

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 46-2017

*Adopted November 7, 2017*

**CONSENTING TO FORMER SUCCESSOR AGENCY EMPLOYEE THOR KASLOFSKY'S REQUEST FOR WAIVERS FROM THE SUCCESSOR AGENCY'S POST-EMPLOYMENT RESTRICTIONS RELATED TO WORK ON HOUSING PROJECTS AT THE CANDLESTICK POINT-HUNTERS POINT SHIPYARD AND ON THE ARTIST COMMUNITY AT THE HUNTERS POINT SHIPYARD**

WHEREAS, In 2005, Mr. Thor Kaslofsky started work as an Assistant Project Manager for the Bayview Hunters Point and Hunters Point Shipyard Project Areas at the Redevelopment Agency of the City and County of San Francisco ("Former Agency"); and

WHEREAS, In 2008, Mr. Kaslofsky became a Project Manager for the Hunters Point Shipyard; and

WHEREAS, In 2015, Mr. Kaslofsky resigned from the Successor Agency to the Redevelopment Agency of the City and County of San Francisco, commonly known as the Office of Community Investment and Infrastructure, ("Successor Agency" or "OCII") to work in the private sector; and

WHEREAS, During his tenure at the Former Agency and OCII, Mr. Kaslofsky worked on various aspects of the Hunters Point Shipyard and Candlestick Point Project Areas, which are also subject to enforceable obligations that survived the dissolution of the Former Agency. His work included the Alice Griffith housing project; land transfers involving the State Lands Commission, State Parks, and the master developer; various building, infrastructure, and landscape designs and transactions proposed by the master developer; coordination of environmental, design, regulatory and real estate transactions related to the land under Navy control; certain property management functions; and review of the new artist studio building design; and

WHEREAS, Currently, Mr. Kaslofsky is a principal at Common Ground Urban Development, <https://www.commongroundurbandevlopment.com/>, a local real estate developer, and he seeks to work 1) as a subconsultant for the general contractor LendLease to provide construction management, small business/local hire program management, and community engagement advice on housing projects at Candlestick Point/ Hunters Point Shipyard; and 2) as a member of the board of directors of the Shipyard Trust for the Arts ("STAR") to provide real estate and programming advice to STAR in its role of supporting the artists community at the Hunters Point Shipyard ("HPS") (together, the "Particular Matters"); and

WHEREAS, The Successor Agency's Personnel Policy, Section IX, H, prohibits a former employee from acting on behalf of anyone other than the Successor Agency on a particular matter in which the Successor Agency has a direct and substantial interest and in which the former employee personally and substantially

participated as a employee, unless the Agency gives its consent. Accordingly, this policy would preclude, absent Successor Agency consent, Mr. Kaslofsky from working as a subconsultant to LendLease and a board member for STAR on the Particular Matters; and

WHEREAS, OCII and the Former Agency established a practice of considering certain factors in reviewing a waiver request. These factors include: 1) the length of time since the person worked for OCII; 2) the similarity between the work of the former employee, commissioner, or consultant and his or her proposed work for another party; 3) the benefit or detriment to OCII in having the former employee, commissioner, or consultant work for someone else on the OCII-related matter; and

WHEREAS, Mr. Kaslofsky has requested, in a letter dated October 6, 2017, that OCII consider granting a waiver from the Agency's post-employment restrictions on the grounds that, with regard to the Particular Matters, he does not have any confidential information or "special unknowable knowledge" that he gained from his OCII employment and that therefore he would not have undue influence or an unfair advantage in working on these matters for parties other than OCII; and

WHEREAS, Over two years have passed since Mr. Koslofsky's employment at OCII. Although his proposed work on the Particular Matters would involve elements of Agency policy and practice that he oversaw as project manager, e.g. contract compliance, community liaison, and subject matters on which he worked directly, other OCII staff, including several levels of supervisory staff, also participated in these matters and would have made final decisions; and

WHEREAS, Based on the materials submitted and the public testimony presented at the Commission hearing, the granting of a waiver to Mr. Kaslofsky for the Particular Matters does not appear to create the potential for undue influence or unfair advantage; now, therefore, be it

RESOLVED, That the OCII Commission consents, under Section IX, H of the Successor Agency's Personnel Policy, to Mr. Thor Kaslofsky's work: 1) as a subconsultant for the general contractor LendLease to provide construction management, small business/local hire program management, and community engagement advice on housing projects at Candlestick Point/ Hunters Point Shipyard; and 2) as a member of the board of directors of the Shipyard Trust for the Arts to provide real estate and programming advice to STAR in its role of supporting the artists community at the Hunters Point Shipyard.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of November 7, 2017.

  
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Commission Secretary