

**MINUTES OF A SPECIAL MEETING OF THE  
COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE  
OF THE CITY AND COUNTY OF SAN FRANCISCO HELD ON THE  
5th DAY OF FEBRUARY 2013**

The members of the Commission on Community Investment and Infrastructure of the City and County of San Francisco met in a special meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 1:00 p.m. on the 5th day of February 2013, at the place and date duly established for holding of such a meeting.

**REGULAR MEETING AGENDA**

**1. Recognition of a Quorum**

Meeting was called to order at 1:10 p.m. Roll call was taken.

Madame Chair Christine Johnson - present  
Marily Mondejar - present  
Vice-Chair Mara Rosales - present  
Theodore Ellington - present  
Darshan Singh - present

**2. Announcements**

Madame Secretary Jones read announcements regarding the following:

- A. Announcement of Prohibition of Sound Producing Electronic Devices during the Meeting
- B. Announcement of Time Allotment for Public Comments

**3. Report on actions taken at previous Closed Session meeting, if any – None.**

**4. Matters of Unfinished Business – None.**

**5. Matters of New Business:**

**CONSENT AGENDA**

**ALL MATTERS LISTED HEREUNDER CONSTITUTE A CONSENT AGENDA, ARE CONSIDERED TO BE ROUTINE BY THE COMMISSION, AND WILL BE ACTED UPON BY A SINGLE VOTE OF THE COMMISSION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A MEMBER OF THE COMMISSION OR THE PUBLIC SO REQUESTS, IN WHICH EVENT THE MATTER SHALL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED AS A SEPARATE ITEM:**

**PUBLIC COMMENT**

Speakers: Ace Washington, Francisco de Costa

Mr. Washington stated that he was glad to be present and reminded the Commissioners that community input is the key for success in their endeavors.

Mr. de Costa stated that there should be additional community dialogue on these agenda items, esp. the By-Laws.

Madame Chair Johnson stated that the audio version of the minutes is available on the Commission website and that the issue of recording the meetings will be discussed further as an agenda item at a future meeting.

(a) Approval of Minutes: Special Meeting of January 29, 2013

Commissioner Singh motioned to move this item and it was seconded by Commissioner Mondejar. Madame Secretary Jones called for a voice vote on this item.

Commissioner Ellington - yes

Mondejar – yes

Johnson - yes

Rosales – yes

Singh - yes

**ADOPTION:** IT WAS VOTED BY 5 COMMISSIONERS AND UNANIMOUSLY CARRIED THAT APPROVAL OF MINUTES FOR THE SPECIAL MEETING OF JANUARY 29, 2013, BE ADOPTED.

**REGULAR AGENDA**

(b) Adoption of a regular meeting location and schedule of the Commission of City Hall, Room 416, on the 1st and 3rd Tuesday of every month at 1:00 p.m. (Discussion and Action)

**PUBLIC COMMENT**

Speakers: Francisco de Costa, Ace Washington, Espinola Jackson

Mr. de Costa expressed concerns that Commission meetings will not be televised.

Mr. Washington stated that meetings on the first and third Tuesdays of every month would conflict with the Board of Supervisors meetings suggested alternative means of distributing recordings of the meeting, including using the radio station KPOO.

Dr. Espinola Jackson stated that the date and time of the meetings should be part of the By-Laws. Dr. Jackson expressed concern that Tuesdays of every month would conflict with the Board of Supervisors meetings and other community meetings, and that Commission meetings will not be televised.

In response to public comment Commissioners discussed: meeting schedule (possibility of holding Commission meeting at other times and dates reiterating concern about the conflict with the Board of Supervisors meetings), possibility of holding meeting outside of City Hall on a quarterly basis at different sites within the communities.

Commissioner Rosales motioned to move this item and it was seconded by Commissioner Singh. Madame Secretary Jones called for a voice vote on this item.

Commissioner Ellington - yes

Mondejar – yes

Johnson - yes

Rosales – yes

Singh - yes

**ADOPTION:** IT WAS VOTED BY 5 COMMISSIONERS AND UNANIMOUSLY CARRIED THAT THE DECISION OF THE COMMISSION TO MEET FOR A REGULAR MEETING AT CITY HALL, ROOM 416, ON THE 1ST AND 3RD TUESDAY OF EVERY MONTH AT 1:00 P.M., BE ADOPTED.

- (c) Draft By-Laws for the Successor Agency to the Redevelopment Agency of the City and County of San Francisco. (Discussion)

**PUBLIC COMMENT**

Speakers: Corinne Woods, Francisco de Costa, Ace Washington, Eric Brooks

Ms. Woods, Chair of the Mission Bay CAC pointed out that there were typographical errors in the By-Laws.

Mr. de Costa suggested that the Commission check with Robert's Rules to understand how to have a dialogue with the community concerning By-Laws.

Mr. Washington reiterated the importance of community participation.

Dr. Jackson stated that normally the public would get a copy of the draft to review before the vote on the By-Laws and underscored how important this was because the By-Laws contained the Commission's mission statement.

Madame Chair Johnson responded that copies of the draft of the By-Laws were available in hard copy and that everyone could get one.

Mr. Brooks, San Francisco Green Party and local grass roots organization of San Francisco, stated that this new Commission was better formed to address redevelopment issues and that public involvement was paramount and especially important when it comes to the BVHP area. He expressed concerns about asbestos levels in the BVHP area.

Commissioners discussed quorum requirements in By-Laws, specifically if a greater number of Commissioners than the minimum needed for the quorum (three Commissioners) should be present before voting on action items; Counsel Robert Bryan stated that the quorum of three Commissioners is established in the Board of Supervisors Ordinance that created the Commission. Madame Chair Johnson stated that best efforts would be made to ensure that all Commission members would be present for meetings needing votes on critical items.

- (d) Workshop on the Mission Bay North and South Redevelopment Project Areas, including their enforceable obligations under State law; Mission Bay North and South Redevelopment Project Areas. (Discussion)

Presenter: Tiffany Bohee, Executive Director; Catherine Reilly, Mission Bay Project Manager; George Bridges, Sr. Contractor Compliance Specialist

**PUBLIC COMMENT**

Speakers: Corinne Woods, Francisco de Costa, Ace Washington

Ms. Woods, Chair Mission Bay CAC, requested the Commission's help and support in creating and developing a community in Mission Bay.

Mr. de Costa, Director of the Environmental Justice Advocacy expressed concern about the toxic soil in Mission Bay.

Mr. Washington stated that they must have community reform in order to bring more African Americans back into the development of the project areas of the City.

Commissioners inquired about the build-out status of the remaining housing units, what the future city climate looks like (the overall city process), the market rent on the completed units, the price levels of the condos for sale, how the transit plan or critical mass in Mission Bay is being addressed, who shoulders the burden of the CFD's, little red brick building, the design review process. Commissioners requested to speak about the local hire requirements in Mission Bay and about reinstating a working group in order to advise staff on minority and small business local contracting opportunities, workforce, etc. They inquired if affordable housing units are all rented and whether those that are for sale have been sold.

Commissioners asked to report back to the Commission to get updates on the completed units to see how successful the program has been.

Ms. Reilly responded that with regard to affordable housing there are 674 units constructed with 150 under construction which leaves 1,030 to go. Ms. Reilly stated that a little less than 1,000 will be provided as stand-alone in the southern area on land dedicated by the master developer. Ms. Reilly explained that the specific programming for each affordable housing project is determined through a site-by-site process done in conjunction with the Commission, the Mayor's Office of Housing, community services providers and the City policy documents, including the Housing Element and the 10-year Plan to End Chronic

Homelessness. Ms. Reilly indicated that through those processes, it will be determined what the appropriate use, target market and affordability levels will be for each of those sites. Ms. Reilly stated that Mission Bay does not come preprogrammed, but sets up to allow flexibility to reflect changes in the city as a whole, and as they move forward, they will tie all of this together.

Ms. Reilly stated that she did not have information about the market rents and condo prices on the completed units, but could provide that information at a future time.

Ms. Reilly responded that the Mission Bay plan was always designed with transit in mind and that currently they have the Caltrans station and the T-line to connect with the southeast. She stated that they are in the process of working with the MTA to add two bus lines. Ms. Reilly stated that they have made it very clear to the MTA that by 2015 there will be a new hospital, all new market-rate housing and some additional affordable units opening up, and the next wave of offices will be opening, so there needs to be additional transit options by that time. Ms. Reilly stated that the Mission Bay plan recognized that there would be a phasing of transit needs, and also included a Transportation Management Association as part of the original Mission Bay Plan. The Transportation Management Association is a private group, which collects fees on land, not affordable housing, and operates a shuttle system. Ms. Reilly mentioned that UCSF also has a shuttle system.

Regarding who shoulders the burden of the CFDs, Ms. Reilly responded that there are three CFDs in Mission Bay—two for reimbursing infrastructure (one in Mission Bay North and one in Mission Bay South) – these bond for infrastructure reimbursement. She explained that there is CFD#5 which covers Mission Bay North and South and collects an annual fee for park maintenance. Ms. Reilly explained that private property is taxed for the CFDs, except for some “X” parcels that were not owned by Catellus at time of CFD formation, but that affordable housing, parks and any other public open space are exempt.

Ms. Reilly responded that the little red brick building is the historic Fire Station 30 and is staying and will be surrounded by the new Public Safety Building. Fire Station 30 will be used for community space and with one of the police response teams staged out of that space.

Regarding the design review process, Ms. Reilly responded that they would probably be returning to the Commission with the major phase of Block 1 within the next few months. A major phase is the first stage of design review. Ms. Reilly explained that the next stage is the schematic design which is when actual buildings are developed. Ms. Reilly stated that the Project team works with the community and the contractors to make sure that everything is compliant with regulations and they address community concerns, such as parking and trash pick-up, so that by the time the Project team presents to the Commission they have something that is worthy to present to the Commission.

George Bridges responded to Commissioners’ inquiries about local hire requirements and minority contractor working group that the former Agency convened.

As for occupancy of affordable housing units Ms. Reilly responded that there is full occupancy. Ms. Reilly explained that there are a few inclusionary units that the Mayor's Office of Housing owns and will need to sell but it has taken longer than anticipated to get everything in place because of the dissolution of the Agency. Ms. Reilly indicated that Mission Bay is a very desirable neighborhood. She stated that during the last project where they had 131 units available on the lottery system, 600 people put in bids for the lottery.

Madame Chair Johnson announced when Certificate of Preference program becomes an agenda item she would like to have a discussion on the status of the Certificate of Preference program together with how lotteries are being conducted for affordable housing in all of the major projects. She requested clarification as to what the difference is between the role of the Mayor's Office of Housing and that of the Commission when it comes to affordable housing.

Executive Director Bohee responded that the Commission has purview and oversight of all of the major approved projects, which do include an affordable housing component that uses tax increment or other sources, so that would include each of the major approved projects--Transbay, Mission Bay and Hunters Point, as well as the replacement housing obligation certified by HUD, called the "retained replacement obligation." Ms. Bohee also explained the role of Mayor's Office of Housing, which sets Citywide housing policy for the Mayor's Office, and it is anticipated that it will serve as the implementation partner to the Commission for the remaining housing obligations.

- (e) Workshop on the Hunters Point Shipyard/Candlestick development, including their enforceable obligations under State law; Hunters Point Shipyard and Bayview Hunters Point Redevelopment Project Areas. (Discussion)

Presenters: Tiffany Bohee, Executive Director; Wells Lawson, Project Manager, Hunters Point Shipyard & Candlestick Point project area; Amy Brownell, Environmental Engineer, San Francisco Health Department; Amabel Akwa-Asare, Assistant Project Manager, Hunters Point Shipyard Project Area

#### PUBLIC COMMENT

Speakers: Dr. Espinola Jackson, Ace Washington, Doris Vincent

Dr. Jackson stated that she wanted to clarify the roles of PAC and the CAC with regard to bringing redevelopment back into Bayview Hunters Point (BVHP) and the 3<sup>rd</sup> Street Corridor. She inquired as to who the target of affordable housing is.

Mr. Washington expressed concern about the BVHP shipyard situation because the city had received a \$1.1 billion from the Chinese government.

Ms. Vincent confirmed that the city was able to obtain a loan from China but clarified that the City will still be in charge. Ms. Vincent expressed concerns about the current lottery required by HUD and that the lottery doesn't work for the neighborhoods.

Madame Chair Johnson wanted to clarify that the \$7.3 million that Wells Lawson had mentioned in his presentation was different from the community benefits in the Phase 2 DDA.

Commissioner Ellington wanted to go over the cleanup process of the shipyard and talk more about the land transfer.

Amy Brownell provided an overview of the cleanup process and where the Navy is on the process.

Commissioner Rosales inquired about the public art program and wanted clarification on how an artist in San Francisco or anywhere in the Bay Area would participate in the public art program.

Ms. Akwa-Asare explained the city process through Public Art Commission and that the art program in the shipyard had been primarily run through the former Redevelopment Agency. She also described the community outreach process.

Madame Chair Johnson responded to a public comment made regarding AMI's and inquired about the Alice Griffith DDA.

Mr. Lawson responded that there is a mix of agency-owned property, property owned by state parks which will become agency-owned property and property owned by the Housing Authority. Mr. Lawson explained that ultimately there will be a redesign to create new blocks and parcels that some of those blocks will remain under the control of the Housing Authority, some blocks will transfer from the Housing Authority to the Redevelopment successor agency and some blocks will transfer to the developer for market rate development. Mr. Lawson explained that there are a number of parties involved in this issue and the Housing Authority and the successor agency are signatories to the DDA.

- (f) Workshop on enforceable obligations under State law in the existing and former redevelopment project areas of Yerba Buena Center, Western Addition A-2, Rincon Point-South Beach, South of Market, Hunters Point, and India Basin. (Discussion)

Presenter: Tiffany Bohee, Executive Director; Tracie Reynolds, Development Services Manager; Christine Maher, Development Specialist

#### PUBLIC COMMENT

Speakers: Ace Washington, Arturo Taboada

Mr. Washington expressed concern about projects in the Western Addition that are not completed but there is no oversight or accountability to get them done.

Mr. Taboada, Board of Trustee of the Mexican Museum and Chair of the Building Committee, stated that the Mexican Museum is a key part of the master plan of the Yerba Buena area and importance of working with the Millenium Partners. Mr. Taboada

recognized and acknowledged their new director, Mr. David de la Torre and their current Board Chair, Mr. Mario Diaz.

Commissioners inquired about the timeline around the property management plan and when it would be coming before the Commission; about the fee that the Yerba Buena mixed used property is paying a fee in lieu of affordable housing and where that fee will go. Commissioners requested more contemporary information on the Mexican Museum project and the situation with the Fillmore Heritage Center space and Yoshi's bankruptcy situation and whether the Metreon is part of the Yerba Buena Gardens.

Property management plan: Ms. Reynolds responded that the goal of Successor Agency to submit this long range property management plan would be late spring. Director Bohee added that the outside date required under state dissolution law for a successor agency to submit this long range property management plan is six months after receipt from the state of a finding of completion and in order to get the findings of completion, successor agencies must complete the due diligence reviews.

Affordable housing fee: Christine Maher responded that there is a 28% affordable housing fee, the standard city requirement fee is 20% and that would go to the city housing program. There is an additional 8% fee and originally it would have gone to the former Redevelopment Agency but now they are not sure what the disposition of that fee is.

Yoshi's bankruptcy: Ms. Reynolds responded that the parties are in mediation and just recently the developer came forward with a proposal to the Commission. Ms. Reynolds stated that they had reached a consensus, which will be determined by the bankruptcy court.

Ms. Reynolds responded that the Metreon is part of Yerba Buena Gardens and contributes to the funds that maintain the Gardens but the Commission does not own it, only the land underneath it. Ms. Reynolds explained that they ground lease the land to the Metreon.

Ms. Reynolds stated that that was the previous plan but when Target was proposed for the Metreon, it was decided to relocate the Filipino Cultural Center to another property across the street on Mission Street. Ms. Reynolds stated that the Commission does not have oversight on that issue.

#### **6. Public Comment on Non-agenda Items**

Members of the public may address the Commission on matters that are within the Commission jurisdiction and not on today's calendar. Each speaker shall have up to three minutes to make pertinent public comments unless the Commission adopts a shorter period. It is strongly recommended that members of the public who wish to address the Commission should fill out a "Speaker Card" provided by the Commission Secretary, and submit the completed card to the Commission Secretary.

No public comment.



7. **Report of the Chair** – None.

8. **Commissioners' Questions and Matters**

Commissioners discussed the status of Carmen's Restaurant and importance of this case.

9. **Closed Session**– None.

10. **Adjournment**

It was moved by Commissioner Singh, seconded by Commissioner Ellington and unanimously carried that the meeting be adjourned at 4:27 p.m.

Respectfully submitted,

*Natasha Jones*

Natasha Jones

Interim Commission Secretary

**ADOPTED:**