokered by Mayor Brown was what allowed that redevelopment finally to proceed in a meaningful way.

We're not surprised by the agreement. Our own dealings with the Warriors in our ongoing discussions to refine our agreements with them have shown them to be both cooperative and pragmatic.

With regard to the issue raised by the Mission Bay Alliance of water quality, you may also recall that about 10 years ago, Chevron did substantial remediation of that site, excavating it to a depth of about 20 feet and removing a groundwater plume of hydrocarbons to bring the water up to standards. That water has been taken care of already.
And I will point out, also, that all of you know that we're entrusted with jobs in construction and the opportunities they provide to the community.

Mr. Lazarus is correct, also, in pointing out that this is an ongoing economic boon to the City and a continuing source of opportunity for residents of San Francisco in other types of employment as well.

We ask you to approve the Environmental Impact Report and to carry on with the other approvals before you today.

Thank you.

CHAIRPERSON ROSALES: Thank you.

COMMISSION SECRETARY GUERRA: Will the following people please come forward: Chris Keller, Charlie Lavery, Joel Koppel, Antoinette Mobley, and David Wong.

JON BALLESTEROS: Good morning, Commissioners. Jon Ballesteros with San Francisco Travel.

And San Francisco Travel remains an enthusiastic supporter of this project, as it will add a dimension that's really needed here in San Francisco, a dimension to the $10.7 billion travel and tourism industry here in the City. And that new dimension is a large venue that can accommodate many of the special events and programs that we currently cannot
accompany.

And if this project is approved and we are able to accommodate those special projects and programs, it will expand the benefits of travel and tourism to the City. And these include creating more jobs, contributing more taxes to the City's General Fund, and expanding the overall economic activity here in San Francisco.

So, for these reasons, we encourage your Commission to approve the EIR that's before you today and move this important and valuable project forward as soon as possible.

Thank you for your time.

CHAIRPERSON ROSALES: Thank you.

CHRIS KELLER: Hello, Commissioners. My name is Chris Keller.

I live in Los Altos and was previously a commissioner for the environmental commission in that city, and I want to thank you for all the work that you do.

I am currently between jobs, full-time employment, so I've been driving with Uber and Lyft lately. I am not here representing either organization, but just want to add that, to the extent that there are those that jobs will be created through this new park, I
I think there are other opportunities for some of these new technologies to also fill in, as needed, in an appropriate way, to provide meaningful income for other members of the community.

I just also want to say, you know, during my time as an environmental commissioner, no EIR comes in perfect, certainly not one at this scale. Five binders do not change that.

But I think that what you'll find, as I have seen over the last few years, is that Rick Welts and his team -- it's a world-class organization, not just in professional sports but in -- throughout -- anywhere in our community, willing to work hand in hand with so many people to do the right thing.

Lastly, I just want to say that I have four daughters. And, you know, raising kids is all about creating family memories.

One of the most meaningful moments I have in my life right now is to watch these games with my kids. And to think about coming to this venue with them will certainly qualify as a memory for me and my children.

Thank you.

CHAIRPERSON ROSALES: Thank you.

CHARLEY LAVERY: Good morning, Commissioners.

My name is Charley Lavery.
I'm the district representative for the Operating Engineers Union Local 3. I'm also the chair of the labor caucus of the San Francisco Alliance for Jobs and Sustainable Growth, and both of those organizations want to express their support for the Warriors Project.

The Operating Engineers, through the San Francisco Building Trades Council, have been discussing with the Warriors how we can best work together.

The result, so far, is a commitment to work with labor to maximize opportunities for San Francisco residents to have living-wage jobs with benefits on the project.

Those residents in the trades need a sustained stream of projects to remain employed. Despite the building we see around the City, it's important to remember that each time a building is completed, those trades-workers are effectively unemployed again.

The Warriors have really been the poster child for outreach, both with the building trades and with the communities through their CBO's within the City where we live.

This is a great opportunity for our members to work on a project that will provide the City with a
much-needed amenity, and that improves the City and
enhances their career opportunities.

Thank you.

ANTOINETTE MOBLEY: Go Warriors.

Good morning. My name is Antoinette Mobley.

I'm a resident of Bayview-Hunters Point, and I
want to thank you Commissioners for being here to take
in all the considerations to approve the EIR report.

The Warriors ground, this new event center,
it's just -- it's just been long coming. It's long
overdue.

I mean, in the evening time and on weekends,
there's very little to do here in our neighborhood. And
even though, with the emerging businesses that have come
along in the Dogpatch area, which we really appreciate,
it's kind of for grown folks, you know, not for the
kids. So, this is an opportunity for our families to
get out and bike and enjoy the great outdoors.

You know, I'm a staff member of Recreation and
Park here at San Francisco, so I really, really advocate
for the outdoors. And to be able to bring something
along the waterfront -- we can walk here, we can bike
here -- it's just the greatest amenity one could ask for
in such a world-class city.

And then I also want to add to that in terms
of their plans for transportation, honey, you couldn't
come up with a better plan.

I take that T Train sometimes on those Giants
days, and I can't get home; okay. Takes me an hour,
where it would take maybe 15 minutes. So, I'm thankful
that they thought about that, because they took the time
to come in the community and ask us, What are the pros?
What are the cons? How can we make this thing right for
everybody? And they did that.

So, I really want to thank the Warriors team
for being such a great community partner. I'm
really looking forward -- oh, the Warriors tore Memphis
up last night. Did you all see that game? 50 points.
Come on. That is world-class.

So, again, I encourage you guys, support this.
The businesses on 3rd Street in the southeast sector, we
need this. We need the foot traffic to come into the
corridors to help support, to help sustain those who
have been here; okay?

So, go Giants -- I'm sorry. Go Warriors.

JOEL KOPPEL: Good morning, Commissioners.

I'm Joel Koppel.

I'm a Local 6 electrical worker that lives in
the Sunset. I grew up here, went to school here, went
to high school, college. I was lucky enough to buy a
home in the Sunset with my sister.

I'm here speaking today for the San Francisco Electrical Contractors Association and the Electrical Workers Local 6.

Both sides of our industry are very much in favor of certifying the Final SEIR today and moving the project ahead as proposed.

We have 32 local business enterprises in San Francisco that are in favor of this project, that pay their payroll taxes and gross receipts taxes here in San Francisco. And we have 794 San Francisco resident electrician journeymen and apprentices that are employed by these contractors.

So, not just as a laborer here today supporting, as you've heard from the other brothers and sisters of the other unions, but also, management is here also in full support the project.

Thank you.

CHAIRPERSON ROSALES: Thank you.

COMMISSION SECRETARY GUERRA: Can the following people please make it to the podium: Ramon Hernandez, John William Templeton, Pat Valentino, Stuart Canning, D.J. Brookter, and Donald Dewsnud.

DAVID WONG: Dear Commissioners, good morning.

Thanks for your time, and thanks for allowing us to be
here to ask for your support.

I'm David Wong. I'm Bay Area Deputy Sheriff Charitable Foundation executive director. We work with you, and once a year, we have a shop with the Deputy Sheriff program where we take 300 to 500 disadvantaged children to do Christmas shopping. And out of those -- out of that program, we ask a pro sport athlete to accompany -- to do the shopping, where we guide the kids to a better direction.

I'm a retired Deputy sheriff in San Francisco, and if we can prevent kids when they're young, we can prevent a lot of crime. And that's what I do.

So, just imagine when Coach Al Attles, accompanied with a couple of kids to shop, their parent is so amazingly shocked that, you know, Coach Al Attles would shop with them.

Just imagine if we could tell the parents and the children that Warriors is -- their home is with us. And that will be world-class decision. And I hope you can make that world-class decision.

Thank you.

JOHN WILLIAM TEMPLETON: John William Templeton. I'm historian and creator of the California: "African American Freedom Trail."

The Subsequent EIR violates, procedurally and
substantively, every tenet of California’s pioneering Environmental Justice Law and a 1994 federal executive order.

I’ve submitted a 40-page document that spells out the many ways that the characterization of impacts fails to take into account the cumulative effects of 70 years of land use inequity.

When I heard Planning Commissioner Ed Maley’s (phonetic) objectionable remarks last week, I conducted a critical race theory analysis of this EIR to see that it substantially -- in trying to assemble this into a document, that certain groups of people are more valuable than others -- this measure breaks a covenant with the people of southeast San Francisco that $2.2 billion spent on their T Lines would link them to the rest of the City, and negatively impacts them for a generation to come.

In 1951, U.C.S.F. had the opportunity to play in the Cotton Bowl with the condition that they had to leave their black players behind. They turned down the invitation.

We shouldn’t leave our impacted communities behind in order to approve this ill-conceived project.

CHAIRPERSON ROSALES: Thank you.

PAT VALENTINO: Good afternoon -- good
morning. My name is Pat Valentino.

I'm the president of the South Beach/Mission Bay Merchants Association. We're in full support of this project and ask you to certify the EIR as soon as possible.

Mission Bay needs a sense of place, and I think the way we pictured it is, when there are no events and there are no games, this facility is going to be extremely valuable to our neighborhood.

I not only am the president of that organization, I also live within walking distance of the Warriors site. And we're super excited, both as neighbors and business folks in the community.

I think one of the things, though, that's really important to think about, we've heard one point of opposition today. We have a diverse community in support of this project.

The comments that have come in, in support range across business local merchants, community groups, residents, neighbors, and folks from around the region and around the City, versus paid consultants, paid legal advisers who come here and give you binders full of garbage to basically throw mud against the wall.

And as one of the residents from Dogpatch neighborhood mentioned earlier, these guys, the
Mission Bay Alliance, came forward prior to the public having access to this EIR and started to make comments about suing till the cows come home.

I've been practicing law for over 20 years, and I can tell you one thing that I always tell my clients. When someone says they're going to sue you, and they're going to hire the most expensive lawyers, and they're going to sue till the cows come home, they have no case. And what we have here is no case against an incredible amount of community support.

So, I think you've heard quite a few of the good, positive comments. So, I'll just finish with saying, thanks so much, and thanks to the Warriors for participating with the City in a very community-oriented process. We look forward to you coming to San Francisco.

Thank you.

CHAIRPERSON ROSALES: Thank you.

COMMISSION SECRETARY GUERRA: Will the following people please come to the podium: Nick Belloni, Henry Karnilowicz -- sorry if I mispronounced it -- John Caine, Oscar James, and Dennis MacKenzie.

DONALD DEWSNUD: Good afternoon, Commissioners. My name is Donald Dewsnud, and I'm a resident here in the City of San Francisco.
I'm very active in the community as a San Francisco Bay Area Renters Federation member, as well as a Sierra Club member here in the City.

However, I'm speaking for myself today concerning this project, and I urge you to please support it, because quite frankly, I'm very unhappy with our right-wing NIMBY's here in our City trying to prevent any sort of progress or development to take a dead block that's a field of dirt and make it into something that could be a center for the neighborhood, for the community, with this event venue.

As far as providing more jobs, about 600 of them, with our corporate square footage, and also, more importantly, on the retail space down below on the first floor, that is an opportunity for Dogpatch small business owners to have their business there at the plaza.

Also, too, I want to speak concerning the open space. It's -- this project has 33-percent open space of 3.2 acres.

There are parking concerns. However, we do have that Safeway garage over there off of King Street. We do have the AT&T Ballpark garage, as well, to rely on. So, we have plenty of ample opportunities for parking spaces around.
Also, too, I want to point out that this particular project contributes $18 million to infrastructure fees to the City, as well as $40 million towards the transportation of the infrastructure system as well.

So, again, thank you for hearing me out, and thank you for all your hard work. Please support this project.

Thank you.

NICK BELLONI: Good morning, Commissioners. My name is Nick Belloni, and I want to thank you for having us here today.

I'm excited to basically welcome the Warriors here to San Francisco. I'm supporting the project because there is a lot of reasons.

One, the arena will be built on private property land that's been planned for development for years.

Two, the development is highly -- entirely privately financed, without any public funding, which is a huge demonstration of the team's commitment to the neighborhood, which I've seen throughout the process.

I've been part of this since the beginning of them coming, and I've just seen them work tirelessly with the communities -- work and change.
And, I mean, they've basically been one of the best developers I've worked with. And being the co-VP of PAR, I've worked with a lot of different developers. So, it's been great to see that.

They also will be -- the new arena is a perfect fit for Mission Bay, and it will trigger the construction of a long-awaited five-and-a-half-acre park in Mission Bay.

This is something that is personal to me as well. I am a representative of the Park Rec Open Space Advisory Committee, and one of the things I've been pushing for for a long time on that committee is getting open space in that area.

So, this is something that I just pushed a strategic plan for that area to the Commission to get -- that we can have a strategic plan for the area to have open space, to find places.

This is a perfect spot for it, and they're adding that in there. And that's something that's major.

And it's a waterfront park, something we don't have -- that we don't have a lot of, I should say. So, this is huge.

The site also has excellent freeway access,
construction of new off-ramps, a network of high-capacity streets, intersections, improvements in more than 9,000 public parking spaces already in place.

So, I want to thank you guys for hearing me. I want to thank you guys for having this, and I hope you all vote to have them here.

Thank you, guys.

CHAIRPERSON ROSALES: Thank you.

HENRY KARNILOWICZ: Good afternoon, Commissioners. Henry Karnilowicz. I'm the president of the South of Market Business Association.

First of all, I just want to really commend and applaud the Warriors for not giving up the boat and throwing in the towel and saying, Hey, look, we can't build on the piers, so we're going to Oakland, and we're going to build over there.

But, no. They stuck it out, and they really worked hard at it.

They didn't just go and say, Hey, we're going to do it. They did reach out to everybody to make it happen. So, I'm really proud of them.

As the president of the South of Market Business Association, I'm also involved with the merchants out in Bayview and in Dogpatch and so forth.

And what you're going to get from this,
because with the Warriors, they're going to have not just basketball, but other entertainment also. You'll have more people coming into the area, and that will trickle all the way down into Bayview and into the rest of South of Market. So, I think it's going to be a really great thing to have in the South of Market Area.

I can tell you right now that when it comes to businesses that are in the area around the Giants Park right now, once there's no games, a lot of those businesses have -- don't have too much going on. And this is going to really help them to do much better with the Warriors being there.

So, once again, I think they're a great team. My daughter just loves them. And if I didn't support them, she probably wouldn't talk to me again. So, I really urge you to please support the EIR and vote in favor.

Thank you.

CHAIRPERSON ROSALES: Thank you.

JOHN CAINE: Good morning. Happy Election Day. My name is John Caine.

I'm the owner of what will be the newest port restaurant in Mission Bay, located at Pier 50, at 295 Terry Francois, just up the street from the arena. We have just named our new restaurant Atwater Tavern. We
are opened -- we plan to open in the spring.

I'm also the owner of Hi Dive restaurant, which has been at Pier 28-1/2 since 2004.

My family and I live in San Francisco, in North Beach, and care very much about the quality of life in this City.

I'm 100 percent in favor of this project proceeding immediately. My partners and I have reviewed the plans, the Draft EIR and the traffic mitigations, and believe that they will solve 100 percent of the potential traffic circulation problems in this area.

I speak from experience. Hi Dive is located at Bryant and the Embarcadero, and game day and event day traffic is a given. The City does an outstanding job of managing all the vehicle, pedestrian, and other traffic.

Mission Bay is a mixed-use neighborhood that needs more activity, public open space, and championship teams. I urge you to vote in favor.

Thank you.

CHAIRPERSON ROSALES: Thank you.

COMMISSION SECRETARY GUERRA: Will the following people please come up to the podium:
Sharon Johnson, Carla Tucker, Daniel Landry, and Susan Brandt-Hawley.
DENNIS MacKENZIE: Good afternoon,
Commissioners. I'm Dennis MacKenzie, Round the Diamond
Consulting and Education, and I also teach in the
San Francisco public high schools.

First of all, I want to thank the OCII and the
Planning Department and their staffs for all the
comprehensive study and work you've done to ensure that
the Mission Bay location for the Warriors Arena and
Event Center can address numerous community issues,
traffic concerns and challenges, successfully.

I also want to share that I support this
Environmental Impact Report to be certified today for
the benefit of everyone in the City.

And also I want to mention that -- thank you
for responding to my comments. I provided you with some
material in an E-mail this morning.

Also, you -- your comments in the EIR, thank
you for addressing my comments regarding a proposal to
include a high school classroom in the arena.

I just wanted to make one clarification, which
I know it's a major effort that I've been doing for many
years, and I want to thank the Warriors for all their
longtime support for our kids and -- throughout the
Bay Area.

And with that being said, my proposal, as you
commented in the EIR, I've never had the intention to build a new high school or a high school in the City or in the Mission Bay area. It had mentioned that briefly in your comments.

My idea is, hopefully, the Warriors will take this idea and address -- and incorporate it into their community foundation efforts to expand their education programs and use it as a model for which -- they have -- the Warriors have tremendous influence throughout the country through the NBA. And I'm asking the Warriors to create this classroom of some sort, in any way they see fit, in order to expand that to their colleagues across the country, all the other NBA cities and ball teams.

Thank you very much.

CHAIRPERSON ROSALES: Thank you.

CARLA TUCKER: Good morning. My name is Carla Tucker, and I'm the program coordinator for Urban Ed Academy, which is an enrichment program in the Bay Area, serving 250 boys of color with Smart Saturdays educational program to transform young boys into eager learners so that they can be ready to excel.

We also have a group of wonderful volunteers from various communities and organizations, some that come out to support our boys and participate in programs and activities throughout the year. But this brings me
to talk about our NBA championship team, the Golden State Warriors.

As you know, they are just about to solidify their move to San Francisco, and in saying that, the Warriors Project will attract over 4,000 jobs, both permanent and construction.

Seeing that Bayview–Hunters Point has the highest unemployment rate, our families are very excited about the opportunity that this will bring to the City.

The Warriors have also already demonstrated a tremendous amount of community support throughout the Bayview community by providing tickets for kids and families to attend the professional games, and awarded several Bayview organizations grants, refurbishing our courts in our neighborhoods and showing the overall commitment to both health and education.

So, the Warriors' move to the San Francisco means so much more than basketball. This project will allow the public to have access and will also set the tone for better access to the waterfront, and eventually will add to the connection point to the waterfront projects like Hunters Point Shipyard and Candlestick Point.

The T Train service is also in desperate need of expansion, and the Warriors' move to Mission Bay will
generate more than $40 million in upfront funds to pay
for the transit improvement for the neighborhood,
including community services. This is something that
will greatly improve and benefit families in the Bayview
community. And for that, we are so excited and grateful
that they're coming over to the City.

    Thank you.

    DANIEL LANDRY: Good morning, Commissioners.

    Daniel Landry, for the record.

    I'm currently chairing an organization called
the New Community Leadership Foundation, and we would
like to say we support the Warriors coming to
San Francisco.

    And the times that we came here before, I did
speak briefly about we're excited about the
entertainment opportunity, the venue, and just having a
world-class arena here in San Francisco.

    We know that this is just a first step of a
long-term process, and as you know, the other hat I wear
which is dealing with the community I come from, which
is the Fillmore area, which is one of the best Warrior
players ever, Phil Smith, came from here, San Francisco.
The irony is just -- well, prove it.

    And this being Election Day, I just want to
say, too, you know, the Community Benefits Agreement
that we speak about at Heritage Center plays a great role in other projects like this project, the Warriors Project and Event -- you know, when you're having things coming to the City that bring so much opportunity, whether it's that or it's the Super Bowl being this -- being the whole City.

And our organization, one of the things that I'm tasked with is how to be creative and get young people excited about development in a way that it impacts grass-root communities here in San Francisco.

So, that's one of the things that we want to help the Warriors, since we are natives here in San Francisco and been here since day one -- how to connect to the community at rock-bottom all the way up to the top.

But we think this project is big for the City, is definitely going to create opportunities, and we want to make sure all the laws that's on the book, 50 percent hiring and all that type of stuff, go forward.

Thank you.

CHAIRPERSON ROSALES: Thank you.

SHARON JOHNSON: Good morning. My name is Sharon Johnson.

I am a native San Franciscan. I am a longtime Warrior fan, and I am the program manager at the
Potrero Hill Neighborhood House. I am here to support this project with the Warriors.

I've worked with the Warriors for a long time. They've given us tickets so I could bring my youth to games. They've supported our educational efforts with the youth in our communities, and they've just -- this is a wonderful, wonderful opportunity to bring a championship team here to San Francisco.

I am here to say ditto to all of those who support this project, and look forward to welcoming the Warriors here to our community.

Thank you.

CHAIRPERSON ROSALES: Does the baby want to say something?

COMMISSION SECRETARY GUERRA: I'm calling, for the last time, Oscar James, Stuart Canning, D.J. Brookter, and Ramon Hernandez.

SUSAN BRANDT-HAWLEY: Good afternoon, Members of the Commission. I am Susan Brandt-Hawley, and it's hard to follow a baby sleeping in a Warriors' jersey, but I'll do my best.

We all support the Warriors. That's not the issue here today, but the public looks to this Commission to follow the environmental laws in every way before approving this project or considering approval.
You've received a number of letters from me and others regarding environmental problems, and yet the Final EIR that we just received a little over a week ago, with thousands of pages, the approvals are being rushed through, which is unfair to the Commission and unfair to the public, because a lot of the environmental questions have not been solved.

I would like to turn in, for the record, just a few letters that I've sent to you. But these are hard copies, in case you don't have them yet.

(Letters submitted to staff.)

I'd like to focus, in just this very short amount of time, on a really critical underlying issue and problem here that needs to be solved that we brought up in the Draft EIR comments in July -- that the EIR declined to study in any way the land-use consistency of this plan.

The South Mission Bay Redevelopment Plan sets out a very careful, planned community in these classic bare blocks to allow development of the biotech industry and other compatible uses.

The EIR did not study land use, claiming that this qualified as a secondary nighttime entertainment. And as I explained in my letter, none of the secondary uses -- nighttime entertainment, that's supposed to be
for bars and small evening establishments; a recreation building, which is being claimed, when this is actually entertainment, which is not an active recreation, but it's, in fact, something that people watch; or a public structure or use, which, in fact, this is not, because it's not a public building.

You can fix this problem by considering amendment of the Redevelopment Plan. But right now, this project is directly inconsistent and does not qualify for -- as a secondary, much less a primary use.

So, we'd ask you to take some more time, look as the EIR comments that we've submitted, and, in particular, take a hard look at these findings that are not supportable regarding the secondary use.

I'm not sure. Do I have more time here?

CHAIRPERSON ROSALES: I'll allow more time just to finish.

SUSAN BRANDT-HAWLEY: Okay.

Well, thank you very much for your attention. And we ask that you continue this, look at all the issues that have been raised.

And, again, the public is looking to you to make sure whatever is approved -- we believe, should be at a -- certainly, at another location -- is fully resolved and not go forward and create environmental
problems.

Thank you.

CHAIRPERSON ROSALES: Thank you.

COMMISSION SECRETARY GUERRA: Are there any others that would like to speak?

(No response)

Madam Chair, I have no further speakers.

CHAIRPERSON ROSALES: Okay. And there's no one in the overflow rooms?

There's two overflow rooms.

COMMISSION SECRETARY GUERRA: We checked.

CHAIRPERSON ROSALES: Okay.

We will close the Public Comment. Thank you, everyone, for speaking.

The time is 12:16.

I think my fellow Commissioners and I are a little tired, and I think we need a little break. So, if we can take a 30-minute break, I think that's fine, so that we can stretch our legs and come back for the balance of the calendar.

(Luncheon recess taken at 12:17 p.m.)

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AFTERNOON SESSION

NOVEMBER 3, 2015                                1:10 P.M.

CHAIRPERSON ROSALES: Thank you. It is 1:10 and we are back in session. Thank you so much for your patience. We took a little longer than 30 minutes.

Okay. So, Public Comment is closed, but before I turn to my fellow Commissioners, I'd like to request staff to present a response to some of the comments that we heard.

DEPUTY DIRECTOR OERTH: Thank you, Chair Rosales. Again, Sally Oerth, for the record.

Commission Members, we do have a few staff who would like to respond to the information presented here in Public Comment, and first I'll call up Chris Kern from the Planning Department.

RESPONSE TO PUBLIC COMMENTS

BY SENIOR ENVIRONMENTAL PLANNER KERN

SENIOR ENVIRONMENTAL PLANNER KERN: Good afternoon. Chris Kern with the Environmental Planning Division from the City Planning Department, and I'm part
of the team of City staff and consultants who have spent
the last year and a half preparing the Environmental
Impact Report that is before you today for
consideration.

I wanted to talk briefly about that process
and the function of CEQA.

The function of CEQA is to provide for
informed decision-making by the public and public
agencies about the environmental consequences of a
proposed project.

It's an informational document. Its purpose
is disclosure about environmental effects.

I feel strongly that the team and many of the
expert consultants and City staff and members of the
City Attorney's Office who contributed to the drafting
of the Final Supplemental Environmental Impact Report
that is before you today -- meets the requirements of
CEQA, that it thoroughly discloses all of the
potentially significant environmental effects of the
project, that it identifies feasible mitigation measures
that would reduce those impacts, and it identifies
feasible alternatives that would substantially lessen
one or more of the significant impacts of the project.

The Responses to Comments document, which
together with the Draft Supplemental of the Subsequent
Environmental Impact Report form the final SEIR, if you are to certify it today, responds to all of the comments that we have received on the draft document, both during the public comment period as well as after the public comment period through October 7th.

At that point, we had a cutoff of what we were gonna respond to in the Responses to Comments document so that we could complete and finalize that document. However, we have received a number of comments since October 7th.

We responded to all comments that we received as of yesterday afternoon in writing, and you've been provided with the late comments and responses to those comments that have come in since that time starting about 6:00 p.m. last night.

And then, through earlier today at this hearing, we've received a number of additional comments. We have not prepared written responses to those comments.

However, I do want to assure you that this team of technical specialists and attorneys and City staff have reviewed all of the comments that have been submitted, and we do not, in our opinion -- our expert opinions, believe that the materials that have been submitted in the last 15 hours or so raise any new
issues.

They don't contain any substantial new information that would alter any of the conclusions reached or the analysis contained in the final SEIR before you.

The nature of the information and the comments in these late submittals can be characterized as really a disagreement amongst experts, and legal opinion, all of which are issues that we have already responded to in the Responses to Comments documents or addressed in the Draft SEIR.

Now, with that said, there are a few specific topics that I wanted to provide a little bit more clarification on as to how we've responded to those comments and how those -- how the issues raised in those comments are addressed in the documents that we've provided to you.

And to just frame that up, I'll -- we made a quick list of the topics that are covered by the comments that have been received, just again, in the last 15 hours or so.

They cover transportation, air quality, noise, greenhouse gases, and the AB 900 certification, biological resources and wetlands, hydrology, water quality and wastewater, utilities, geology, hazards,
recreation, wind and shadow, urban decay, the CEQA process, land use, economic issues, and environmental justice, and social and economic issues.

Of that topic, there no new issues that have not been already addressed and are not analyzed in the Final SEIR documents and the technical analyses and supporting documents that are in the record that we have provided.

Now, on a couple of points -- let's see -- I do have one additional errata, or really it's a minor change to one of the mediation measures that we wanted to make, and that is the air quality offset mitigation measure, Mitigation Measure MAQ 2-B.

That measure currently reads, "Pay a mitigation offset fee to the Bay Area Air Quality Management District Strategic Incentives Division in an amount not to exceed $18,030 per weighted ton of ozone precursors per year."

We want to change that "not to exceed" to "no less than." And we have discussed that change with the project sponsor, and the sponsor has indicated that they are agreeable to making that change.

Now, that change to the mitigation measure is partially in response to a late comment letter that we received from the Bay Area Air
Quality Management District.

That letter and our response to that letter are contained in the packet we distributed to you this morning, but we didn't include that change to the measure in that response. That was on oversight.

Now, the comments from the Air District, again, really focus on the amount of the offset mitigation fee.

And the Planning Department staff, our air quality specialists both in-house as well as consultants, have been having ongoing discussions with the Air District about the amount of the offset fee since before publication of the draft.

We are continuing those discussions, and clearly you can see from their letter that we haven't reached a final agreement with the Air District, but we intend fully to continue those discussions, because we would very much like to reach an agreement with the Air District on a workable offset fee as a mitigation approach not only for this project, but that we could use for future projects.

That said, we in the Responses to Comments document, in recognition to the fact that we hadn't yet reached a final agreement with the Air District about the details of that mitigation measure and its
implementation -- we added another option to that mitigation measure, and that is a change that's in the Responses to Comments document.

That additional option allows the sponsor to directly implement an Emissions Offset Project as an alternative to entering into an agreement with the Air District to implement an offset.

And I wanted to note that the City has done exactly that -- has used that same mitigation measure approach previously for the America's Cup event.

That EIR included an Emissions Offset Project to offset emissions generated by the event -- traffic and spectator boats, et cetera, to that event.

That offset project was a shore-site power facility at the Port's dry dock facility, which allows ships at dry dock to hook up to grid power as opposed to running their diesel engines, and it offsets a significant, you know, amount of emissions.

That's an ongoing benefit to the City and to the residents in the area, and has been implemented successfully. So, we feel that by providing that second option, we really further support the feasibility of implementing an emissions offset.

Let's see. On the topic of air quality, we also wanted to note that as a result of some of the
project refinements between the publication of the Draft and the Final -- and these are really refinements around the construction process for the project, including additional de-watering and the on-site treatment of hazardous soils by use of the pugmill -- there is a slight increase in the average daily construction emissions of about 2 to 5 percent, as well as, those emissions would also be attributable to construction of the center platform variant, because there would be some -- you know, additional construction activities related to that variant.

We believe that that 2 to 5 percent increase in construction emissions is not a substantial increase over what was reported in the Draft EIR and would not result in a substantial increase in severity of any the significant facts reported in the Draft EIR.

We would also note that the offset mitigation measure that I had just -- was just discussing would more than offset the construction emissions. That offset mitigation measure is -- offsets both the operational emissions which exceed the emissions during construction of the project.

So, we feel that that issue has been fully addressed in the EIR and the Responses to Comments document.
With respect to the U.C.S.F. comments regarding improvements to the Mariposa Pump Station to address ongoing and existing wastewater, really, transmission, as opposed to treatment, issues in the project area, the SFPUC has -- and the Department of Public Works, Planning staff, our consultants, and U.C.S.F. have again been in discussion over these issues since before the publication of the Draft.

The PUC has already implemented, as noted in the Responses to Comments document, interim fixes that address the transmission capacity shortfall in the near term, and is right now working on finalizing design of a long-term project which will be implemented long before the capacity of the current system is exceeded.

And just to explain that further, the analysis in the Draft EIR and in the Response to Comments demonstrates that sufficient capacity is available now and will be available at the time that the arena project is completed.

It's only with cumulative projects with a build-out of the plan and of the U.C.S.F. planned facilities that there's an issue with future infrastructure capacity.

That issue has not been missed. The City is working on it and fully intends to provide the required
infrastructure and whatnot before it's needed.

Let's see. I just want to make sure I've caught all the topics that we want to discuss.

Oh. So, with respect to comments -- late comments received about the ability of the EIR to rely on compliance with the City's NPDES Waste Discharge Permit -- that's a permit under the Clean Water Act for the Southeast Wastewater Treatment Plant -- again, the concerns raised about a record of or a history of violations, we think, is a bit of a mischaracterization, but that concern was -- was noted in comments received on the Draft EIR, and we have provided responses on that topic in the Responses to Comments document.

We've had discussions with SFPUC staff, and really we think a more accurate characterization of that history is that the regulatory process in the permit establishes discharge limitations. Exceedances do occasionally occur.

There is a robust regulatory process that the SFPUC complies with to report any exceedances to its discharge limits and to take corrective actions, and that is really, in the SFPUC's opinion, you know, to be expected through the regulatory process and really evidence of the -- how the regulatory process is supposed to function.
And then finally, I wanted to address some concerns raised about the enforceability implementation of mitigation measures and improvement measures, and commitments made on the part of the sponsor and the City through this project and your approval actions.

One of the actions before you is, if you were -- are to certify the Final EIR, is to adopt an MMRP, a Mitigation Monitoring and Reporting Program. The MMRP provides a very detailed and lengthy documentation of the parties responsible for implementation of, you know, all of the mitigation and improvement measures, as well as the parties responsible for monitoring and reporting, and what the compliance actions are.

In this case, we've gone a little bit further than we normally do in that we have included, really in order to improve and simplify kind of the ongoing monitoring process of the project, an annual MMRP report to be submitted by the project sponsor, that reports on the current status at the time of the report of compliance with all of the measures listed in the MMRP.

And there is an introduction to the MMRP which identifies the enforcement tools available both to your Commission and to other City departments that have -- that you will be delegating implementation
responsibilities to. And they are robust and adequate in our view.

And then, in addition to that all of that, the Planning Department has recently created and has staffed now a new position -- full-time position dedicated solely to mitigation monitoring and condition of compliance. So, something that, while we had the -- we think, the capability to do in the past, we have even more resources dedicated to that function than again we had before.

I think that's all that I have, unless you have questions about the EIR or the MMRP process.

CHAIRPERSON ROSALES: Any questions from the Commissioners?

(No response)

CHAIRPERSON ROSALES: On these topics, I don't believe there's any questions right now.

SENIOR ENVIRONMENTAL PLANNER KERN: Great. Thank you very much. I'll give it back to Sally.

DEPUTY DIRECTOR OERTH: Thank you, Chris.

Next, I'd like to ask Adam Van de Water to address some information, and after that, Jim Morales will address.

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RESPONSE TO PUBLIC COMMENTS
BY PROJECT MANAGER VAN de WATER

PROJECT MANAGER VAN de WATER: Thank you, Commissioners, Director Bohee, for your attention to
detail on this.

Two items related to the Fiscal Feasibility Analysis. There is a letter from the Controller's
Office that's submitted to the administrative record concurring with the Mission Bay Development Group's
analysis of the tax increment available both from the project and from the reduced intensity alternative to
the project.

And we received, as part of the documents received late last night, 104 pages from this Marin
reserve law firm, including an analysis from the Marin Economic Consultants questioning some portions of our
feasibility. I wanted to read a few things into the record related to that.

The report itself argued that biotechnology would be a better use fiscally for the City, and there
are five reasons why we disagree.

Further, the project is a net financial benefit to the City and provides a means to invest in
and improve the City's transit infrastructure.
Point 1, in calculating the induced demands, the consultant, Mr. Jon Haveman, compares 2,000 added biotech employees to the permanent staff of the Warriors, excluding the up to 1500 event staff that would serve concessions, event management, janitorial, parking, and other functions up to 225 times per year.

He also assumes no independent utility of any of the upfront transportation improvements -- the purchase of the four lightrail vehicles, the installation of the crossover track, signals and signage -- for the neighborhood or for the SFMTA.

He attributes nearly three quarters of a million dollars in ancillary benefits to the alternative biotech proposal and zero to the proposed project, even though the project includes two office buildings and could include biotech uses.

The report asserts the City would receive greater net gain from a biotech center rather than the Event Center, but only if an ongoing -- if ongoing transit costs associated with the biotech center are assumed to be zero. Given the estimated 2,000 additional employees that a biotech center would add, this is a false premise.

In the analysis, savings from zeroing out ongoing transit costs are partially offset by the loss
of saving initial tax proceeds.

Finally, hotel taxes, the report raises questions over the capacity of the City's hotel market to accommodate additional event attendants -- attendees without simply displacing other overnight visitors, and whether event attendees who are already staying in the City when the events were held at Oracle in Oakland.

This analysis does not account for the interplay of hotel room prices. Since fiscal year 2011, the City's hotel room occupancy rate has increased modestly from an average of 81 percent to 86.4 percent in 2015. Over the same period, average daily rates for hotel rooms have increased by more than 50 percent.

The City's hotel market is constrained, but our experience is that limits on capacity have caused room rates to increase and corresponding hotel tax revenues as capacity is filled.

There are numerous hotel projects currently planned or being built, including the Block 1 site on 3rd Street and Channel in Mission Bay, and we stand behind the fiscal feasibility analysis that was prepared by our outside expert, EPS, was peer-reviewed by Keyser Marston & Associates, and was prepared in consult with and concurrence by the Controller's Office.

Thank you.
RESPONSE TO PUBLIC COMMENTS

BY GENERAL COUNSEL AND DEPUTY DIRECTOR MORALES

GENERAL COUNSEL MORALES: President Rosales, Members of the Commission, my name is Jim Morales. I'm the General Counsel and Deputy Director for OCII, and I just wanted to take a brief opportunity to respond to a couple of letters that were received this morning by counsel for the opponents to the project, Mission Bay Alliance.

Susan Brandt-Hawley has submitted a letter that basically says that the proposed Event Center does not qualify as a secondary use under the grounds that were stated in the staff report provided to this Commission and to the Director.

Mr. Tom Lippe has also provided a letter that says that we followed the wrong procedure. He also agrees with Ms. Brandt-Hawley that this is not a secondary use, but claims that we should have used a variance procedure to authorize this project.

I just wanted to emphasize the most important fundamental flaw with their arguments, and that is that it ignores the redevelopment authority that still exists for this Commission and for the Executive Director to exercise.
We are all painfully aware of the dissolution of redevelopment that's occurred over the last several years, but that hasn't dissolved the redevelopment authority in this context for this project and for this project area.

In fact, dissolution law and the State have confirmed that Mission Bay South, along with a few other project areas, are continuing obligations of the Successor Agency.

And with that, we have a contractual obligation called the Mission Bay South Owner Participation Agreement, and the Redevelopment Plan, that requires the agency to approve -- consider and approve development that meets the objectives of redevelopment. And that's what this project does.

This, they ignore, and look at what I would call a very prescriptive approach to how the land use should be determined in this area.

First, turning to the secondary use, the Redevelopment Plan divides uses into principal and secondary uses.

Staff, in recommending to the Executive Director that this constitutes a secondary use, has focused on four secondary uses: The nighttime entertainment, recreation, and public structure,
non-industrial use of the site.

Some of these terms have definitions in the Redevelopment Plan. Some do not. For example, "recreation" is not defined. "Nighttime entertainment" is defined.

In Ms. Brant-Hawley's view, it is meant to only include small venues -- small nightclubs, small places for people to gather. But, in fact, there are no size limitations on nighttime entertainment, and, in fact, some of the categories that are listed as possible nighttime entertainment venues could be very large.

And so, staff are has recommended that nighttime entertainment secondary use is an appropriate one to consider.

In terms of recreation, Ms. Brandt-Hawley claims that this is not really recreation, it's actually entertainment, which, of course, is seemingly inconsistent with her views about nighttime entertainment.

But the definition of "recreation" must certainly include athletic events where people can observe, as well as other events that may occur that they will go to see for their -- in their recreational time.

Finally, on the secondary use, both public
structures and uses that are non-industrial are listed as permissible secondary uses in the Redevelopment Plan. These are also not defined in the Redevelopment Plan, and the -- staff is recommending to the Director that you and she exercise your discretion under redevelopment law under the enforceable obligations that remain in existence to interpret these terms to include a permissible use.

I just wanted to highlight also, since we're on the topic of secondary use, that the standard is not just whether or not there is a listed secondary use, which there is, but it's also a determination by the Executive Director to make a positive contribution to the character of the plan area, that is, the Mission Bay South area, based on consistency with the secondary use designation that I've already described -- "at the size and intensity contemplated, and at the proposed location, will provide a development that is necessary or desirable for and compatible with the neighborhood or the community."

You have received a 29-page proposed secondary use determination that reviews the facts that support this. You've also heard testimony today that further supports the determination to be made by the Executive Director. You've heard about the jobs, the benefits to
the community, to businesses, to the richness of San Francisco, all, of course, which go to the necessity and desirability of this use.

Also, it's compatible. You've heard from U.C.S.F. across the street, you've heard from businesses in the area, and you've here heard from residents, all of which have testified that this is desirable and arguably compatible with that neighborhood, something that is desired and wanted in the area. So, you and the Executive Director certainly have the information to make this determination.

I just wanted to turn to Mr. Lippe's letter, and he essentially argues that you should have used a variance process, and cites both State planning law and the Planning Code.

First, as I mentioned at the beginning, this is an exercise of redevelopment authority that has survived dissolution. It grants to this Commission and to the Executive Director very broad discretion to determine the appropriate uses that should be allowed in the project area, that will alleviate blight and fulfill the redevelopment objectives.

It is not bound -- these decisions are not bound by the State planning laws. They are not bound by the San Francisco Planning Code. Indeed, the
Redevelopment Plan adopted by the Board of Supervisors over 15 years ago explicitly states that the Planning Code has been superseded by the land use controls of the Redevelopment Plan.

So, the entire variance procedure and standards are simply not relevant to your consideration today and to your determination.

Also, in fact, the State provisions that he cites regarding variance are not applicable in any event to a charter city such as San Francisco.

Mr. Lippe also claims, I think, somewhat ironically that we should follow a variance and shouldn't -- you shouldn't amend the Design for Development.

The Design for Development, as you know, is an ancillary document to the Redevelopment Plan. This project meets all of the land use requirements of the Plan itself -- the Redevelopment Plan itself, but does require a few amendments to the Design for Development.

The agency, this Commission, and the Director certainly have the discretion to determine what would be the best approach to review and consider approval of a project.

It could consider a plan amendment. It could consider a Design for Development amendment. It could
consider a variance or variations as they're described in the Redevelopment Plan.

And the exercise of that discretion through very careful review of these options, staff has recommended to the Director and to this Commission that you use, one, secondary use determination and an amendment to the Design for Development to fit the unique qualities of this project.

And so, with that, I'm available to answer any questions, or if you have any other comments, I'm certainly willing to respond.

CHAIRPERSON ROSALES: Thank you, Mr. Morales.

Thank you, everyone on the staff. Thank you for those explanations.

Okay. So, we're going to take Items 5-A and 5-B first, because one is the certification of the SEIR and the other one is the adoption of CEQA findings, but I think before we entertain questions, comments, or motions, Commissioner Mondejar, were you interested in making a statement?

COMMISSION DISCUSSION AND ACTION

COMMISSIONER MONDEJAR: Yes. In the interest of full disclosure, the Filipina Women's Network, a
non-profit organization of which I am a board member, receives donations from the Golden State Warriors. This donation goes to our mentoring program, and I do not personally benefit from these donations, and it will not affect my judgment.

CHAIRPERSON ROSALES: Thank you.

So, with that, do any Commissioners have questions, comments?

COMMISSIONER BUSTOS: I do.

CHAIRPERSON ROSALES: Commissioner Bustos.

COMMISSIONER BUSTOS: First, I want to thank the public for being here. I know it's been a long meeting, and I'm glad actually we moved it up a bit so we could take our time to actually hear what everyone has to say. So, thank you.

And then, you know, full disclosure, I am not a sports fan. I have never been a sports-type person.

I never understood why my brothers and sisters would jump up and down and say "We won" when they didn't play anything except watch the television and see someone else playing -- on a court or on a field playing. They're the ones that won. They didn't -- my brothers and sisters didn't.

But anyway, so I have never really been into sports. So, I say that so you all know that I'm trying
to be as objective as possible.

I also want to thank the staff at OCII. I mean, they have been working for years on this project. I remember when I was on, you know, the Redevelopment Commission, and, you know, there was a different use for that particular site.

So, this is -- it's great to see that we're finally coming to a point where something is moving and happening there over there on 16th and 3rd.

You know, in looking at the report and sort of hearing from folks, I'm really pleased that the SBE numbers are at 50 percent. You know, we love that, because you hire folks from the community, not only just in terms of the construction work, which is very important -- as I mentioned before, my dad was a construction worker and worked on many of the iconic buildings in San Francisco. And it allows me, as his son, his baby, to see his presence and his fingerprint on our city. And I believe that the workers who will work on this particular project will be able to do the same.

When it comes to the arts, remember I would love for you guys to look at local artists when you look at furnishing some of the stuff in the office as well as inside.
I'm really pleased that the traffic issues have been mitigated. I'm really pleased that the Warriors have actually listened to us and listened to the Commission and listened to the community. And, you know, it's been very thoughtful, and I really appreciate that.

That fact that there's been a broad sense of community support has really impressed me. You know, if you're able to go through Ms. Woods from the CAC and she supports you, then you've done your homework. She is very diligent. She's an incredible voice for the community.

But you brought along labor, other non-profits, as well as neighbors, including U.C.S.F. to your side, which I commend you for doing that.

I think the process that you took to get to this point in something as complex as this could be a standard for development to come in the City.

So, Madam Chair, I would love to move this idea.

CHAIRPERSON ROSALES: Okay.
Can we hold on the motion for a minute --
COMMISSIONER BUSTOS: Sure.
CHAIRPERSON ROSALES: -- so we -- just to give the other Commissioners a chance to comment?
Commissioner Singh.

COMMISSIONER SINGH: I think it's a very good project when I see that, and it's -- you know, it's really very good.

As Commissioner Bustos said, that traffic and parking has been mitigated, and also support of the U.C.S.F. Associate Chancellor is here.

And I have a question for Mr. Lee, the compliance.

Mr. Lee, I just want to know that, you know, minority contracts -- SB, WB -- all this, you know, can you explain that?

RESPONSE TO COMMISSIONER COMMENTS
BY CONTRACT COMPLIANCE SUPERVISOR LEE

CONTRACT COMPLIANCE SUPERVISOR LEE: Sure.
Raymond Lee, Contract Compliance Supervisor with OCII.

I have to commend the Warriors and their team in terms of working with us in developing a team that we feel is diverse. They have met the objective of the SBE program within OCII. So, the figures that are represented that you see in your package is what it is. It is meeting the objective of our program.
COMMISSIONER SINGH: Thank you.
I second the motion.

CHAIRPERSON ROSALES: Okay.
The motion, I haven't asked yet. Now we know we have placeholders.

Commission Pimentel.

COMMISSIONER PIMENTEL: Good afternoon.
I'm so excited to see so many people that have taken time out of their day today to show up and express their opinion.

I want to applaud the Warriors. I really related to the gentleman who spoke about having a child and having a family and building memories, and that we live in a major city, and we need to have a world-class stadium as well.

And also, seeing how the plans have evolved over time based upon the community feedback and working with local organizations and non-profits, and taking your community efforts and implementing them in San Francisco where you guys would like to build your stadium.

So, thank you.

CHAIRPERSON ROSALES: Commissioner Mondejar.

COMMISSIONER MONDEJAR: Yes. Thank you, Chair Rosales.
So, I go with what the rest of my fellow Commissioners have said.

I just wanted to applaud the staff, especially Executive Director Bohee. The records, the reports, the briefings that we have received have been very thorough and complete, and you've been able to -- and your staff has been able to respond to our questions and our concerns.

And I also want to commend the Warriors for listening to the community, and the -- the community organizations are right here. I just wish there are more women's organizations that have responded and have supported the Warriors. I see a lot of men in this room.

But I also wanted to make sure that Ms. Woods' concerns about the inconsistencies in parking and traffic are addressed, which I'm confident will be. And I hold Ms. Woods to make sure that these concerns are addressed and are -- and are completely satisfied.

And really, I am happy to support this motion.

And I also wanted to commend the MTA and the Planning Commission. They really have provided the information and answers to the questions and concerns about parking and traffic, and also with the things that are coming up in the planning of this -- of the
transportation especially.

So, I support the motion that has not been presented yet.

CHAIRPERSON ROSALES: Yes.

I just wanted to add my comments and ask a question of the Executive Director before I take the motion and the second.

I'm not going to repeat what my fellow Commissioners have said, because I agree with all of it.

I've been a member of the City family for -- I won't tell you how long, but for decades, and I've seen many project with community engagement and attempting at least to listen to what the community has to say, and I've witnessed many consultants and City employees, attorneys, et cetera, put in a lot of effort, but this one pretty much I have to say tops almost all of them in my experience.

And, you know, even with the opposition stating, you know, their concerns that are always, you know, valid concerns, I think our responses are adequately -- have been made on the record.

I very much appreciate the collaboration with U.C.S.F., the Giants, but I really have to send a lot of kudos to SFMTA with the traffic management, because I was probably the lone Commissioner that kept saying I
drive from downtown to Bernal Heights right now on non-game days and I feel those impacts. So, I thank --
I want to give kudos there.

But also the funding mechanism -- that's critically important -- of the community -- the Mission Bay community in particular voiced, that was necessary, and I certainly support that a hundred percent.

So, with that, my question is to the Executive Director on enforcement, because I think it's a valid concern.

I read as much as I can without going to sleep about the Mitigation Monitoring and Reporting Program, and I do see, you know, responsibilities allocated. It's all laid out very nicely, but I just want to make sure and I just want you to comment on the mechanisms that we, as the principal agency, responsible, will take to ensure that we have staff, we have agreements, we have everything it takes to ensure that the monitoring will take place.

EXECUTIVE DIRECTOR BOHEE: Thank you, Madam Chair.

Tiffany Bohee for the record.

Madam Chair and Commissioners, your findings -- your CEQA findings resolution under 5-B, there is a resolved clause under 5-B in those CEQA
findings, which include the Mitigation Monitoring and Reporting Program, that provide for the Commission to delegate the authority to enter into agreements with other entities, including other City departments or other entities as we see fit in order to assist OCII in the enforcement of the Mitigation Monitoring and Reporting Program, and that procedure you'll see through the annual budget process.

That's one that we're making sure, as we move forward, there are adequate resources. One, there are adequate resources today, and certainly there will be in the future.

Two, as you heard from Chris Kern at the Planning staff, there are the unusual step the team has taken in the preparation of the Mitigation Monitoring Reporting Program, not just an annual report on all of the measures that are required to be followed, but also there are significant enforcement measures and corrective action that are provided for that the Commission and other entities may take. And they include withholding permits, court remedies, criminal prosecution, et cetera. So, there is an enforcement mechanism with teeth in addition to reporting and adequate resources for staff.

CHAIRPERSON ROSALES: Great. Thank you.
So, now, with that, are there any other questions?

I will entertain a motion.

COMMISSIONER BUSTOS: So moved.

CHAIRPERSON ROSALES: Moved by Commissioner Bustos.

COMMISSIONER SINGH: Second.

CHAIRPERSON ROSALES: Seconded by Commissioner Singh.

Madam Secretary, please call the roll on 5-A.

COMMISSION SECRETARY GUERRA: Commission Members, please announce your vote when I call your name for 5-A.

Commissioner Pimentel.

COMMISSIONER PIMENTEL: Yes.

COMMISSION SECRETARY GUERRA: Commissioner Mondejar.

COMMISSIONER MONDEJAR: Yes.

COMMISSION SECRETARY GUERRA: Commissioner Singh.

COMMISSIONER SINGH: Yes.

COMMISSION SECRETARY GUERRA: Commissioner Bustos.

COMMISSIONER BUSTOS: Yes.

COMMISSION SECRETARY GUERRA: Madam Chair
Rosales.

CHAIRPERSON ROSALES: Yes.

COMMISSION SECRETARY GUERRA: Madam Chair, I have five ayes.

CHAIRPERSON ROSALES: Okay.

With the Commission's permission, we have the same call on 5-A in terms of motion and second. So, it's been both moved by Commissioner Bustos and seconded by Commissioner Singh.

Please call the roll.

COMMISSION SECRETARY GUERRA: Commission Members, please announce your vote when I call your name.

Commissioner Pimentel.

COMMISSIONER PIMENTEL: Yes.

COMMISSION SECRETARY GUERRA: Commissioner Mondejar.

COMMISSIONER MONDEJAR: Yes.

COMMISSION SECRETARY GUERRA: Commissioner Singh.

COMMISSIONER SINGH: Yes.

COMMISSION SECRETARY GUERRA: Commissioner Bustos.

COMMISSIONER BUSTOS: Yes.

COMMISSION SECRETARY GUERRA: Madam Chair
CHAIRPERSON ROSALES: Yes.

COMMISSION SECRETARY GUERRA: Madam Chair, I have five ayes.

CHAIRPERSON ROSALES: Okay. So, 5-A and -B are adopted.

Okay. So, we have 5-C, -D, and -E, but before moving to action, we would like to hear from our Executive Director on 5-E on the secondary use determination.

EXECUTIVE DIRECTOR BOHEE: Thank you, Madam Chair, Commissioners.

Staff have presented the information that I will use in making my determination on the secondary use finding.

Before making that determination, does the Commission have any additional questions?

CHAIRPERSON ROSALES: Any members that would like at ask the Director on the secondary use issue?

(No response)

EXECUTIVE DIRECTOR BOHEE: Thank you, Commissioners.

After considering the materials in the record and the Public Comment, I approve the secondary use findings circulated for public review as my official
determination.

CHAIRPERSON ROSALES: Thank you.

Okay. So, we have before us 5-C and 5-D. I think we can take them separately.

So, do I have a motion for item 5-C approving amendments to the Mission Bay South Design for Development?

COMMISSIONER SINGH: Move.

COMMISSIONER PIMENTEL: Second.

CHAIRPERSON ROSALES: Okay.

It's been moved by Commissioner Singh and seconded by Commissioner Pimentel.

Please call the roll.

COMMISSION SECRETARY GUERRA: Commission Members, please announce your vote when I call your name.

Commission Pimentel.

COMMISSIONER PIMENTEL: Yes.

COMMISSION SECRETARY GUERRA: Commissioner Mondejar.

COMMISSIONER MONDEJAR: Yes.

COMMISSION SECRETARY GUERRA: Commissioner Singh.

COMMISSIONER SINGH: Yes.

COMMISSION SECRETARY GUERRA: Commissioner
COMMISSIONER BUSTOS: Yes.

COMMISSION SECRETARY GUERRA: Madam Chair Rosales.

CHAIRPERSON ROSALES: Yes.

COMMISSION SECRETARY GUERRA: Madam Chair, the vote is five ayes.

CHAIRPERSON ROSALES: Okay. So, 5-C is also adopted.

Do we have the same motion and second for 5-D?

COMMISSIONER SINGH: Yes.

CHAIRPERSON ROSALES: Okay.

Will you please call the roll?

COMMISSION SECRETARY GUERRA: Please announce your vote when I call your name.

Commissioner Pimentel.

COMMISSIONER PIMENTEL: Yes.

COMMISSION SECRETARY GUERRA: Commissioner Mondejar.

COMMISSIONER MONDEJAR: Yes.

COMMISSION SECRETARY GUERRA: Commissioner Singh.

COMMISSIONER SINGH: Yes.

COMMISSION SECRETARY GUERRA: Commissioner Bustos.
COMMISSIONER BUSTOS: Yes.

COMMISSION SECRETARY GUERRA: Madam Chair Rosales.

CHAIRPERSON ROSALES: Yes.

COMMISSION SECRETARY GUERRA: Madam Chair, the vote is five ayes.

CHAIRPERSON ROSALES: Okay. So, 5-D is also passed.

Okay. I want to thank everyone.

Oh, no. It doesn't include our calendar, but it -- there's no action on E.

EXECUTIVE DIRECTOR BOHEE: I've made my official determination.

CHAIRPERSON ROSALES: So, congratulations.

(Audience applauds.)

So, now we have the balance of the calendar, but we can wait a little bit if folks want to not stay with us.

(Audience exits room.)

CHAIRPERSON ROSALES: Okay. It seems unbelievable, but we still have items on the calendar that need to be addressed.

Call the next --

COMMISSION SECRETARY GUERRA: The next order of business is Item 6, Public Comment on Non-Agenda
CHAIRPERSON ROSALES: Do we have any speaker cards?

COMMISSION SECRETARY GUERRA: I do not.

CHAIRPERSON ROSALES: Okay. Please call the next item.

COMMISSION SECRETARY GUERRA: The next order of business is Item 7, Report of the Chair. Madam Chair.

CHAIRPERSON ROSALES: I do not have a report.

COMMISSION SECRETARY GUERRA: The next order of business is Item 8, Report of the Executive Director. Madam Executive Director.

EXECUTIVE DIRECTOR BOHEE: Commissioners, just to say that our next meeting is November 17th, and we'll be in the regular meeting room and time. That concludes my report.

CHAIRPERSON ROSALES: Okay.

Again, that there is no member of the public here to comment, so we can move on to the next item.

COMMISSION SECRETARY GUERRA: The next item of the business is Item 9, Commissioners' Questions and Matters. Madam Chair.

CHAIRPERSON ROSALES: Okay.
Does any Commissioner have a question or matter for the Executive Director?

(No response)

COMMISSIONER MONDEJAR: Oh, I want to congratulate Tiffany Bohee for receiving the Most Influential for Latina Women Award.

CHAIRPERSON ROSALES: Congratulations.

COMMISSIONER MONDEJAR: And I finally met her husband.

COMMISSION SECRETARY GUERRA: And the next order of business is Item 10, Adjournment.

Madam Chair.

CHAIRPERSON ROSALES: Yes. The meeting is adjourned at 2:00 p.m.

(Whereupon, at 2:00 p.m., the Special Meeting of the San Francisco Commission on Community Investment and Infrastructure was adjourned.)

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CERTIFICATE OF REPORTER

I, KATY LEONARD, a Certified Shorthand Reporter, hereby certify that the foregoing proceedings were taken in shorthand by me at the time and place therein stated, and that the said proceedings were thereafter reduced to typewriting, by computer, under my direction and supervision;

And I further certify that I am not of counsel or attorney for either or any of the parties to said matter, nor in any way interested in the outcome of the cause named herein.

DATED: November 6, 2015

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KATY LEONARD
Certified Shorthand Reporter
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