

**MINUTES OF A REGULAR MEETING OF THE
COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE
OF THE CITY AND COUNTY OF SAN FRANCISCO HELD ON THE
4th DAY OF JUNE 2013**

The members of the Commission on Community Investment and Infrastructure of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 1:00 p.m. on the 4th day of June 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 1:08 p.m. Roll call was taken.

Commissioner Ellington – present
Vice-Chair Rosales – present
Commissioner Singh – present
Chair Johnson - present

Commissioner Mondejar was absent.

2. Announcements

- A. The next regularly scheduled Commission meeting will be held on Tuesday, June 18, 2013 at 1:00 pm (City Hall, Room 416).
- B. Announcement of Prohibition of Sound Producing Electronic Devices during the Meeting
Please be advised that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing of or use of a cell phone, pager, or other similar sound-producing electronic device.
- C. Announcement of Time Allotment for Public Comments

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

- a) Approval of Minutes: Special Meeting of April 30, 2013
- b) Approval of Minutes: Regular Meeting of May 7, 2013

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

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

Commissioner Ellington – yes
Commissioner Singh – yes
Vice Chair Rosales – yes
Chair Johnson – yes

ADOPTION: IT WAS VOTED BY 4 COMMISSIONERS WITH ONE COMMISSIONER ABSENT THAT APPROVAL OF MINUTES FOR THE SPECIAL MEETING OF APRIL 30, 2013, BE ADOPTED.

Vice Chair Rosales motioned to move Item 5(b) and Commissioner Ellington seconded that motion.

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

Commissioner Ellington – yes
Commissioner Singh – yes
Vice Chair Rosales – yes
Chair Johnson – yes

ADOPTION: IT WAS VOTED BY 4 COMMISSIONERS WITH ONE COMMISSIONER ABSENT THAT APPROVAL OF MINUTES FOR THE REGULAR MEETING OF MAY 7, 2013, BE ADOPTED.

REGULAR AGENDA

- c) Authorizing a First Amendment to the Yerba Buena Gardens Programming Agreement with Yerba Buena Arts and Events, a California non-profit, public benefit corporation to extend the term by two years for an amount not to exceed \$150,000 for programming the public open space at Yerba Buena Gardens; former Yerba Buena Center Redevelopment Project Area. (Discussion and Action) (Resolution No. 22-2013)

Presenters: Tiffany Bohee, Executive Director; Denise Zermani, Development Specialist

PUBLIC COMMENT

Speakers: Thomas Simpson, Founder of AfroSolo Theater Company; Robert Fitch, CCSF Disabled Students Programs and Services; Arturo Riera, President, Board of Directors, Yerba Buena Gardens Festival; Marcus Shelby, musician and member, San Francisco Arts Commission; Elaine Elinson, Board member, Yerba Buena Gardens Festival; Abigail Mum, Co-Founder and Director, Circus Bella; Bill Carney, Former Project Manager, Yerba Buena Center Redevelopment Area and Board member, Yerba Buena Gardens Festival; Juan Rivera, Board member, Yerba Buena Gardens Festival; Virginia Grandi, Yerba Buena Alliance; Sean Jeffries, Millenium Partners and Board member, Yerba Buena Gardens Festival; Al Peres, President of Filipino American Arts Exposition (FAAE), community organizer, Entertainment Commissioner; Aaron Grizzell, Treasurer of the Board, Yerba Buena Arts & Events; Annika Presley, Education Director, Axis Dance Company; Mary McCue, General Manager, Yerba Buena Gardens and

Board member, Yerba Buena Gardens Festival; Brett Miller, Client Advisory Committee, The Arc, San Francisco; Linda Lucero, Director, Yerba Buena Gardens Festival

Mr. Simpson expressed his support for this item. He stated that for the past 19 years his organization has presented the AfroSolo Arts Festival and that for the past 11 years they have collaborated with the Yerba Buena Gardens Festival in presenting their annual free jazz concert. Mr. Simpson stated that they hold 150 diverse art events each year and underscored the importance of the diversity of ethnicities and nationalities represented at each event. He added that the Yerba Buena Festival amplifies San Francisco's international reputation as a cultural mecca.

Mr. Fitch stated that the Yerba Buena Gardens Festival is the model for a free music event that makes world class music available to people who cannot afford to go to a private event or one that starts late at night and allows them to be part of the greater community.

Mr. Riera expressed his support for this item. He stated that they create 100 events per year that drive cultural diversity, create a safe place for people to congregate and create an opportunity for local artists to play often at higher rates than clubs can pay. He added that as a result of the organization's work, they have a global reputation for leveraging dollars wisely to drive local business and serve all levels of the community. Mr. Riera underscored the importance of the City to be able to provide free accessible culture.

Mr. Shelby expressed his support for this item and spoke on behalf of the Yerba Buena Gardens Festival as an artist, a father and a teacher. Mr. Shelby stated that the Festival employs hundreds of musicians every year and gives them the opportunity to create new works and perform them. He added that the Festival's commitment to local artists is unprecedented.

Ms. Elinson expressed support for this item. Ms. Elinson stated that she and her family have been able to enjoy Festival events of excellent music, poetry, dance and theater because of the vision and generosity of the people of San Francisco right in the heart of the city. Ms. Elinson stated that the Festival has now become the model for public arts programs in cities across the nation.

Ms. Mum expressed her support for this item. She stated that Circus Bella is the Bay Area's only open air one ring circus that features high level acts set to a live band to the San Francisco community for free. Ms. Mum pointed out that last year over 3,000 spectators attended their shows during the Festival and was proud to state that Circus Bella has now become a Bay Area summer tradition to children of all ages.

Mr. Carney expressed his support for this item and stated that Yerba Buena Gardens brings in revenue for the city every year in the form of many visitors to San Francisco. Mr. Carney added that the Festival has become a model nationally and globally on how to build a space and operate it successfully.

Mr. Rivera stated that since its creation in 2000, the Yerba Buena Gardens Festival has manifested in what can only be called a "jewel for the City," which has become so successful that it is studied by other arts organizations around the country as something worthy to offer in their cities as well. Mr. Rivera stated that the Festival provides a sanctuary for people of all age groups, sexual orientations, races and economic backgrounds to be able to celebrate life through the arts. As a Board member, Mr. Rivera stressed that the Festival is one of the best run organizations he has ever served on and praised Linda Lucero and her staff, working with a modest budget, for creating a cost-effective public use operation for the City.

Ms. Grandi expressed her support for this item. She stated that the Yerba Buena Alliance is celebrating their 22nd year and that the Festival is a great community partner. Ms. Grandi stressed that it was a wise investment and a powerful resource for the City to have such great access to dance, poetry, and music and pointed out that Jesse Square also benefitted from the Festival as well as Yerba Buena Gardens.

Mr. Jeffries expressed his support for this item and stated that Millenium has been involved with Yerba Buena Gardens for 20 years, initially with the Redevelopment Agency to bring an identity to the area in its early stages. Mr. Jeffries stated that it has been an amazing experience to see the growth of the self-sustaining model that has been created over time.

Mr. Peres expressed his support for this item. Mr. Peres stated that the FAAE is a volunteer-driven, non-profit organization that produces and organizes community events to promote Filipino culture and community. Their signature event is the Pistahan Parade and Festival at the Yerba Buena Gardens, which is celebrating its 20th anniversary this year. Mr. Peres reminded the Commission that the construction of Moscone Center and the Yerba Buena Gardens complex 20 years ago displaced many Filipino families in what was then called the Central City. However, since then, during the Pistahan Festival, Yerba Buena Gardens has been a site for family reunions and a showcase for Filipino culture performing arts and Filipino pride and the site is now considered a significant part of Filipino history.

Mr. Grizzell stated that the Commission provides a grant to the Festival to operate its programming but they are able to turn over that grant seven times, which means that for every dollar that the Commission provides just for programming, they are able to deliver over \$7 to ensure that first rate programming is provided here in the City and the region. Mr. Grizzell reminded Commissioners that in the early 90's, the City and the Redevelopment Agency created the Dr. Martin Luther King waterfalls monument in Yerba Buena Gardens. Because of that monument, the annual MTK celebration was relocated to Yerba Buena Gardens in 2010 and since then, Yerba Buena Gardens has produced an outdoor festival to bring thousands of individuals to San Francisco on the third Monday in January each year to help celebrate that holiday.

Ms. Presley stated that Axis Dance Company has dancers with and without physical disabilities and that for the past three years, the Yerba Buena Gardens Festival has commissioned Axis to do an outdoors site-specific performance involving 30 community members with and without disabilities to perform with them. Ms. Presley stated that Yerba Buena Gardens not only allows access to all disabled people but and has always supported and engaged the disabled community in an artistic context. Ms. Presley stated that she has met people at the Festival who had never experienced dance or dancers with disabilities.

Ms. McCue expressed her support for this item and stated that as General Manager, her job was to manage, operate, maintain and secure the Yerba Buena Gardens. She stated that for many years she has witnessed people coming to the Gardens to experience their beauty as well as the richness of the programs and also to discover other areas of the Gardens as well. Ms. McCue commended Linda Lucero as an extraordinary leader and her staff for their commitment to the Gardens and to the people that attend the programs.

Brett Miller stated that as a member of the Arc Client Advisory Committee, he wanted to share with everyone why these events are so important and so rewarding to the over 500 people that receive services through the Arc, San Francisco: free admission to live entertainment staffed by friendly, helpful people who provide a safe environment for these daytime events; easy access to

and ability to enjoy the performances from any part of the park; excellent programming choices that provide exposure to international cultural influences. Mr. Miller stated that no other resource comes close to providing the number and quality of events week after week for so many months of the year and reminded Commissioners that community events bring everyone closer as human beings and create wonderful memories for everyone.

Chair Johnson thanked the public for coming together and stated that it was great to hear from the people who actually work with the organizations to help plan the programming and attend the events.

Commissioner Singh stated that he has been going to Yerba Buena for the past 16 -17 years since he became a Commissioner and agreed with Executive Director Bohee that Yerba Buena Gardens is the jewel of the City and very unique. Mr. Singh inquired as to how many directors there were.

Ms. Lucero responded that currently there are 13 Board members.

Vice Chair Rosales stated that she and her family have fond memories of the Festival and the Gardens and echoed the comments of Commissioner Singh and Executive Director Bohee. She added that Yerba Buena Gardens represent the heart of the City. Ms. Rosales congratulated Ms. Lucero for her success in this endeavor and inquired as to who puts together the Yerba Buena Gardens Festival report.

Ms. Lucero responded that her team puts that report together and made special reference to Raul and Alice.

Commissioner Ellington commended Ms. Lucero on the report, especially the survey results, which he stated were very helpful in capturing who the audience actually is. Mr. Ellington commended all the speakers for coming to the meeting to share their stories as well as their enthusiasm.

Chair Johnson stated that the report was an excellent readable document that provided information about attendees by age, ethnicity and gender and was happy to read that there was 7% attendance by African-Americans. Ms. Johnson was curious as far as how the governance will continue after June 30, 2015 and whether they will be able to continue to generate the same rents they were getting before, but felt they should tackle those issues later in the year when the long-range property management plan comes back before the Commission.

Executive Director Bohee stated that they expected to develop of the long-range property management plan now that they have received the Finding of Completion from the State Department of Finance, which gives successor agencies some relief, but also obligations. Ms. Bohee stressed that Yerba Buena is one of the biggest and most important pieces of property that the Commission owns in San Francisco and added that planning for its long-term sustainability and future is of critical importance both to community partners and partners, who pay into the restricted assets, for the purpose of maintenance, security and programming. Ms. Bohee reported that November 29 is the outside date by which the Commission has to submit the plan to the State and they will be working until that time gathering community input and holding community as well as Commission meetings.

Commissioner Singh motioned to move Item 5(c) and Vice Chair Rosales seconded that motion. Secretary Jones called for a voice vote on Item 5(c).

Commissioner Ellington – yes
Commissioner Singh – yes
Vice Chair Rosales – yes
Chair Johnson – yes

ADOPTION: IT WAS VOTED BY 4 COMMISSIONERS WITH ONE COMMISSIONER ABSENT THAT RESOLUTION NO. 22-2013, AUTHORIZING A FIRST AMENDMENT TO THE YERBA BUENA GARDENS PROGRAMMING AGREEMENT WITH YERBA BUENA ARTS AND EVENTS, A CALIFORNIA NON-PROFIT, PUBLIC BENEFIT CORPORATION TO EXTEND THE TERM BY TWO YEARS FOR AN AMOUNT NOT TO EXCEED \$150,000 FOR PROGRAMMING THE PUBLIC OPEN SPACE AT YERBA BUENA GARDENS; FORMER YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA, BE ADOPTED.

[APPLAUSE]

ITEMS 5(d), 5(e) and 5(f) WILL BE CALLED AND PRESENTED BY STAFF TOGETHER BUT VOTED ON SEPARATELY.

- d) Approving an Amended Budget for the period of July 1, 2013 through June 30, 2014 and authorizing the Executive Director to submit the Budget to the Mayor’s Office and the Board of Supervisors. (Discussion and Action) (Resolution No. 23-2013)
- e) Authorizing the Executive Director to Enter into a Memorandum of Understanding between the San Francisco Office of Community Investment and Infrastructure and the City and County of San Francisco, through its City Administrator’s Office, for an amount not to exceed \$1,479,500 for Fiscal Year 2012-13 and an amount not to exceed \$1,578,000 for Fiscal Year 2013-14. (Discussion and Action) (Resolution No. 24-2013)
- f) Authorizing the Executive Director to Enter into a Memorandum of Understanding between the San Francisco Office of Community Investment and Infrastructure and the City and County of San Francisco, through its Controller, for an amount not to exceed \$500,000 for Fiscal Year 2012-13 and an amount not to exceed \$315,000 for Fiscal Year 2013-14. (Discussion and Action) (Resolution No. 25-2013)

Presenters: Tiffany Bohee, Executive Director; Leo Levenson, Deputy Director, Finance & Administration

PUBLIC COMMENT – None.

Commissioner Singh inquired about: the Executive Director’s 1380 range and inquired as to what the exact amount is they are using this year for that position; how they add up what the real expenses are for the year; how many positions they have altogether; how many positions were there formerly. Mr. Singh stated that he did not understand how they could come up with a total salary amount with the way this budget was presented.

To the first question, Mr. Levenson responded that he did not have the answer, but could find out. He explained that this is the standard way of presenting the budget for positions because the budget is not for any particular individual, but rather an authorization to fill that particular position within this range, so the budget is not used as a discussion for the precise dollar amount. Mr. Levenson responded that the number of positions that they itemize are 50.6, of which a few

are technically City positions, such as three director positions within the City Administrator's Office. He added that the number of filled positions is between 43 and 45.

Ms. Bohee responded that previously there were 112 FTE positions with the Redevelopment Agency and that with the dissolution over half their workforce was reduced.

Mr. Levenson responded that this was not intended for showing the precise salary budget by individuals, but rather to show the level of position both by title and salary range. Mr. Levenson explained where to find the total salary budget in the document. He added that salaries will vary from year to year; for example, if an employee at the top of the range retires and someone would be hired at an appropriate salary range, depending on experience.

Vice Chair Rosales noted that the work order positions, such as the Executive Director and the Deputy Director, are considered part of their budget and inquired if that means that any other work order service that is received from a City agency is not counted in the budget unless someone is dedicated to the Agency. Ms. Rosales requested clarification between positions that are technically housed in a different department, which require an MOU, and services that are procured as though it were the private sector.

Mr. Levenson responded that they have a number of work orders and that the only people listed in those work orders are those working dedicated full-time to the Agency.

Executive Director Bohee added that at the time of dissolution, the 112 FTE's were represented by two bargaining units but it was a matter of history that some positions, typically management, within the former Redevelopment Agency were unrepresented, so at the time of dissolution, those management positions were separated into the City classes and those employees became represented under a bargaining unit. Ms. Bohee added that under previous administrations and mayors, there were Redevelopment positions that only worked for the City.

Commissioner Singh inquired about whether there is any job in other City departments comparable to the Harbor Master and also inquired about how they come up with the salaries.

Mr. Levenson responded that the Recreation and Parks Department does have a marina but he was not sure if they had a Harbor Master position. He explained that the salaries were established by the Department of Human Resources at the time that the Agency was considered to be part of the City and that they still use the classifications established by that department. Mr. Levenson added that there are ongoing negotiations and an existing contract and perhaps a new contract will be forthcoming which will establish the salary ranges.

Executive Director Bohee added that the terms of the existing contracts expired on March 31, 2012 and that there was tentative agreement reached at the time that the Board of Supervisors was the legislative body overseeing that agreement including class matches, compensation and benefits, etc. Ms. Bohee explained that now the Commission is the definitive body for negotiated labor agreements and that there are a number of open issues which they hope to settle soon.

Mr. Levenson pointed out that in the introduction of the budget, it does state that these salary ranges are shown as of May 7 and are subject to change based on negotiated labor agreements. He added that for comparison purposes they should look at total compensation because salary is only one piece.

Chair Johnson inquired as to why they were still moving to FAMIS if they are no longer a part of the City. Ms. Johnson also inquired about whether the Commission will be using that system independently or whether the Controller's Office will be managing the upkeep of records in FAMIS.

Mr. Levenson responded that they were still using FAMIS because the old JD Edwards system served the Agency for many years, but support from the provider is weak to non-existent and the kinds of reports provided were not satisfactory. He added that the FAMIS system provides stronger internal controls with a system for approvals and appropriations that cross check different cost centers. Mr. Levenson explained that the Mayor's Office and the Controller's Office wanted to be able to retrieve the same information from the Commission as they could from other City departments and have the same confidence in those results. He stated that going through this process has helped provide a clearer understanding of the Agency's finances. He explained that the Controller's Office will maintain final approval of many Commission transactions within FAMIS with the same general oversight as it does for other City departments. Mr. Levenson believed this was beneficial for continuing internal controls on the system as well as having that office maintain the system rather than Commission staff having to maintain their own financial system. Also, if the Commission were to suffer a shortage of accountants, the Controller's Office would provide backup in continuing to operate the financial system. Mr. Levenson added that the Commission is not being charged for the use of the system.

On the negative side, Mr. Levenson stated that they need to do some work in educating the Controller's Office on the differences in the Commission's purchasing procedures, which they will be allowed to maintain. However, they will have to work through the FAMIS system which requires the purchaser and the Controller to perform certain actions to be able to pay people and this may slow things down. He gave an example on equal benefits, whereby, under the City's rules, a vendor has to be certified by the Human Rights Commission that they offer equal benefits to domestic partners. Under the Agency's policy, the vendor can be certified either by the Human Rights Commission or via a self-certification process that the Agency administers, which is much quicker.

Chair Johnson clarified then that her understanding was that they need to make sure that Commission policies that have anything to do with spending money or expending funds make sense when they differ from City policies. Ms. Johnson inquired as to when they expect this to return back from the Mayor and the Board of Supervisors and whether they thought there will be any other chance that material changes will be made where staff will have to come back before the Commissioners.

Mr. Levenson responded that this will be heard by the Board of Supervisor's Budget Committee on June 17 and he did not expect any material changes because they had not been contacted by the Board's Budget Analyst. He added that there will be certain changes as a result of state actions where they have to monitor their spending to be in line with the ROPS-A and 13-14B and added that they may not be able to spend everything in this budget. However, if there is any extra spending, they would need to come back before the Commissioners.

Commissioner Singh stated that he still had a few more questions about the budget.

Chair Johnson directed staff to follow up with Commissioner Singh on his questions and then follow up with a written response to those questions.

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

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

Commissioner Ellington – yes
Commissioner Singh – yes
Vice Chair Rosales – yes
Chair Johnson – yes

ADOPTION: IT WAS VOTED BY 4 COMMISSIONERS WITH ONE COMMISSIONER ABSENT THAT RESOLUTION NO. 23-2013, APPROVING AN AMENDED BUDGET FOR THE PERIOD OF JULY 1, 2013 THROUGH JUNE 30, 2014 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO SUBMIT THE BUDGET TO THE MAYOR'S OFFICE AND THE BOARD OF SUPERVISORS, BE ADOPTED.

Vice Chair Rosales motioned to move Item 5(e) and Commissioner Ellington seconded that motion.

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

Commissioner Ellington – yes
Commissioner Singh – yes
Vice Chair Rosales – yes
Chair Johnson – yes

ADOPTION: IT WAS VOTED BY 4 COMMISSIONERS WITH ONE COMMISSIONER ABSENT THAT RESOLUTION NO. 24-2013, AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN FRANCISCO OFFICE OF COMMUNITY INVESTMENT AND INFRASTRUCTURE AND THE CITY AND COUNTY OF SAN FRANCISCO, THROUGH ITS CITY ADMINISTRATOR'S OFFICE, FOR AN AMOUNT NOT TO EXCEED \$1,479,500 FOR FISCAL YEAR 2012-13 AND AN AMOUNT NOT TO EXCEED \$1,578,000 FOR FISCAL YEAR 2013-14, BE ADOPTED.

Vice Chair Rosales motioned to move Item 5(f) and Commissioner Ellington seconded that motion.

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

Commissioner Ellington – yes
Commissioner Singh – yes
Vice Chair Rosales – yes
Chair Johnson – yes

ADOPTION: IT WAS VOTED BY 4 COMMISSIONERS WITH ONE COMMISSIONER ABSENT THAT RESOLUTION NO. 25-2013, AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN FRANCISCO OFFICE OF COMMUNITY INVESTMENT AND INFRASTRUCTURE AND THE CITY AND COUNTY OF SAN FRANCISCO, THROUGH ITS CONTROLLER, FOR AN

AMOUNT NOT TO EXCEED \$500,000 FOR FISCAL YEAR 2012-13 AND AN AMOUNT NOT TO EXCEED \$315,000 FOR FISCAL YEAR 2013-14, BE ADOPTED.

- g) Conditionally approving, consistent with the Transbay Streetscape and Open Space Concept Plan and pursuant to the Transbay Implementation Agreement, the conceptual designs for Transbay Under-Ramp Park; Transbay Redevelopment Project Area. (Discussion and Action) (Resolution No. 26-2013)

Presenters: Tiffany Bohee, Executive Director; Courtney Pash, Assistant Project Manager, Transbay; Scott Cataffa, Principal, CMG Landscape Architects

Ms. Pash announced to the Commission that the word “conditionally” should be deleted from the Resolution title. Ms. Pash also announced a change to the last paragraph of the Resolution, deleting the following words: “the Office of OCII acting as successor agency to the Redevelopment Agency of the City and County of San Francisco” and which should now read as: “Resolved based on the Department of Finance’s final and conclusive determination, April 15, 2013, that the Implementation Agreement is an enforceable obligation, this Commission hereby approves the conceptual designs for the Transbay Under-Ramp Park, Transbay Redevelopment Project Area, substantially in the form lodged with the City Attorney acting as counsel to OCII.”

PUBLIC COMMENT

Speakers: Peter Hartman, Transbay resident and member, CAC; Valli Benesch, Fritz Realty; Oscar James, native resident Bayview Hunters Point;

Mr. Hartman asked the Commission to support this item. Mr. Hartman stated that the CAC had reviewed this quite extensively and voted to support it and also referred to a public meeting where they received public comments and debated it extensively and worked with the designers to come up with a plan that they could all support. Mr. Hartman stated that this will provide much needed open space in the project area. He added that there is one park being proposed that will ultimately be built, which is the second and only other open space within the entire project area, which will be quite densely developed. Mr. Hartman stressed how interesting this concept was because usually overhead roadways serve as dividers in communities by providing dead space under the roadway and this is an opportunity to create open space and active uses to bring people together and activate the space. Mr. Hartman stated that similar program are being developed in Mexico City where they are taking their under-freeway spaces and re-utilizing them along these lines and which have been very successful.

Ms. Benesch stated that her family are the owners and developers of the 41 Tahema land, which is approximately a 20,000 sq. ft site on Tahema St between First and Second and adjacent to the entrance of the park. Ms. Benesch stated that late last year they received their entitlement for a very beautiful 31-story residential tower and the contiguous plaza and she wanted to share that throughout the entitlement process. She stated that they worked with the San Francisco Planning Department and OCII to completely integrate their plaza into the overall design of the park. They had retained Scott Cataffa and worked to make their plaza a seamless transition so there would be artistic consistency and integration. The benches face the play area, the pedestrian walkway goes through the plaza, the entrance to the park will be anchored by an artistic structure and they have tried to make it a beautiful entrance to this wonderful part of town. Ms. Benesch stated that she has worked in this neighborhood for over 40 years and is very happy to see the workers, residents and visitors come to this part of town and be able to enjoy all the remarkable amenities so thoughtfully designed by this group. She expressed her support of this item.

Mr. James stated that he had been working with redevelopment as an employee for over 40 years and he thought there should be some type of plaque put in place to recognize the previous Redevelopment Agency and the Commissioners who worked on this particular project and every other project that the previous Redevelopment Agency Commissioners were involved in.

Chair Johnson inquired as to who has jurisdiction over naming rights. Ms. Johnson stated that in general it was a good idea for all the projects to give thanks to those who originated the project.

Executive Director Bohee stated that for this particular project, the set of improvements would be owned by Caltrans and the TJPA with jurisdiction from the Commission but was not sure who has “naming rights” given all the multiple layers of jurisdiction.

Chair Johnson commended Scott Cataffa on his presentation and appreciated the vision as to what this area might look like in the future and how it will be brought to the community. She added that most often under-ramp space becomes dead space because there is no sunlight, it is bounded by walls and there’s a highway overhead.

Commissioner Ellington inquired about: the general air and sound quality under highways with regard to programming and whether their design takes that into consideration; the various particles that may fly over from the freeway; access and whether the sports court and the dog park will be open at night; the retail space; the portable spaces at the bottom.

Mr. Cataffa responded that the sound issue is less about the activity overhead and more about what is happening below. He stated that having a park under the site will make it quieter than having traffic going through it and the sound will be buffered by that. Mr. Cataffa stated that the air quality is a real concern and one favorable factor is that cars will be decelerating as they exit onto Hwy 80, so there will be less exhaust and the only buses will be on the western ramp. He indicated that this traffic is concentrated throughout the day and is not consistent. Mr. Cataffa stated that they will have to go through the Bay Area Air Quality Management District to assess the site but believed it was on par with other similar projects in the East Bay. Mr. Cataffa responded that if someone were to throw something out of a car, it would most likely land in the street because the park is directly under the ramp.

Executive Director Bohee responded that at the time of the approval of the Transbay redevelopment plan, which included zoning for parks underneath the under-ramps with adjacent residential housing, the issue of air quality was taken into account when they performed the environmental analysis.

As far as access, Mr. Cataffa responded that the areas will be well-lit and could be used at night until the playing lights turn off, perhaps at 9pm, so there is no noise issue for the residents. Regarding retail space, he responded that currently the 12’ is taken up by a sloped parking lot and they are using the area for staging. This area will be lifted and a building will be put underneath it so that the plaza at Folsom Street is flat and there will be space for buildings at Clementina Street. Mr. Cataffa responded that the portable spaces at the bottom are part of the Beer Garden and they are planning to build these out to be modeled after the Hayes Valley Beer Garden to retain some park services that could be for picnicking and a beer garden at night and on the weekends.

Commissioner Singh stated that he agreed with Oscar James about identifying those responsible for new development in the City. Mr. Singh stated that he remembered one building on Second Street across from the stadium that listed all the Commissioners’ names with their picture. He also

recalled when he worked with the Parking & Traffic Department, which had 22 City-owned garages, and each garage had every Commissioner's name and picture on it. Mr. Singh inquired about: the value of this project; when construction would begin if they approve today; the size of the Dog Park and Oscar Park and who will maintain them; how large the retail space was.

Mr. Cataffa responded that they are costing the project at each level of design development and are now at the conceptual level, which has a range value of \$12 million to \$18 million, depending on how they develop the components. Mr. Cataffa indicated that the proposed construction date is around 2017. He responded that the dog park will be divided into small dog and large dog play areas and could provide the dimensions later. Oscar Park is four acres with an acre of streetscape improvements.

Ms. Pash responded that they anticipate coming back before the Commission at the end of 2015 with construction drawings and authorizing funding for construction and this will be done in conjunction with construction of the bus ramp going into the terminal which will be done by the TPJA contractors. She indicated that they are forming a community benefit district in the Transbay project area, which will encompass some of Rincon Hill. They will be charged with security, maintaining the sidewalks and also maintaining the parks in the neighborhood. Ms. Pash stated that they are also envisioning a Management Office for the community benefit district and that all the residents and commercial users within the area will pay a yearly fee for maintenance. Regarding the retail space, Ms. Pash responded that it was approximately 5,000 sq. ft which and could be divided into a couple of different smaller use spaces.

Vice Chair Rosales commented that she was amazed at the difference between the under-ramp area as it is currently and the end product in the future. Ms. Rosales inquired about the proposed agreement with the San Francisco Arts Commission and wanted to know if the Commission will have an MOU with the Arts Commission.

Ms. Pash responded that the first step will be to enter into an agreement with the Arts Commission to figure out how best to allocate the approximately \$500,000 public art budget. She added that staff will work with the Arts Commission and go through their artist selection process.

Executive Director Bohee added that once staff has worked with the Arts Commission, any amount over \$50,000 would come before the Commission pursuant to the personnel policies on the terms of an MOU and procedures for consideration.

Chair Johnson inquired about: whether tenants for the various aspects of the park, for example, the Beer Garden, have to be in place before construction; the \$18 million bond; when they anticipate completing the community benefits district and trying to go out into the market for bonding capacity; whether the schematic design will change if the cycle track is developed on Folsom Street.

Regarding the tenants, Ms. Pash responded that they will be coming back to the Commission for selection of an architect to design the retail space, build the infrastructure, set up the water and electric hookups, and then enter into an agreement with the commercial user to build out and design the final product. She estimated that this would happen as they get closer to construction. Regarding the bond, Ms. Pash responded that the community benefits district is the maintenance district and is separate and should be underway within the next fiscal year. She explained that the budget and revenues for that phase will change over time as new parks are developed and new infrastructure put in. Ms. Pash stated that there is a separate consultant for that part and they are working out a

budget and revenue for it. She added that the bonding, however, will take awhile and they do not need the funding for 2 - 2½ years.

Executive Director Bohee added that on the bond process they do know from the ROPS determinations that there are only two times during the year in association with the ROPS where at the same time that they submit their ROPS to the state (October and March), and for that, they need from the local legislative policy-making body, which are the Commission and Oversight Board, so that the State Department of Finance can consider the requests at the same time they are looking at the ROPS for the expenditure. She added they are starting now in planning ahead to make sure they hit those targets.

Regarding the cycle track, Ms. Pash responded that it will not affect the under-ramp park at all and added that the presentation on Folsom Street was coming up next.

Commissioner Singh motioned to move Item 5(g) and Commissioner Ellington seconded that motion.

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

Commissioner Ellington – yes

Commissioner Singh – yes

Vice Chair Rosales – yes

Chair Johnson – yes

ADOPTION: IT WAS VOTED BY 4 COMMISSIONERS WITH ONE COMMISSIONER ABSENT THAT RESOLUTION NO. 26-2013, APPROVING, CONSISTENT WITH THE TRANSBAY STREETSCAPE AND OPEN SPACE CONCEPT PLAN AND PURSUANT TO THE TRANSBAY IMPLEMENTATION AGREEMENT, THE CONCEPTUAL DESIGNS FOR TRANSBAY UNDER-RAMP PARK; TRANSBAY REDEVELOPMENT PROJECT AREA, BE ADOPTED.

- h) Conditionally approving, consistent with the Transbay Streetscape and Open Space Concept Plan and pursuant to the Transbay Implementation Agreement, the schematic design package for the Folsom Streetscape Improvements Project; Transbay Redevelopment Project Area. (Discussion and Action) (Resolution No. 27-2013)

Presenters: Tiffany Bohee, Executive Director; Courtney Pash, Assistant Project Manager, Transbay; Jaime Phillips, Project Manager with CMG for the Folsom Street portion of the project; Mike Grisso, Project Manager

Ms. Pash announced to the Commission that the word “conditionally” should be deleted from the Resolution title and the title should read as follows: “Approving consistent with the Transbay Streetscape and Open Space Concept Plan and pursuant to the Transbay Implementation Agreement, the schematic design package for the Folsom Streetscape Improvements Project; Transbay Redevelopment Project Area”. Ms. Pash also announced a change to the last paragraph of the Resolution, deleting the following words: “the Office of OCII acting as successor agency to the Redevelopment Agency of the City and County of San Francisco” and which now should read as: “Resolved based on the Department of Finance’s final and conclusive determination, April 15, 2013, that the Implementation Agreement is an enforceable obligation, this Commission hereby

approves the Folsom Street schematic designs, Transbay Redevelopment Project Area, substantially in the form lodged with the City Attorney acting as counsel to OCII.”

PUBLIC COMMENT

Speaker: Peter Hartman, Transbay resident and CAC member

Mr. Hartman expressed his support for this item and added that the CAC had voted for this earlier in the year after extensive review and comment by CAC members and the public. As a resident of the area, he was looking forward to having a real urban neighborhood streetscape and feel as a result of this plan.

Commissioner Ellington inquired about widening the crosswalks and ramps in the area at which Folsom Street hits the entrance of the park, so as to make the park more welcoming and more accessible for pedestrians.

Ms. Phillips displayed a slide of the intersection of Essex and Folsom at the under-ramp park and indicated that there would be a signal and a crosswalk on the eastbound side and that Essex already has a crosswalk. She added that where the bike lanes come out from the under-ramp park, they will connect into the eastbound bike lane on the south side of Folsom Street. Ms. Phillips added that it will all be signaled for pedestrians, bikes and cars.

Chair Johnson inquired about the cycle track and how to get to the retail area on a bike. Ms. Johnson recalled that originally there was a piece in the Resolution about conditionally approving it pending further investigation of the cycle track on the north side of Folsom Street and inquired whether that was still going to happen or not.

Ms. Phillips responded that the MTA had requested a cycle track between Second and Spear Streets because they are planning on putting in a cycle track further west on Folsom Street between 12th and Fifth. She indicated that they had looked at various options for where the cycle track should be located within the six blocks and for now they had decided on this option with the MTA and are about to study it further. Ms. Phillips explained that it would entail a 9½ foot cycle track on the south side of the street and then a 7½ foot parallel parking lane, 3 travel lanes (2 east, one west), parallel parking and then the curb again. She explained that the reason to put the cycle track between the curb and the cars is so that the parked cars can act as a physical buffer and make it safer for the bikes. Ms. Phillips added that in this neighborhood right now the bike eastbound traffic is on Folsom Street and the westbound lane is on Howard.

Ms. Pash responded that if you are at the water on your bike, you will have to ride down Howard street and then cut over on one of the north/south streets or get off the bike and walk the bike through the pedestrian alleyways to get to the retail on Folsom Street.

Ms. Phillips added that the under-ramp park will have bike access from Howard to Folsom Streets so you could ride through the park to Folsom Street.

Ms. Pash responded that what the Commission was approving today was where the sidewalks are and all the improvements. They will come back later with the cycle track option that they decide on for approval.

Chair Johnson inquired as to whether there were Department of Public Works (DPW) standards for where trash and recycling receptacles have to be located on the street.

Mike Grisso responded that they have had many discussions with DPW about that issue and that DPW has developed a policy to remove garbage cans on the streets, because they found that residents use garbage cans to dump garbage as well as other people and they get filled up too quickly. He explained that they had discovered that removing garbage cans does not result in a lot more garbage, so the DPW has decided to have fewer garbage cans and discourage dumping. Mr. Grisso added that this project would come under the City's jurisdiction, which would amount to one garbage receptacle per block.

Commissioner Singh inquired about whether there was two-way traffic on the street and about whether there was enough room for the bike lane given the set up as given in the presentation.

Mr. Grisso responded affirmative to the first question. To the second question, he responded that there would not be a bike lane on the north side and bikes would use the cycle track on the south side. He explained that if cyclists wanted to go westbound, they would have to use Howard Street, which has a bike lane. Folsom Street would only have an eastbound bike lane and no westbound bike lane. Mr. Grisso added that the MTA has indicated that it is better to have a cycle track because it is more comfortable for the bikes to ride on than an unprotected bike lane. So they will have a cycle track on Folsom St. and a cycle track on Howard is a possible future improvement. Mr. Grisso added that the cycle track is 9 ½ feet wide which is a comfortable and protected bikeway on the south side of the street and that cyclists would have to use Howard Street to go in the other direction.

Chair Johnson inquired about whether staff had asked the Bike Coalition what they thought about the cycle track being on the inside of the parked cars. She stated that, in her experience, this arrangement creates a danger of getting doored and that people getting into and out of cars have to look both ways to watch out for bikes.

Mr. Grisso responded in the affirmative to the first question and said there will be more discussion on this topic. He stated that this was the current proposal but that they had not done the full analysis yet and it could change by the time they come back to the Commission. He added that the City now has a lot of experience with this issue with Golden Gate Park and that there was a lot of support to have the cycle track be inside the parked cars because the cars act as a buffer for the track as opposed to having the cycle track be outside of the parked cars which means that cars have to drive through the cycle track to park and that is dangerous for cyclists.

Commissioner Singh motioned to move Item 5(h) and Commissioner Ellington seconded that motion.

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

Commissioner Ellington – yes

Commissioner Singh – yes

Vice Chair Rosales – yes

Chair Johnson – yes

ADOPTION: IT WAS VOTED BY 4 COMMISSIONERS WITH ONE COMMISSIONER ABSENT THAT RESOLUTION NO. 27-2013, APPROVING, CONSISTENT WITH THE TRANSBAY STREETScape AND OPEN SPACE CONCEPT PLAN AND PURSUANT TO THE TRANSBAY IMPLEMENTATION AGREEMENT, THE SCHEMATIC DESIGN

PACKAGE FOR THE FOLSOM STREETScape IMPROVEMENTS PROJECT; TRANSBAY REDEVELOPMENT PROJECT AREA, BE ADOPTED.

- i) Adopting environmental review findings pursuant to the California Environmental Quality Act and conditionally authorizing a Fourth Amendment to the Mission Bay South Owner Participation Agreement with FOCIL-MB, LLC, a Delaware limited liability company, to allow Family House, Inc., a nonprofit public benefit corporation to develop a 96,000 square foot facility on Block 7E that would include approximately 80 extended stay rooms and associated common areas and program space to support families of patients primarily receiving treatment at UCSF Mission Bay Medical Center; Mission Bay South Redevelopment Project Area. (Discussion and Action) (Resolution No. 28-2013)

Presenters: Tiffany Bohee, Executive Director; Catherine Reilly, Mission Bay Project Manager; Alexandra Morgan, Executive Director, Family House; Sally Oerth, Deputy Director

PUBLIC COMMENT

Speakers: Jayme King, Family House member; Whitney Jones, Director of Housing Development, Chinatown CDC; Liane Takano, Vice President, Related California and Project Manager for Mission Bay, Block 7 West; Mildred Revolorio, parent of patient; Bobby Thomas, Family House volunteer; Dr. Michelle Hermiston, UCSF

Ms. King expressed her support for this project. She stated that during the past two years of cancer treatment for her daughter, Family House has provided a safe and comfortable place for her and her family, with staff members that are welcoming and non-judgmental, without any stress during her treatment visits.

Mr. Jones expressed his support for this project.

Ms. Takano expressed her support for the OPA amendment.

Ms. Revolorio expressed her support for this project. She stated that they had to move to San Francisco for her daughter's treatment for a deadly disease and Family House became their home, their family and their support during that time. She stated she could not imagine how she would have survived that ordeal without the support of Family House.

Mr. Thomas stated that as a Family House Board member, he holds events and raises money for this charity and brings entertainment to the children staying there. He stated that with this bigger facility, they can help more people and families with sick children.

Dr. Hermiston stated that she was there representing UCSF and its support for Family House. She stated that as a pediatric oncologist, she has treated many of the children staying at Family House and wanted to emphasize the importance of Family House, not only in providing care to the children who come from all over the country, but to their research mission and goal to improve health for everyone worldwide. Dr. Hermiston stated that Family House allows children with life-threatening illnesses to have access to cutting edge care and a new Family House will provide more care to more families and children.

Chair Johnson announced a change to the Resolution to add a resolve clause to read that the Commission amends a Fourth Amendment to require that any authorization of the use other than the Family House project shall require Commission approval. Ms. Johnson explained that the reason for

this is to make sure that in the worst case scenario where there is a circumstance where the Commission needs to consider an alternative use other than the Family House project for Block 7E, they want to make sure that that decision comes back to the Commission for a full vetting.

Commissioner Ellington stated that he was confused about the affordable housing distribution aspect of this plan. He noted there were liquidated damages from UCSF and the \$2.5 million from Family House going to the other side of the block for that development and inquired as to how they are financing this and when they will be developing those 958 redistributed affordable units throughout Mission Bay South.

Ms. Oerth responded that for Block 7W, they will be coming back to the Commission for pre-development funding and explained that the Commission would provide a loan to the project. For pre-development funds they will be using existing Commission funds. The \$7.4 million and the \$2.5 million that are coming out of this transaction would then go to construction funding, which is anticipated for January 2014, when the project will be seeking state funding. For the remainder of the Mission Bay South affordable housing, there will be an additional process to issue RFP's, select developers and future use tax increment to provide subsidies for those projects. Ms. Oerth added that through the budget each year they set out a work plan and for 2013/2014, they will be issuing two RFP's for the Block 6 and Block 3 sites.

Commissioner Singh inquired of Ms. Morgan about: whether they were an operator or a developer; the other projects that they are managing; the funding-raising; how many units they have and whether that was enough; how long can a family stay at Family House.

Ms. Morgan responded that they raise all their funds themselves from individuals, corporations and foundations. She responded that they have two existing Family Houses in the Inner Sunset District near UCSF Hospital and explained that they are old renovated apartment buildings. Ms. Morgan responded that fundraising is very strong. She responded that they have 34 bedrooms plus three other rooms. The bedrooms have shared kitchens, living rooms and play areas. Ms. Morgan responded that a family can stay for free as long as they are being treated at UCSF, which can be from one night to 18 months. She added that they turn families away every night which is why they need to double in size.

Vice Chair Rosales inquired as to what Ms. Morgan meant by "low-income."

Ms. Morgan responded that according to UCSF, which refers most patients to them, 75% of the families who stay at Family House qualify for MediCal or some other public assistance health care. She added that very often families that come to UCSF are covered for medical treatment, but have no food or housing allowance if the child needs to travel for treatment.

Chair Johnson asked to clarify whether they had income requirements to be able to stay at Family House.

Ms. Morgan responded in the negative. She explained that UCSF pediatric social workers triage which families have the greatest need and those are the ones that are sent to Family House. People that stay are provided with the things they need without limits and are not required to fill out forms or anything else. Ms. Morgan stated that Family House is there to provide dignity to these families.

Chair Johnson stated that this facility will also serve Oakland Children's Hospital.

Commissioner Singh motioned to move Item 5(i) and Commissioner Ellington seconded that motion.

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

Commissioner Ellington – yes
Commissioner Singh – yes
Vice Chair Rosales – yes
Chair Johnson – yes

ADOPTION: IT WAS VOTED BY 4 COMMISSIONERS WITH ONE COMMISSIONER ABSENT THAT RESOLUTION NO. 28-2013, ADOPTING ENVIRONMENTAL REVIEW FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY AUTHORIZING A FOURTH AMENDMENT TO THE MISSION BAY SOUTH OWNER PARTICIPATION AGREEMENT WITH FOCIL-MB, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO ALLOW FAMILY HOUSE, INC., A NONPROFIT PUBLIC BENEFIT CORPORATION TO DEVELOP A 96,000 SQUARE FOOT FACILITY ON BLOCK 7E THAT WOULD INCLUDE APPROXIMATELY 80 EXTENDED STAY ROOMS AND ASSOCIATED COMMON AREAS AND PROGRAM SPACE TO SUPPORT FAMILIES OF PATIENTS PRIMARILY RECEIVING TREATMENT AT UCSF MISSION BAY MEDICAL CENTER; MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA, BE ADOPTED.

[APPLAUSE]

- j) Update on Low & Moderate Income Housing Fund Due Diligence Review (LMIHF DDR), All Other Funds Due Diligence Review (AOF DDR), the Recognized Obligation Payment Schedule for July to December 2013 (ROPS 13-14A), and the Finding of Completion. (Discussion)

Presenters: Tiffany Bohee, Executive Director; Sally Oerth, Deputy Director

PUBLIC COMMENT – None.

Commissioner Singh inquired as to whether they can continue this item.

Chair Johnson responded that they can include it on the next agenda to continue the discussion.

6. Public Comment on Non-agenda Items

Speakers: Oscar James

Mr. James stated that he had not been able to attend all the Commission meetings due to other obligations and that when he cannot attend, it is important to him to be able to listen to the meetings later on the radio. Mr. James pointed out that under the former Redevelopment Agency, KPOO radio was able to broadcast the meetings so that he could listen to the meetings at a later time and that this was very important to him and to other people in the community. He stated that community members have been asking him why the Commission meetings are not available on KPOO.

Commissioner Singh inquired as to what was the problem with getting KPOO radio to broadcast Commission meetings.

Chair Johnson responded that they would have to come up with a rationale to use KPOO, if it was a sole source contract and not an RFP. If they went with the alternative, SFGovTV, which is an internal source, they simply enter into a contract with the City. Ms. Johnson added that it was not a money issue and that she would work with Executive Director Bohee to come up with a report for the upcoming meeting.

General Counsel Bryan advised limiting any further comments on this issue because it is not on the agenda.

7. Report of the Chair – None.

8. Report of the Executive Director

Executive Director Bohee reported that in the interest of time, she had no report.

9. Commissioners' Questions and Matters – None.

10. Closed Session – None.

11. Adjournment

The meeting was adjourned by Madame Chair Johnson at 5:02 p.m.

Respectfully submitted,

Natasha Jones
Interim Commission Secretary

ADOPTED: