

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 60-2015

Adopted October 6, 2015

AUTHORIZING A SECOND AMENDMENT TO THE LEGAL SERVICES CONTRACT WITH THE THOMAS LAW GROUP TO INCREASE THE CONTRACT AMOUNT BY \$100,000 FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$150,000

WHEREAS, Prior to its dissolution, the Redevelopment Agency of the City and County of San Francisco (“Redevelopment Agency”) implemented numerous redevelopment plans approved by the Board of Supervisors and authorized under the California Community Redevelopment Law, Cal. Health & Safety Code §§ 33000 *et seq.* Under this state authority, the redevelopment plans established land use controls in project areas and did not generally rely on the San Francisco Planning Code or other local land use regulation, unless a particular redevelopment plan required it; and,

WHEREAS, The Office of Community Investment and Infrastructure (“OCII”), acting as the Successor Agency to the Redevelopment Agency, has the authority and obligation to exercise land use controls under the Redevelopment Plan for the Mission Bay South Redevelopment Project and the Mission Bay Mission Bay South Owner Participation Agreement, which the California Department of Finance (“DOF”) has finally and conclusively determined to be an enforceable obligation under the Community Redevelopment Law, as amended by the Redevelopment Dissolution Law, Letter, J. Howard, DOF, Assistant Program Budget Manager, to T. Bohee, OCII, Executive Director (Jan. 24, 2014); and,

WHEREAS, OCII has received a proposal from an affiliate of the Golden State Warriors to construct a multi-purpose event center and mixed use development, including office, retail, open space and parking, on Blocks 29-32 in the Mission Bay South Redevelopment Project Area (“GSW Project”) and this proposal requires OCII to review and consider, among other things, the project’s environmental impacts under the California Environmental Quality Act (“CEQA”); and,

WHEREAS, In 2014, OCII conducted a telephone solicitation of several highly-specialized law firms who had significant knowledge in, and experience with, CEQA and related issues and who could provide specialized legal assistance in the environmental review of proposed projects; and,

WHEREAS, OCII selected the Thomas Law Group, which has been successful in cases involving land use and environmental issues and provides a comprehensive approach to its work, one that incorporates legal expertise into a much wider perspective spanning political, social, and policy implications. The firm's clients include developers,

environmental groups, and governmental agencies. The Supplier Clearinghouse has certified the Thomas Law Group as a woman-owned business; and,

WHEREAS, OCII currently has a legal services contract in the amount of \$50,000 with the Thomas Law Group. Since being retained by OCII, the Thomas Law Group has provided advice related to the GSW Project; and,

WHEREAS, OCII now has an additional need for specialized legal services in preparing for its consideration of approval of the GSW Project; and,

WHEREAS, Under the proposed Second Amendment to the Legal Services Contract with the Thomas Law Group (“Second Amendment”), the maximum allowable budget would be increased by \$100,000, for a total aggregate Legal Services Contract amount of \$150,000; and,

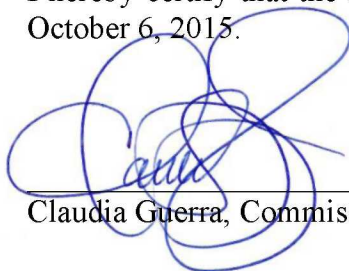
WHEREAS, During the 2015-16 fiscal year, OCII will pay the cost of the Second Amendment with funds listed under Line 1 of OCII’s Recognized Obligations Payment Schedule (“ROPS”); and,

WHEREAS, Authorization of the Second Amendment is a continuing administrative activity that will not result in a direct or indirect physical changes in the environment, and thus is not a project under Section 15378 (b) (5) of the CEQA Guidelines; and,

WHEREAS, Staff recommends approval of the proposed Second Amendment; now therefore, be it

RESOLVED, that the Executive Director of the Office of Community Investment and Infrastructure is authorized to execute a Second Amendment to the Legal Services Contract with the Thomas Law Group to increase the contract amount by \$100,000 for a total aggregate contract amount not to exceed \$150,000, substantially in the form approved by the General Counsel and on file with the Secretary of the Commission.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of October 6, 2015.



Claudia Guerra, Commission Secretary