

1 CITY AND COUNTY OF SAN FRANCISCO

2 BOARD OF SUPERVISORS

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4
5 TUESDAY, DECEMBER 8, 2015

6
7 SPECIAL ORDER

8
9 REPORTER'S TRANSCRIPT OF PROCEEDINGS

10 RE

11 THE GOLDEN STATE WARRIORS

12 EVENT CENTER AND MIXED-USE DEVELOPMENT

13 AT MISSION BAY SOUTH BLOCKS 29-32

14
15
16 CITY HALL

17 1 Dr. Carlton B. Goodlett Place

18 Legislative Chamber, Room 250

19 San Francisco, California 94102

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22 REPORTED BY: KATY LEONARD, CSR
23 Certified Shorthand Reporter
24 License No. 11599
25

I N A T T E N D A N C E

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BOARD OF SUPERVISORS

PRESIDENT LONDON BREED

SUPERVISOR ERIC MAR

SUPERVISOR MARK E. FARRELL

SUPERVISOR MALIA COHEN

SUPERVISOR KATY TANG

SUPERVISOR AARON PESKIN

SUPERVISOR JOHN AVALOS

SUPERVISOR JANE KIM

SUPERVISOR NORMAN YEE

SUPERVISOR SCOTT WIENER

SUPERVISOR DAVID CAMPOS

CLERK ANGELA CALVILLO

LIST OF ATTENDEES

(Presenting and/or Responding to Comments,
Questions from the Board of Supervisors)

---oOo---

APPELLANT TOM LIPPE (MISSION BAY ALLIANCE)

DAN SMITH (MISSION BAY ALLIANCE)

PATRICK SOLARI (MISSION BAY ALLIANCE)

SUSAN BRANDT-HAWLEY (MISSION BAY ALLIANCE)

OCII EXECUTIVE DIRECTOR TIFFANY BOHEE

SENIOR ENVIRONMENTAL PLANNER CHRIS KERN

PROJECT MANAGER ADAM VAN de WATER

OCII GENERAL COUNSEL AND DEPUTY DIRECTOR JAMES MORALES

URBAN PLANNING MANAGER PETER ALBERT

ENVIRONMENTAL REVIEW OFFICER BILL WYCO

CHIEF SURVEYOR PAUL MABRY

DEPUTY CITY ATTORNEY ELAINE WARREN

DEPUTY CITY ATTORNEY JOHN GIBNER

PROJECT SPONSOR & REAL PARTY IN INTEREST:

GOLDEN STATE WARRIORS PRESIDENT/COO RICK WELTS

GOLDEN STATE WARRIORS GENERAL COUNSEL DAVID KELLY

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I N D E X O F
P U B L I C S P E A K E R S
---oOo---
IN SUPPORT OF THE APPEAL

XIAO HU WONG
CHUN POON
PEONG YU
XIAO HAI LU
ANGELA ZHOU
JOHN W. TEMPLETON
LISA HARTMAYER
MARI ELIZA
BOB FEINBAUM
UNIDENTIFIED PUBLIC SPEAKER
TOM GILBERTI
EMILY WILSON
UNIDENTIFIED PUBLIC SPEAKER
SUSAN
CEDRIC BAINTON
GLORIA JUDD
RODNEY TALMADGE
SUSAN BRANDT-HAWLEY
MARTIN REED

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I N D E X O F
P U B L I C S P E A K E R S (Continued)
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IN SUPPORT OF THE APPEAL

PHILIP SCHWARTZ
BOB STEINBERG
TERRY BAGBY
UNIDENTIFIED PUBLIC SPEAKER (VIDEO)
JENNIFER WADE
OSHA MESERVE
GERALD CAUTHEN
UNIDENTIFIED PUBLIC SPEAKER (VIDEO)
UNIDENTIFIED PUBLIC SPEAKER (VIDEO)
ROB FRANCIS
LEO SCHWARTZ
ARMANI JONES
UNIDENTIFIED PUBLIC SPEAKER
KATHLEEN O'KEEFE
ALLYNN McINERNEY
IGGY VANS
JOHN HAVEMAN
ERIK RINGELBERG
PATRICK SOLARI

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I N D E X O F
P U B L I C S P E A K E R S (Continued)
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IN SUPPORT OF THE APPEAL

DELPHINE PERRET
UNIDENTIFIED PUBLIC SPEAKER
ANGELIQUE TOMPKINS
CHARLIE WALKER

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I N D E X O F
P U B L I C S P E A K E R S
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IN SUPPORT OF THE EIR

HENRY WIMMER
UNIDENTIFIED PUBLIC SPEAKER
PAULETTE BROWN
GREG L. PENNINGTON
UNIDENTIFIED PUBLIC SPEAKER
MIKE MCGONGLE
UNIDENTIFIED PUBLIC SPEAKER
MICHE PRICE
DAVID LOMBARDI
ANN-MARIE OLSSON
TEREZIA NEMETH
GEORGE AMBUS
ANTOINETTE MOBELY
TIM SLAUGHTER
ERIC SMITH
PETE VARMA
ESTHER STEARNS
MICHAEL THERIAULT
PATRICIA BRITT

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I N D E X O F
P U B L I C S P E A K E R S (Continued)
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IN SUPPORT OF THE EIR

JOEL KOPPEL
CARLOS MUELA
UNIDENTIFIED PUBLIC SPEAKER
BRIAN WIEDENMEIER
JESSE WOODWARD
UNIDENTIFIED PUBLIC SPEAKER
CATHY SEARBY
SCOTT VAN HORN
PATRICK VALENTINO
DENNIS MacKENZIE
TONY KELLY
OLIVIA SMITH
FRED HUNZIKER
NEIL USHMAN
D.J. BROOKTER
JOHN CALE
SHEILA ASH
NICK BELLONI
CHRISTOPHER HAAS

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I N D E X O F
P U B L I C S P E A K E R S (Continued)

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IN SUPPORT OF THE EIR

JASMINE CONRAD

SEBASTIAN KAHN (Letter/MATTHEW HUEY)

JAIME GONZALEZ

UNIDENTIFIED PUBLIC SPEAKER (Letter/BRUCE AGID)

JACKIE FLIN

LILY YO

UNIDENTIFIED PUBLIC SPEAKER

JOANNE DESMOND

JOHN GALBRAITH

THOMAS McDONAGH

---oOo---

I N D E X O F S T A F F
P R E S E N T A T I O N S & C O M M E N T S

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1 P R O C E E D I N G S

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3
4 TUESDAY, DECEMBER 8, 2015

3:08 P.M.

5
6 SPECIAL ORDER:

7 GOLDEN STATE WARRIORS EVENT CENTER AT MISSION BAY SOUTH

8
9 PRESIDENT BREED: All right. Colleagues, it
10 is now past 3:00 p.m., and we have multiple items before
11 us today related to the proposed Warriors Event Center
12 in District 6.

13 The first is an appeal of the Final
14 Environmental Impact Report certification. The second
15 is an appeal of the Tentative Subdivision Map.

16 We will consider the second appeal only if the
17 Board opposes the EIR. If the Board rejects the EIR,
18 then we will take no additional action on the Warriors
19 project today.

20 Then we have four pieces of legislation
21 related to the project which need to be voted on after
22 the appeals if we affirm the EIR and the Subdivision
23 Map.

24 So, Madam Clerk, at this time, can you please
25 call Items 57 and 60, and I will then recognize other

1 colleagues.

2 MADAM CLERK CALVILLO: The Board of
3 Supervisors is sitting as the governing body of the
4 Successor Agency to the former Redevelopment Agency for
5 a public hearing of persons interested in the
6 certification of the Final Subsequent Environmental
7 Impact Report for the proposed Golden State Warriors
8 Event Center and Mixed-Use Development Project at
9 Mission Bay South Blocks 29-32.

10 It constitutes -- it consists of a
11 multipurpose mixed-use event center, including office
12 retail, open space, and parking, on an approximately
13 11-acre site within the Mission Bay South Redevelopment
14 Area Plan.

15 Item 58 is a motion of the Board of
16 Supervisors acting in its capacity as governing body to
17 the Successor Agency to affirm the Commission on
18 Community Investment and Infrastructure certification of
19 the Final Subsequent Environmental Impact Report,
20 Item 59. Motion to reverse the Commission's
21 certification of the FSEIR.

22 Item 60 is the motion directing the
23 preparation of findings reversing the Commission's
24 certification of the FSEIR.

25 PRESIDENT BREED: Okay.

1 Colleagues, for this EIR appeal, we are
2 functioning as the governing body of the Successor
3 Agency to the former Redevelopment Agency. So, this
4 hearing will be wholly separate from the tentative
5 Subdivision Map appeal hearing in which we will be
6 functioning as the Board of Supervisors.

7 So, we have before us an appeal of the Final
8 Subsequent Environmental Impact Report Certification for
9 the Warriors project.

10 Our consideration of the appeal involves our
11 analysis of the adequacy, the accuracy, and the
12 sufficiency and completeness of the Environmental Impact
13 Report.

14 Without objection, we will proceed as follows:
15 Up to 10 minutes for the Appellant to describe the
16 grounds for their appeal; up to two minutes for public
17 commenters to speak in support of the appeal; up to 10
18 minutes for representatives of the Successor Agency to
19 the former Redevelopment Agency and/or Planning
20 Department to present their analysis for certifying the
21 EIR; up to 10 minutes for the Real Party in Interest to
22 present their case for certification of the EIR; up to
23 two minutes for public commenters to speak in support of
24 the affirmation of the Environmental Impact Report.
25 And, finally, the Appellant will have up to three

1 minutes for a rebuttal argument.

2 So, before we proceed, I would first like to
3 recognize Supervisor Peskin is first on the roster.

4 SUPERVISOR PESKIN: Thank you, Madam
5 President, Colleagues.

6 For those of you who are not aware, I just
7 flew into San Francisco after a long trek in the
8 Himalayas in Nepal. I was back in Kathmandu for a
9 number of days, and despite my best efforts and the
10 efforts of my staff, I was not able to pull up the
11 moving papers in this item, particularly, the DEIS, the
12 Appellant's brief, and the Planning Department's
13 response to that brief.

14 I have never shied away, in my eight years on
15 the Board, from rendering a decision pursuant to an
16 appeal under C.E.Q.A., but need to let you colleagues
17 know that I have not been able to read any of the papers
18 and, therefore, Madam President, respectfully ask that I
19 be recused from that matter.

20 PRESIDENT BREED: Okay. Supervisor Peskin
21 would like to be recused.

22 Is there a motion?

23 Motion by Supervisor Campos, seconded by
24 Supervisor Yee.

25 Colleagues, can we take this without

1 objection?

2 (No response)

3 PRESIDENT BREED: Without objection,
4 Supervisor Peskin is excused from this vote.

5 All right. Supervisor Kim.

6 SUPERVISOR COHEN: Go ahead.

7 SUPERVISOR KIM: Thank you, President Breed.
8 I'll be brief in my remarks. Most of my remarks will
9 come at the end, at the decision-making point, and also
10 with the ordinance that will be with us later on a
11 lockbox agreement.

12 In over the two years since the Warriors have
13 first announced their intention to return back to their
14 home, here in the City of San Francisco, the arena
15 project has certainly been through a very lengthy
16 process, a very engaged process, and one that has
17 evolved quite traumatically, including with a very
18 traumatic decision last summer to change the -- their
19 point of location.

20 While its new location in Mission Bay,
21 particularly in the district that I represent, has
22 received widespread support, I really look forward to
23 listening to our staff, the City, and our Appellants
24 around concerns around traffic congestion, environmental
25 impact.

1 And the process that took place to bring this
2 arena project before us have been really -- I want to
3 express some acknowledgment and thanks to our City
4 staff.

5 I know that this has been quite a complex
6 project. It's not an easy thing or an everyday action
7 to bring an arena and entertainment stadium to a city.
8 It's certainly very complex and will have a huge impact
9 both on the neighborhood and the City.

10 And I think that this process, through the
11 appeal, will really allow us to delve into some of these
12 really important issues in terms of how we can make this
13 work within the fabric of our neighborhood.

14 So, without further adieu, I'd like to turn
15 the floor over to our Appellants.

16 PRESIDENT BREED: Thank you, Supervisor Kim.

17 So, with that, I will ask the Appellant to
18 come forward. You will have 10 minutes.

19
20 PRESENTATION BY APPELLANT

21
22 TOM LIPPE: Thank you, Supervisors.

23 Good afternoon. My name is Tom Lippe. I
24 represent the Mission Bay Alliance.

25 And this Environmental Impact Report is very

1 complex, and you've been deluged with paper, so I want
2 to spend the few minutes that we have here as Appellants
3 to try to simplify a couple of the issues.

4 And this EIR, with respect to traffic impacts
5 and transit impacts has serious, deep flaws, and I have
6 some graphics that I think might assist in bringing
7 those to light.

8 And if I could ask the Clerk, I'd like to pass
9 these graphics out. They were sent by E-mail, but you
10 might not have had a chance to download them. If you
11 want to look at them, I have copies for all supervisors.

12 PRESIDENT BREED: The Deputy Clerk will pick
13 those up and hand them out.

14 TOM LIPPE: So, I would ask SFGov T.V. to
15 switch to the overhead projector, please.

16 So, what I'm showing you -- and it's not
17 coming through very clearly on your overhead
18 projector -- but what this graphic shows is that the EIR
19 has currently drawn the study area for the project
20 assessment of traffic impacts to avoid a host of other
21 study areas that are contained in the EIRs and Negative
22 Declarations for other projects in the South of Market
23 and downtown areas of San Francisco.

24 And so, what you have here is kind of a funny
25 looking polygon that is clearly designed to avoid

1 intersecting with other projects, study areas in South
2 of Market. And these other projects are manifold.
3 There are lots of other projects, and they're projects
4 that have been recently approved or are in the pipeline
5 now. You have the 5M project, the 222 2nd Street
6 project, the 706 Mission Street project, 801 Brannan
7 Project, 850 Bryant, and the list goes on.

8 So, there's a lot going on here in
9 San Francisco, both in terms of construction impacts and
10 operational impacts, because all of these projects
11 increase traffic or change traffic patterns.

12 Now, the next graphic -- this is a Map
13 Number 1 in your package there. The next map is Map
14 Number 2.

15 And, again, the overhead is not very clear,
16 but what you can see there is the northern portion of
17 that strange looking polygon, the blue one, for this
18 project's study area, and it's targeting intersections,
19 which is why you have that long arm of it pointing
20 north, up toward Harrison Street.

21 But what all those other red dots are, are the
22 intersections surrounding the polygon, which is the
23 study area, which are all either at Level of Service E
24 or at Level of Service F, which are considered to be
25 severely impacted already.

1 So, this study area is clearly designed to
2 avoid encompassing those. Why? Because small changes
3 make a big difference when you already have a
4 significant impact.

5 And this part of San Francisco is severely
6 impacted with traffic, has been for years. I used to
7 have my office on Bryant and 2nd Street, so I know it
8 intimately.

9 And especially since the Giants moved in, now
10 you're going to add to that, both in terms of number of
11 days, where you have those kinds of conditions and the
12 number -- and an increase in severity of those
13 conditions when you have an overlap between games
14 between different teams.

15 The next graphic, which is Map Number 3,
16 brings those two data sets together. And you can see
17 that these other projects are smack dab in the middle of
18 all of these LOS-F and LOS-E intersections that have
19 been excluded from the Study. So, the severity of
20 impact is another big problem with this EIR.

21 I have another graphic, which I can see now on
22 the screen, is not very useful. So, let me just tell
23 you what it says.

24 The EIR provides summary tables for impacts,
25 and it tells you that many intersections are going to

1 LOS, which is Level of Service F, which is severe, but
2 it doesn't tell you how bad it gets after it gets to F,
3 because above F -- or, worse than F, you have just a
4 figure of greater than 80 seconds of delay per vehicle.

5 When you go to the appendices, you find out
6 that those numbers are much higher, but the body of the
7 EIR doesn't show that.

8 So, people reading the EIR are being misled
9 into thinking that all the impacts are just around the
10 same, which is 80. But what this shows is that when you
11 have an evening game, basketball game at the 16th and
12 Mississippi intersection, you have actually 107 seconds.

13 When you have two games, you have 180 seconds,
14 which is almost three times as much -- or, twice as much
15 as 80.

16 So, this thing -- this problem of a little
17 change makes a big difference, the EIR has skirted
18 around that problem by selectively remitting information
19 and selectively Studying the impacts.

20 Now, one of the other comments that we have
21 made is that the EIR underestimates the number of people
22 arriving at the games in the peak-hour P.M. period,
23 between 5:00 and 6:00.

24 And it's done that because it assumes that
25 only 5 percent of the people who are coming to a game or

1 an event will be traveling in that time period, but it
2 admits that for a 7:30 game, 11 percent of the people
3 are going to get there between 6:00 and 6:30, but it
4 excludes them from the 5:00 to 6:00 time period.

5 Well, it's just completely illogical to think
6 those people are going to magically turn up at the
7 turnstile without having had to travel during that peak
8 period.

9 So, we've created a traffic simulation to
10 illustrate that point. And the consequence where you
11 have those 11 percent of the people added to the
12 5 percent, you have 16 percent.

13 And Mr. Dan Smith, a traffic consultant I've
14 consulted is going to narrate the video.

15 And, Mr. Smith, if you could come do that at
16 this point.

17 DAN SMITH: I'm going to turn on this video,
18 so if the SFGov T.V. people --

19 PRESIDENT BREED: It's playing. It's on.

20 DAN SMITH: This is -- what we have here --
21 Dan Smith, Smith Engineering Management,
22 5311 Lowry Road, Union City, California, for the record.

23 Displayed here are views of simulation of
24 traffic, using mostly the traffic scenarios from the
25 SEIR. The intersection of 16th, 7th and Mississippi,

1 is on the left of the simulation. 16th and 3rd is on
2 the right. 16th and Owen, 16th and 4th in between.
3 The project is at the upper right in each clip. The
4 U.C. Hospital is across 3rd Street.

5 The Caltrain tracks are in amber at the left,
6 T3rd in amber on the right. Blue dots are cars. Blue
7 dots with white backs are large trucks. Buses are
8 magenta, teal, and green, depending on whether they're
9 regular service or special event services. In the upper
10 clip, is the baseline scenario for the EIR. That
11 baseline scenario includes the assumption of the 22
12 Fillmore priority lanes.

13 Now, most of you are aware things down there
14 in the P.M. peak period now work fairly well. When you
15 take away two of the lanes on 16th Street to create
16 the bus priority lanes, the traffic situation
17 deteriorates.

18 And you'll notice on the screens, we've
19 created it as if you could look straight through the
20 I-280 freeway and see the traffic running underneath on
21 16th Street. As I said, when the 22 Fillmore project
22 is implemented, things get more difficult.

23 The middle clip includes the project with a
24 Warriors game, but no Giants game. You can see how the
25 big queues build northbound on 3rd. The queue actually

1 extends several blocks off this screen. Sometimes
2 westbound 16th is totally backed up to 3rd all the way
3 from the railroad tracks. And also, there are long
4 queues on 16th, approaching 7th. So, that's a more
5 severe situation than the assumed existing baseline
6 condition in the SEIR, but the SEIR doesn't distinguish.

7 Finally, the clip at the bottom reflects the
8 scenario that Tom mentioned. Instead of just the
9 5 percent of people who pass through the arena
10 turnstiles in the P.M. peak hour -- we'll let it go --
11 instead of just the 5 percent of people, we've assumed
12 that the people who pass through the turnstiles in
13 the --

14 PRESIDENT BREED: Thank you. I'm sorry. Your
15 time is up at this time. Thank you very much.

16 Now, we will have up to -- seeing no questions
17 from Members of the Board, we will have up to two
18 minutes per member of the public who would like to speak
19 in support of the appeal. Please come forward.

20 You're acting as the Interpreter?

21 THE INTERPRETER: Yes.

22 PRESIDENT BREED: Okay. Members of the public
23 who need an interpreter will have double the time.

1 PUBLIC COMMENTS IN SUPPORT OF THE APPEAL

2
3 XIAO HU WONG: (Through Interpreter) Hello,
4 Supervisors. My name is Xiao Hu Wong (phonetic).

5 Mission Bay does not need a large activity
6 center, because we already have an AT&T Park. And
7 whenever there is a large event, traffic is almost
8 paralyzed, and the pedestrians are facing huge danger.

9 If we add a large sports center and parking
10 lot in this area, it will increase the burden to this
11 region, bringing more inconvenience to the people who
12 are living here. And also, that's not fair for the
13 residents.

14 So, I do not support constructing a huge event
15 center and parking site in this area.

16 Thank you.

17 PRESIDENT BREED: Thank you.

18 Next speaker, please. Next speaker, please
19 come forward as we call the next speaker in line. Thank
20 you.

21 CHUN POON: (Through Interpreter) Hello,
22 Supervisors. My name is Chun Poon.

23 When talking about building a huge activity
24 center and parking lot in this area, I want to ask, are
25 you guys afraid of ISIS?

1 I understand that our country and City will
2 protect our safety, but no one knows about their plans.
3 Any person who can move around will be encountered with
4 some kind of danger.

5 When something bad happens, what can the
6 patients in the hospital do?

7 Mission Bay South is already a crowded area,
8 and people keep moving in. How can we evacuate so many
9 people when something bad really happens?

10 Why should we increase the risk of the
11 landmark of San Francisco here?

12 So, I think we should not build a large sports
13 center and parking lot in this area.

14 PRESIDENT BREED: Thank you.

15 Next speaker.

16 Ma'am, can you help me with calling up the
17 speakers, please, as well?

18 THE INTERPRETER: All right.

19 PEONG YU: (Through Interpreter) Hello,
20 everyone. My name is Peong Yu.

21 There are lots of different types of
22 environmental pollutions, but in Mission Bay, the
23 pollutions are noises and bright lights, because when
24 there is a big event, large crowds of people will get
25 together, and they will create huge noises.

1 Also, in order to raise up the excitement of
2 the crowd, a big amount of lights will be used.
3 Therefore, noises and bright lights will become a
4 problem in this area, and they will badly affect the
5 condition of the patients who are in the hospitals.

6 That's why me and my friends come here today
7 to vote against building a large sports center and
8 parking lot.

9 Thank you very much.

10 PRESIDENT BREED: Thank you.

11 Next speaker.

12 XIAO HAI LUI: (Through Interpreter) Hello,
13 everyone, Supervisors. My name is Xiao Hai Lui.

14 City planning for Mission Bay area is very
15 important, because will have a profound and long-term
16 impact.

17 Because of the healthcare facilities in this
18 area, Mission Bay has already become one of the
19 important landmarks in San Francisco. There are lots of
20 patients and their families with different needs
21 traveling in and out of this area, using different
22 transportation modes.

23 So, traffic in this area is certainly very
24 busy, and if we still build a large-scale parking lot in
25 this area, it will worsen road use and traffic

1 dramatically.

2 In the event of a large-scale catastrophic
3 emergency, how can we handle that?

4 I hope when you do the city planning, please
5 put the human life in the first place. So, please stop
6 constructing such a large sports center and parking lot
7 in this area.

8 Thank you.

9 PRESIDENT BREED: Thank you very much.

10 Next speaker, please.

11 ANGELA ZHOU: (Through Interpreter) Hello,
12 Supervisors. My name is Angela Zhou.

13 Mission Bay has a comprehensive medical center
14 which consists of different departments of U.C.S.F. in
15 different buildings.

16 Most of the time, patients need to go to
17 different buildings to get tested, and usually they move
18 and act relatively slower than healthy people. However,
19 if they have to move around on the same road as those
20 event participants, they will face lots of danger.
21 That's why I am opposed to building a large activity
22 center and parking lot in this area.

23 That's it.

24 PRESIDENT BREED: Thank you.

25 Next speaker, please.

1 JOHN TEMPLETON: Good afternoon. John William
2 Templeton.

3 I wanted to reference a 41-page Environmental
4 Justice analysis that I filed with the Clerk. I just
5 returned from speaking at the International Black Caucus
6 of State Legislators, where the big issue was economic
7 imbalance, which has reduced black net wealth by
8 53 percent in the past seven years. This is a local
9 example of an economic imbalance.

10 45 percent of black workers in San Francisco
11 rely on public transit to get to the work. This project
12 severely compromises in a racially-disparate way, their
13 ability to earn a living, particularly with preferential
14 treatment for private shuttles. There are alternatives
15 to avoid this impact which have not been considered.

16 PRESIDENT BREED: Thank you.

17 Next speaker, please.

18 LISA HARTMAYER: My name is Lisa Hartmayer.
19 I'm a nurse practitioner. I work at U.C.S.F., but I
20 work at the Parnassus campus.

21 This Mission Bay project doesn't affect me
22 personally, but I'm very concerned about a couple of
23 things, one being noise pollution, which the other
24 speakers have spoke about. Another one is nurses
25 actually getting to work and the ability for their

1 relief to come.

2 So, who is going to be paying for their
3 overtime?

4 That's going to be the State of California
5 when their relief is not able to reach the hospital when
6 the other nurses are stuck in traffic.

7 And then the other issue that really is --
8 bothers me so much is that the traffic is going to be
9 very congested down there.

10 I used to work at Mission Bay, and I really,
11 truly cannot imagine a mother and their sick child stuck
12 in their car watching your child deteriorate while
13 you're trying to access the emergency room because
14 there's so much congestion. And that is the part that I
15 think -- no life or no illness, you can't put a price
16 tag on that, to take care of our community.

17 So, I'm opposed to this project and the
18 location that it's in.

19 Thank you.

20 PRESIDENT BREED: Thank you.

21 Next speaker, please.

22 MARI ELIZA: Good afternoon. Mari Eliza here
23 speaking as a concerned citizen. I know most you by now
24 anyway. We've met personally.

25 So, I am actually here to speak about the

1 traffic congestion issue. I'm just wondering where the
2 studies came from that -- who did the studies that
3 actually make it appear as if there's some way to
4 mitigate the traffic situation if it gets any worse?

5 I'm not sure what time frame they live in or
6 what level of reality they're on, but the people who
7 think that they can do anything about it when they have
8 done nothing but make it worse for the last -- I don't
9 know, four or five years -- I don't believe the public
10 trusts them to mitigate anything. Therefore, we
11 encourage you to support this appeal.

12 Thank you.

13 PRESIDENT BREED: Thank you very much.

14 Before we move to the next speaker, the North
15 Light Court is now open for overflow, as well as
16 Room 263.

17 Next speaker, please.

18 BOB FEINBAUM: Yes. My name is Bob Feinbaum.

19 San Francisco is well-known as a transit-first
20 city, but transit vehicles themselves are often mired in
21 traffic. The reason is, we have too many cars in
22 San Francisco.

23 One project that is very highly rated by the
24 regional and federal agencies promises to alleviate part
25 of that problem. That's the downtown extension of

1 Caltrain from 4th and King Street to the new
2 Transbay Terminal.

3 That project has been extensively vetted.
4 It's been engineered. It's been environmentally
5 cleared. It's on the federal New Starts List.

6 However, recently, there has been a move or an
7 idea that has surfaced to relocate the Caltrain tracks
8 to 3rd Street, partially, perhaps, to support the
9 Warriors project.

10 This is a very bad idea. It will move this
11 project way down the federal list and perhaps even
12 eliminate the possibility of moving the project forward.

13 I urge you not to rely on any transit
14 contributions from moving the Caltrain tracks to 3rd
15 Street. It's a nonstarter. It's not gonna happen.

16 Rather, I urge you to help get this project
17 funded so that once the Transbay Transit Center is
18 completed and bus traffic starts in 2017, we can move
19 seamlessly into Phase 2, which is construction of the
20 downtown extension of Caltrain.

21 Thank you.

22 PRESIDENT BREED: Thank you.

23 Next speaker, please.

24 PUBLIC SPEAKER: (Singing) Hurry, hurry.

25 Don't be late. I've got to thank my basketball stars

1 above me.

2 Hurry, hurry. Don't be late. I can't wait
3 for the Warriors Golden State. It will be great. It's
4 first rate. It's the Event Center. It's the main
5 event.

6 Hurry, hurry. Don't be late. I got to thank
7 my lucky stars above me.

8 Hurry, hurry. Don't be late. I can't wait
9 for the Warriors Golden State. It will be great. It's
10 first rate. It's the Event Center. It's the main
11 event. Don't be late.

12 Fight for the stadium if you want it. Fight
13 for if you don't want it too. Fight for the City you
14 love the most, if love is what you feel. Whoa, it's the
15 main event.

16 Thank you.

17 PRESIDENT BREED: Thank you.

18 Next speaker, please.

19 TOM GILBERTI: Tom Gilberti (phonetic), and I
20 believe that applause was deserved.

21 Transportation-wise, the stadium could not be
22 better served by anything that we can, in this City, do
23 that three BART lines don't already do wonderfully well.

24 \$80 million improvement, supposedly, will not
25 add or fix or beat three BART lines. And while

1 \$80 million is prepared, the new lightrail cars for Muni
2 are losing eight seats. I find this doesn't sit well.
3 It's in the wrong place. It's not downtown under Market
4 Street or around Market Street, where you can walk to
5 it. It's not near Cesar Chavez.

6 The tidbit on television about the end of the
7 baseball season on one of the little tidbits of news we
8 get, a gentleman said he interviewed a woman who was
9 taking her four-year-old son to the appointment at the
10 Mission Bay. It took a half-hour to get through
11 baseball traffic.

12 Add the Giants development, just a block down,
13 we've gotten 1,500 units of housing, 11,000 jobs and
14 office buildings.

15 There's gonna be a whole bunch of new people
16 going back and forth, again, not with the BART system,
17 where three trains are coming and serving the whole Bay
18 Area. If this was on BART, I would be more inclined to
19 go for it.

20 The vulnerability of the Bay is also another
21 issue. I want to see the berm.

22 Last week, we did 75 Howard. How are we going
23 to protect this from the water rise?

24 Lots of questions.

25 Thank you.

1 PRESIDENT BREED: Thank you.

2 Next speaker, please.

3 EMILY WILSON: Hi. My name is Emily Wilson.

4 Lots has already been said and sung about the
5 traffic, and I'm pretty appalled that you would think
6 about adding this much traffic and gridlock and
7 pollution to an area that's already suffering from it
8 and make it so much harder for people to get around on
9 the bus on foot, even on bikes, in cars, whatever it may
10 be.

11 But even more than that, I'm just appalled
12 that you would consider putting this by a hospital.

13 This is for doctors and nurses to heal their
14 patients. And for them not to be able to get there
15 for -- for families to be able to take their children
16 and not have to worry, there's no way to -- anyway, I
17 just -- I think that's terrible, so...

18 PRESIDENT BREED: Thank you.

19 Next speaker, please.

20 PUBLIC SPEAKER: I am [Inaudible] and I
21 actually wasn't planning to speak, but I was a patient
22 at U.C.S.F., and I had lymphoma, and I was in the
23 hospital for five months with lymphoma.

24 And it was really important that my family and
25 the people who worked with me could get to the hospital.

1 I'm dying for my care. And I love the Warriors. I
2 really do. I'm so excited that they're currently 2-0.

3 It's amazing, but I really think you may have
4 to take more time to look into the [Inaudible], because
5 as everyone said, lives are going to be -- lives are
6 going to be at stake if this goes forward in the current
7 plan.

8 Thank you very much.

9 PRESIDENT BREED: Thank you.

10 Next speaker, please.

11 SUSAN: Thank you. Good afternoon. My name
12 is Susan, and I'm a longtime resident of San Francisco.

13 A spur-of-the-moment decision to come and
14 speak with you today, but I felt that it was important
15 to share my views.

16 I'm a big fan of the Warriors, and we're
17 having a great time right now, obviously, but I don't
18 feel that this stadium -- or, Event Center, as you're
19 calling it -- is really a right fit for San Francisco.

20 We're talking about too much noise, too much
21 traffic, and it's way too close to the children's
22 hospital. The stadium is proposed to be 1,000 feet from
23 the emergency room, which looks like it could create
24 major problems right there. I really feel that it's
25 just the wrong place for the Event Center.

1 And thank you for allowing me to speak.

2 PRESIDENT BREED: Thank you.

3 Next speaker, please.

4 CEDRIC BANTON: Hello. My name is Cedric
5 Banton, retired professor of anesthesia at U.C.S.F.,
6 and I was chief of anesthesia at San Francisco General.

7 My thoughts have been well-expressed by many
8 people, but working at the County, I know immediate
9 access was absolutely essential, and I cannot see how
10 that will happen here.

11 PRESIDENT BREED: Thank you.

12 Next speaker, please.

13 GLORIA JUDD: Hi. My name is Gloria Judd. I
14 live on Page Street in the Haight. I've lived in
15 San Francisco since 1968.

16 I've worked most of my adult life at U.C.S.F.
17 on Parnassus, in the neonatal intensive care, and I
18 retired in 2007.

19 I am here to give a voice to the
20 critically-ill infants who are in the ambulances en
21 route to the U.C.S.F. Mission Bay hospital.

22 Many of these babies are extremely low birth
23 weight, as small as 1 and 2 pounds, and extremely
24 premature, 24 to 25 weeks, frequently, and dependent on
25 ventilators. Some are unstable in the ambulance and

1 require hand ventilation.

2 With these infants, time is everything, and
3 they need to get to the hospital for the emergency care
4 that they so desperately need.

5 So, since there is minimal parking provided
6 for the Warriors Arena, it is suggested that fans use
7 public transportation. I feel that this is
8 discriminating towards senior citizens and disabled
9 persons.

10 The initial proposed site at Pier 30 was
11 dropped because of concerns about local and tourist
12 traffic and blocked views for residents who live on the
13 waterfront, but now it is considered okay to build a
14 sports arena directly across the street from a hospital
15 that takes the sickest of the sick patients and takes
16 the risk of impacting negatively the quality of life of
17 a child. I just don't get it.

18 Homeland Security has made it very clear that
19 sports arenas are the number-one target -- is the time
20 up?

21 PRESIDENT BREED: You have 27 seconds.

22 GLORIA JUDD: Oh.

23 Homeland Security has made it very clear that
24 sports arenas are the number-one target for terrorist
25 events in our country.

1 If there was a major event at the proposed
2 arena, it would be impossible to evacuate the sick
3 infants out of the hospital and out of the area in a
4 timely manner. I do not believe that there is any other
5 sports arena in our country that is located directly
6 across the street from a hospital.

7 PRESIDENT BREED: Thank you.

8 Next speaker, please.

9 RODNEY TALMADGE: Rodney Talmadge from
10 Potrero Hill, Lower Dogpatch.

11 A lot of great people out here today.
12 Mission Bay Alliance, thank you for showing up. The
13 great Charlie Walker is in the house. We would hope
14 Aaron Peskin would be here. Like he fought Washington,
15 the people of Potrero Hill are fighting that project.

16 I'm a resident of Lower Potrero Hill. Let's
17 state the facts.

18 Mission Bay is a very tranquil place at this
19 moment. And as -- I heard on the T.V. the other night
20 Larry Bird speaking about the new arena. I don't think
21 his coming forward is as genuine as maybe -- I don't
22 think he wants that arena there, like we don't want that
23 arena there.

24 Think about it. World Gym owner, Joe
25 Talmadge, don't want the arena. All that traffic coming

1 through. It's tranquil. We got the fresh air. Me, a
2 person who likes to run, how about these people who want
3 to get out, the elderly, or even run on the track around
4 3rd Street? Run. All that pollution. The
5 environmental.

6 So, I appeal to grow responsibly Potrero Hill
7 and save the Hill organization, like we fought the
8 Kaiser project, right, that little corner, which it was
9 just a little project. It was actually big, kind of
10 big. We fought them. We relocated them.

11 The arena should not be built right there at
12 that spot. All the congestion is going to that one
13 strip in that area.

14 We'll call him Honorable Supervisor
15 Mr. Avalos. He likes to ride a bike. That's what we
16 need, more bicycle riding, and we don't need all the
17 congestion in the that area. We don't need the arena.

18 Think about that. Think about it.

19 There's a lot of people who probably didn't
20 show up today, but I would like to speak on their
21 behalf. We do not need that arena in that area there.
22 The Mission Bay Alliance, we should be applauding them
23 today.

24 Think about it. They were -- they're part of
25 the U.C.S.F. Theirs and the other faction, they want

1 this arena, but there's a faction that doesn't want it.

2 Do it for --

3 PRESIDENT BREED: Thank you very much. Thank
4 you. Thank you.

5 Next speaker, please.

6 SUSAN BRANDT-HAWLEY: Good afternoon,
7 President Breed and Members of the Board of Supervisors.

8 I'm Susan Brandt-Hawley. I'm a member of the
9 Mission Bay Alliance legal team, and I'm here to talk
10 for just a few minutes -- or, two minutes exactly --
11 about the C.E.Q.A problems with this project.

12 You've received a lot of information from us
13 and from many, many people about very technical but very
14 real environmental problems with this proposed arena.

15 And because there are significant impacts,
16 because of the proximity to the U.C. Medical Center,
17 because of the fact that the land use in this area was
18 carefully planned and did not include an arena, it's
19 very, very important that the City consider
20 alternatives.

21 And C.E.Q.A. has both procedural and
22 substantive rules. The procedure has been gone
23 through -- publishing an EIR, getting comments, et
24 cetera -- but it's the substance that's the real reason
25 behind C.E.Q.A.

1 The point is to look at environmental impacts,
2 and if a project's impacts will be significant, to see
3 if there's a way to mitigate them.

4 The Alternatives Analysis in the EIR is,
5 therefore, the very most important part -- or, one of
6 the most important parts. And here it's not a minor
7 error; it's a major error that the EIR did not look at
8 any potentially feasible off-site alternatives. Not
9 one. And it's required by law.

10 There were some sites rejected, but they
11 weren't really studied, so that doesn't take care of the
12 problem.

13 And the only site they looked at in the EIR
14 was the Pier 30-32 site that's already been rejected.
15 It is infeasible or the Warriors would have proceeded
16 there.

17 So, to pretend that's it's potentially
18 feasible and satisfies C.E.Q.A.'s requirement to look at
19 alternatives to see, Is there a way to accomplish this
20 arena with less impacts -- without doing that, you're
21 doing a disservice to the Warriors team itself and to
22 the people of San Francisco.

23 You should amend the EIR and look at off-site
24 alternatives -- at least one.

25 PRESIDENT BREED: Thank you.

1 Next speaker, please.

2 MARTIN REED: Good afternoon. My name is
3 Martin Reed, and I drafted the letter to the Commission
4 on Education, and I submitted it about four years ago,
5 with a letter from President Obama.

6 I'm here today because I was also a part of a
7 demonstration 17 years ago, when William Hankston was
8 shot point-blank range in the back of the head by the
9 San Francisco Police Department, and here we are again,
10 another young African-American insensibly killed.

11 I mean, the Mission Bay project is admirable,
12 and I'm sure it's greatly needed, but if we had all
13 these people demonstrating for the injustices that
14 African-American people face every day, we probably
15 wouldn't be here today.

16 And I'm sure that stadium is going to be
17 built, but how many of our people are going to be here
18 to watch it?

19 We don't know, because it seems like we're
20 under attack.

21 And Deputy Gaines -- that's who Lacey T.
22 Edwards' mother is, Deputy Gaines -- she served the City
23 of San Francisco for 20 years with a smile. You would
24 never know that she lost her only child, and nothing.

25 What is it gonna take for people to wake up?

1 Education is at the foundation, the very core
2 of everything that we believe in, but if everyone isn't
3 getting the same high level of education, how are we
4 going to grow and develop as a society?

5 And I'm gonna be here as much as I can,
6 because it's vital now. We're under attack, and nobody
7 is fighting for us, not even our own people. They don't
8 even fight for themselves because they're not educated
9 enough to know.

10 And we can't place blame about this and that.
11 That's not going to do a bit of good. The only thing
12 that's going to help is --

13 PRESIDENT BREED: Thank you, sir. Thank you.
14 Next speaker, please.

15 PHILIP SCHWARTZ: Good afternoon. My name is
16 Philip Schwartz. I'm a Dogpatch resident since 1985,
17 and I'm a homeowner there since 1995.

18 I strongly support reversing the EIR
19 certification for this project. The traffic plan that's
20 being touting by the Warriors and the MTA is woefully
21 insufficient and doesn't even include the area south of
22 Mariposa Street, which encompasses the entire
23 neighborhood of Dogpatch.

24 The neighborhood is already oversubscribed and
25 experiences gridlock. So, adding this additional

1 project is going to have some serious, severe impacts on
2 the neighborhood and beyond. So, I'd ask you to please
3 reverse the certification.

4 Thank you.

5 PRESIDENT BREED: Thank you.

6 Next speaker, please.

7 BOB STEINBERG: Hello, my name is Bob
8 Steinberg, and I am a 27-year resident of Potrero Hill.

9 And I would like to say that I would echo the
10 opinions of the previous speaker with respect to my
11 neighborhood.

12 I looked through the EIR as best as I could,
13 and I could not find anything that deals with mitigating
14 traffic and parking issues in our neighborhood. We have
15 a lot of projects on the Board already, and I really
16 feel our neighborhood is being inundated.

17 But aside from my own personal interests, I
18 have to say that I agree with a lot of the other
19 speakers.

20 The idea of sticking a basketball stadium and
21 two highrise buildings next to the hospital and even the
22 possibility of potentially damaging one patient is more
23 than enough reason, from my perspective, that this
24 project should not be moving forward.

25 Thank you very much for your time.

1 PRESIDENT BREED: Thank you.

2 Next speaker, please.

3 TERRY BAGBY: Good afternoon. My name is
4 Terry Bagby, and I'm an Oakland native. I've been
5 residing in San Francisco for the last eight years.

6 Jane Kim is my district supervisor. I'd like
7 to know where I get her bobble-head action doll, because
8 she seems to nod her head "yes" in support of blind
9 spending, such as this project, this stadium.

10 It's bad enough getting in and out of
11 San Francisco. This area where this proposal is for is
12 gonna create more congestion, noise.

13 And something somebody hasn't touched on yet:
14 That's crime. It's gonna bring a lot of stuff carried
15 outside of a stadium into the community.

16 The Supervisor, along with the Mayor, have yet
17 to address car break-ins in the area. They don't
18 address an outdated San Francisco Fire Department with
19 emergency equipment, money that could be well-spent
20 elsewhere.

21 Projects like the America's Cup, which was a
22 bomb, again, blind spending.

23 Over a billion dollars with the Central Subway
24 project, which is nothing but a disaster with the noise
25 and the traffic, again, not addressed by my Supervisor

1 or the Mayor.

2 So, hopefully, they'll get their facts and
3 figures straight and allow the community to vote on a
4 measure, get our side of the issue here.

5 And with that, I want to thank you.

6 PRESIDENT BREED: Thank you.

7 Next speaker, please.

8 PUBLIC SPEAKER: I'd like to request whether
9 or not I could use my time -- both of us could use --

10 PRESIDENT BREED: Actually, you can't. You
11 have to speak directly, in terms of your time.

12 PUBLIC SPEAKER: Okay, great. Then I have a
13 video to play, so I'll press "pause," and then Athena
14 will come up and follow me.

15 PRESIDENT BREED: Okay. She can have her own
16 two minutes.

17 PUBLIC SPEAKER: Exactly.

18 So, this is a video --

19 PRESIDENT BREED: Please speak directly into
20 the microphone.

21 PUBLIC SPEAKER: So, this is a video with
22 audio.

23 (Video playing.)

24 PUBLIC SPEAKER: There's no audio.

25 PRESIDENT BREED: Is there a problem?

1 Should we move to the next speaker before --
2 okay.

3 Next speaker, please, and we'll come back once
4 we get it fixed.

5 JENNIFER WADE: My name is Jennifer Wade. I
6 live in the Mission, and six years ago, my son was born
7 at U.C.S.F. with a severe congenital heart defect, and
8 he continues to receive treatment at U.C.S.F. today.

9 It is abundantly clear this arena project
10 would create massive traffic jams around the Mission Bay
11 area on a regular basis. This would be a public health
12 disaster for our City's children.

13 U.C.S.F. is the only nationally-ranked
14 children's hospital in the City of San Francisco, and
15 the only children's hospital that treats rare conditions
16 such as my son's.

17 My son's condition carries a 75 percent
18 lifetime risk of stroke. If he were to have a stroke
19 prior to a game at Mission Bay, extra minutes stuck in
20 traffic or the need to be diverted to a different
21 hospital could mean the difference between a full
22 recovery and permanent disability or even death for him.

23 We are just one family with admittedly unusual
24 circumstances, but children, including previously
25 healthy children, show up at U.C.S.F. hospital every

1 single day with life-threatening emergencies where time
2 is of the essence.

3 In addition, as someone who has spent months
4 by my son's bedside in the hospital, I'm concerned about
5 the impact of the arena noise and traffic on long-term
6 hospital patients and their families.

7 Having a critically ill child in the hospital
8 is a singularly horrific experience. Your child is
9 subjected daily to painful procedures, and their sleep
10 is disrupted by vitals checks, monitors and alarms. You
11 have almost no control over your environment.

12 During those rare times when you're able to
13 leave the hospital for a quick shower or nap, there is
14 always the possibility that you will get the call that
15 your child has taken a turn for the worse and you need
16 to come back there immediately.

17 Now, imagine being stuck in arena traffic
18 after you get a call like that.

19 I come from a Penn State family, so I've seen
20 firsthand how the desire to feel like part of a winning
21 team can cause good people to turn a blind eye to
22 certain inconvenient truths.

23 I beg you to please take a step back and think
24 long and hard about what can be gained from this project
25 versus what will be lost.

1 PRESIDENT BREED: Thank you.

2 Next speaker, please.

3 OSHA MESERVE: Good afternoon. My name is
4 Osha Meserve, and I'm a member of the Mission Bay
5 Alliance's legal team.

6 I just want to make a few points regarding the
7 project's greenhouse gas analysis in the EIR, as our
8 leaders are in Paris right now to combat global climate
9 change.

10 The AB 900 leadership application for this
11 project says the project would emit 200,000 tons of
12 carbon dioxide over the next 30 years. That's the
13 equivalent of putting 42,500 cars on the road for an
14 entire year.

15 But this estimate is not complete of all the
16 greenhouse gas emissions from this project. It leaves
17 out the office towers completely and also assumes that
18 Oracle emissions go down by over 76 percent.

19 To help address greenhouse gas emissions, they
20 are going to buy offsets, but there's no standards for
21 these offsets, and they may be uncertified, which could
22 cost as little as \$1 a ton, and then the project would
23 say that it's greenhouse gas neutral.

24 Unlike other projects in the City that have
25 purchased offsets certified by the State or purchased

1 locally that have other co-benefits here in
2 San Francisco, this project has no such requirement.

3 The EIR says, Ignore the faulty analysis in
4 the AB900 application, and look, instead, to the City's
5 Greenhouse Gas Reduction Plan and the project's
6 compliance with that.

7 But according to a Supreme Court case from
8 last week, the project must show the relationship
9 between the project level of reductions and compliance
10 with the City's Greenhouse Gas Reduction Plan.

11 Since there's no quantitative -- quantification,
12 rather, of this project's greenhouse gas emissions in
13 the first place, there is no way that it can show this
14 relationship. Thus, the EIR analysis needs to be redone
15 to meet minimum standards.

16 There needs to be a credible quantification of
17 the greenhouse gas emissions, a showing of the
18 relationship to meeting the greenhouse gas reduction
19 plan here in the City, and then imposition of all
20 feasible mitigation.

21 It's unfortunate that while others work to
22 vigorously address climate change, we're not doing so
23 here in San Francisco.

24 Thank you.

25 SUPERVISOR WIENER: Thank you very much.

1 Next speaker.

2 GERALD CAUTHEN: Good afternoon. My name is
3 Gerald Cauthen.

4 I've been a transportation planner and
5 engineer for about 40 years. I'm very familiar with
6 San Francisco and with the MTA and its practices and
7 policies.

8 I'm representing Save Muni today. We support
9 the rejuvenation and improvement of Muni, and I want to
10 talk about the traffic and parking impacts on that part
11 of San Francisco of the project.

12 You heard a little bit of it earlier today.
13 There's -- I think it's 225 events a year. There's at
14 least 100 of these events that will allow over 12,000
15 people to come to the events. Muni carries about
16 18 percent of the trips to San Francisco. In the
17 average suburban county, it's more like 5 percent on
18 transit, and the rest by car.

19 So, the idea that you can move a couple of bus
20 lines and maybe even shift, someday in the distant
21 future, with billions of dollars, a train line over next
22 to the arena, is going to my mitigate against 12,000
23 people coming in -- or more -- coming in to these events
24 four or five times a week, it's fantasy. It's
25 pathetic. It's not going to happen.

1 The mitigation program that's been put out in
2 that EIR is false. It's not gonna do enough.

3 So, if you're going to bring in a basketball
4 terminal -- or, basketball pavilion, you have to do
5 something real to protect the neighborhood.

6 Thank you.

7 SUPERVISOR WIENER: Thank you very much.

8 PUBLIC SPEAKER: I think we have the video
9 working now. And so, this video was intended for
10 members of the public to really see the facts of this
11 case, or this issue.

12 SUPERVISOR WIENER: SFGov T.V.

13 VIDEO SPEAKER: The Warriors Arena would
14 devastate the landlocked Mission Bay neighborhood. By
15 the City's own estimates, anywhere from -- (Video
16 pauses.)

17 Imagine it's 7:00 on Friday night in
18 San Francisco. You're trying to get a sick loved one to
19 U.C.S.F. Medical Center in Mission Bay, but thousands of
20 cars pack City roads. Backups build from the Bayview to
21 the Bay Bridge.

22 Time is of the essence, but you can't get
23 through the gridlock. Soon, this potentially
24 life-threatening situation may be a reality.

25 A new basketball arena is proposed for Mission

1 Bay, down the street from AT&T Park and adjacent to
2 U.C.S.F. Medical Center, in the heart of the City's
3 fastest growing neighborhoods.

4 Today, Mission Bay is known for its thriving
5 biotech center, a \$4 billion industry that has created
6 21,000 local jobs.

7 In February, U.C.S.F. opened a brand-new
8 four-hospital complex, with a full-service pediatric
9 emergency room. The hospital offers lifesaving services
10 that other nearby hospitals do not.

11 It's a neighborhood on the rise. But maybe
12 not for long.

13 Imagine what a Friday night will be like when
14 commuters pour in and out of the City. 40,000 fans race
15 to a Giants game at AT&T Park, and more than 18,000
16 people descend into Mission Bay for a Warrior's game or
17 a concert.

18 Gridlock from every direction, a "Carmageddon"
19 that will grind traffic in San Francisco to a screeching
20 halt.

21 Less than a mile from AT&T Park, the Warriors
22 Arena would devastate the landlocked Mission Bay
23 neighborhood.

24 By the City's own estimates anywhere from
25 9,000 to 10,000 fans will drive to Warriors games.

1 Where will all the cars go?

2 With only 200 parking spots dedicated to the
3 arena, cars are expected to fill surrounding
4 neighborhoods and frustrate residents and commuters.

5 (Video paused.)

6 SUPERVISOR WIENER: Thank you very much.

7 Thank you.

8 Next speaker.

9 PUBLIC SPEAKER: This is just a continuation
10 of the video.

11 VIDEO SPEAKER: But for the patients of the
12 U.C.S.F. Medical Center, the consequences could be
13 deadly.

14 Located only 1,000 feet from the arena, the
15 U.C.S.F. Children's ER handles about 11,000 emergency
16 room visits per year.

17 Imagine a parent racing a sick child to the
18 hospital or an ambulance driver with a life hanging in
19 the balance.

20 Is even one life worth the risk?

21 We say no. No to risking even one life. No
22 to thousands of more cars on City roads and highways.
23 No to turning surrounding communities into parking lots.

24 Join us in opposing the proposed Warriors
25 Arena. Join us in imagining a brighter future for

1 San Francisco.

2 (Video stopped.)

3 PUBLIC SPEAKER: Thank you.

4 PRESIDENT BREED: Thank you.

5 Next speaker.

6 PUBLIC SPEAKER:

7 ROB FRANCIS: Hello. My name is Rob Francis
8 (phonetic). I live in Mission Bay. I've been there for
9 eight years. I'm an 18-year resident of San Francisco.

10 I think that the Mission Bay Alliance has been
11 mischaracterized in the media as being millionaire and
12 billionaire NIMBYs who don't want this project. I think
13 that's the furthest from the case.

14 As a resident who lives in the neighborhood
15 and who has to commute every day, I don't see how this
16 can happen.

17 The area around the proposed Warriors Arena is
18 one of the most traffic-heavy in the entire City, with
19 cars making their way to the 101, the 280 and the
20 Bay Bridge every day.

21 I have -- I ride on Muni most of the time,
22 but, at times, I drive. And whether I'm on the
23 Embarcadero or taking one of the side streets, I'm
24 already -- I'm stuck in gridlock every day.

25 To add to that something that I've noticed in

1 the last, probably, year, is that I now see ambulances
2 riding on the Muni tracks on the Embarcadero. I think
3 this is just insane.

4 There's no way that you can add even more
5 people or more cars coming in or out of the City. I
6 stand with the Mission Bay Alliance in opposing this
7 project and hope that you will reject it.

8 Thank you.

9 SUPERVISOR WIENER: Thank you very much.

10 Next speaker.

11 LEO SCHWARTZ: I'd like to submit these
12 letters of opposition, for the record, to the Clerk.

13 My name is Leo Schwartz. I'm an organizer
14 with the Mission Bay Alliance.

15 There's been a lot of rhetoric from the
16 Warriors' side that there's been no community support
17 behind the opposition to this arena. I can tell you
18 that cannot be further from the truth.

19 From what you've heard today, from a lot of
20 people who couldn't come out today -- and I spent the
21 past six weeks talking to the people in the community --
22 I can tell you the vast majority of people oppose this
23 project. I think the numbers are beginning to reflect
24 that.

25 With a poll that was sent yesterday out to the

1 media, less than a majority of people oppose -- are in
2 support of this arena. That's down 10 percent from what
3 the Warriors said a few months ago. So, the opposition
4 is growing.

5 I think it's been a very exclusive project,
6 which is why more opposition hasn't come out yet. A lot
7 of U.C.S.F. people feel afraid to come out against this
8 project, because U.C.S.F., without any input, came out
9 against it. So, a lot of the staff has been afraid to
10 come out.

11 And a lot of neighborhood members have felt
12 that they have not been included in this process, which
13 has been rubber-stamped, moved very quickly. There's
14 been no time for anybody to read any of the information.

15 So, I have submitted over 400 letters of
16 opposition we got, organizing on the streets, and over
17 1,800 letters that have been sent to the Supervisors in
18 opposition to the arena.

19 Thank you very much.

20 SUPERVISOR WIENER: Thank you very much.

21 Next speaker.

22 ARMANI JONES: Hi. Good evening, everyone.
23 Name is Armani (phonetic) Jones. I'm from the East Bay.
24 I live in Richmond.

25 I've really been a Warriors' Authentic Fan. I

1 do not agree with the terms of their moving to
2 San Francisco, because I believe that ever since Stephen
3 Curry came and played a big role in the team, I believe
4 everybody has been looking at him as the Golden
5 treasure.

6 And, honestly, me being in Richmond, I can't
7 live in San Francisco. It's not my choice. I just
8 can't -- I can't do it financially.

9 I honestly believe that San Francisco is
10 turning into a playground for the rich to play around
11 and dipper down. So I just believe that the Warriors
12 should not be there, and that it's malarkey, honestly.

13 But as a Warriors fan, I do wish the best for
14 them, but I don't wish this for them at all.

15 And I'm with U.C.S.F., and I don't want them
16 in Mission Bay. I think that they should pick a
17 different alternative landmark to build this project,
18 because I feel like it will hinder the biotech centers
19 and the progression, because that whole area is actually
20 progressing through the medical field.

21 That's all I have to say. Thank you.

22 SUPERVISOR WIENER: Thank you very much.

23 Next speaker.

24 PUBLIC SPEAKER: Good afternoon.

25 First of all, I'd like to say to you, most of

1 you might not know, I'm a disabled American veteran. I
2 fought -- fought -- I was overseas 31 months during the
3 war.

4 To come back to America to find out that black
5 people could not be in the Teamsters Union, to find out
6 that -- I doubt if one of you supervisors here know that
7 there's not one black person that owns a concession in
8 either one of these parks. This is madness.

9 I don't mind if they build a park on every
10 corner, but I think we have a right to be a participant
11 in all of these businesses. And, so far, I would like
12 to see the hands of either one of you Supervisors who
13 know that when they tore Candlestick Park down to add
14 Alice Griffith, they said that black people could
15 participate. It didn't happen. And they tore it down.

16 Y'all don't understand the problems of black
17 people in San Francisco. Y'all think we are a joke.

18 We are not a joke. I fought for this country.
19 I lost an uncle in World War II. And I demand that
20 y'all find out how many of these concessions will be
21 allowed for black people in this City, and, otherwise,
22 don't build that stadium.

23 I mean, what's so hard to understand about
24 that?

25 And we got black supervisors. We got black

1 council people everywhere, but there's something wrong,
2 and we're not it. Because I thought it was my duty to
3 serve this country. To return home and find out merely
4 because I was black, I couldn't work in San Francisco...

5 SUPERVISOR WIENER: Next speaker.

6 KATHLEEN O'KEEFE: Hello. My name is
7 Kathleen O'Keefe, and I've lived at Alabama Street and
8 17th for more than 30 years. So, naturally, I've seen
9 the area go through lots of changes before this
10 proposal -- you know, the IT influx and the
11 subsequential parking difficulties.

12 And one of the earlier speakers brought up --
13 and I thought it was a really good point -- was the
14 police and fire department really are overloaded with
15 the amount of service that they're able to provide. And
16 I know this firsthand.

17 But -- so, I'm mostly opposed to the new arena
18 because of the traffic. I drive as little as possible.
19 But I -- I'm not horribly disabled, but I need to drive
20 to pick up things sometimes. And -- but it's dangerous,
21 and it's hard, you know.

22 And that's all. I'm opposed.

23 Thank you.

24 SUPERVISOR WIENER: Thank you very much.

25 Next speaker.

1 ALLYNN McINERNEY: Hello, my name is
2 Allyn McInerney. I'm speaking on behalf of parents of
3 a child at U.C.S.F.

4 My son, Benjamin, was born May 20th, 2015, at
5 our home in Forestville, California.

6 Our goal was one of a minimalistic nature.
7 Have the baby at home with our midwives and family
8 around, take care of the baby at home, nurture and raise
9 him with community and family spirit.

10 Things changed for us almost immediately after
11 he was born. He had several defects associated with the
12 medical acronym, VACTERL. The most serious defect was
13 Tetralogy of Fallot, a congenital heart disease.

14 He had five issues with his little heart that
15 just recently, November 24th, to be exact, was
16 successfully repaired from an open heart surgery at
17 Benioff Children's Hospital.

18 Less than 24 hours after his birth, we were in
19 an emergency situation. A lifesaving surgery was
20 required and, ultimately, we made a dash to U.C.S.F.
21 Mission Bay.

22 I love Bay Area sports, but I love my baby
23 more. I love that the Warriors are making history as we
24 speak. I love that the players are inspiring the youth
25 in a professional manner that should be associated with

1 pro ball players and role models. The Bay Area deserves
2 this team.

3 I can imagine many scary scenarios associated
4 with having a pro sports arena residing next to any type
5 of emergency facility.

6 The other fact of the matter is that this
7 venue will most likely be used for other things as well
8 during the off season or while the team is traveling on
9 the road. If one person was to lose their life because
10 a large crowd was gathering or disbursing from an event
11 in the newly proposed arena, it would be shameful.

12 We are fortunate enough to be living in a time
13 where we can save lives like never before. We have
14 awesome medical technology. The doctors and surgeons
15 are taking huge strides in almost every medical field.
16 We are living in a great time.

17 We also have the capability to build great
18 structures. The new home of the Warriors cannot
19 interfere with the youngest warriors at the U.C.S.F.
20 Mission Bay. Some of them are battling for their lives.
21 This alone should be enough of a reason.

22 The Bay Area is quite large. Please find a
23 better home for the Golden State Warriors.

24 SUPERVISOR WIENER: Thank you very much.

25 Next speaker.

1 IGGY VANS: Hello. My name is Iggy Vans. My
2 wife and I own a house and a business in the Mission.

3 Our six-year-old son was born at U.C.S.F. with
4 a severe congenital heart defect and has had two open
5 heart surgeries and numerous other procedures there, and
6 they took great care of us.

7 We love that hospital, and we love
8 San Francisco. We have invested our lives in this City,
9 but we strongly oppose the proposal to build a new
10 Warriors stadium across the street from the U.C.S.F.
11 children's hospital.

12 Our first concern is that if our son has a
13 medical emergency, it's the only hospital we can go to
14 in the City that can treat his condition.

15 The traffic in the area is already bad enough,
16 especially when there's a Giants game. We are certain
17 that arena traffic could prevent us from getting our son
18 to the hospital in time to receive the care he needs in
19 a medical emergency.

20 Second, we are worried about the impact this
21 arena will have on patients and families in the
22 hospital.

23 When our son was a born and had his first open
24 heart surgery at five days old, he was in the hospital
25 for more than a month. Many families are there even

1 longer.

2 Having a critically ill child in the hospital
3 is already an incredibly stressful experience. Asking
4 families to deal with the noise and traffic from an
5 arena, on top of everything else they're going through
6 is adding insult to injury.

7 U.C.S.F. leadership has been bullied into
8 going along with this plan. In doing so, they have let
9 us down.

10 I hope the Board of Supervisors will be brave
11 enough to stand up to our families and our is City
12 against the big-money interests trying to build this
13 arena. Money and entertainment should not prevail at
14 the cost of public safety and quality of life.

15 SUPERVISOR WIENER: Thank you.

16 JOHN HAVEMAN: Good afternoon, Madam President
17 and Supervisors.

18 My name is John Haveman, and I am a principal
19 at Marin Economic Consulting. I've written a report
20 called "Warriors Stadium Economics, Uncertainty and
21 Alternatives."

22 I would like to speak a little bit today about
23 the subsidization of Warriors activities, and I have a
24 document that supports my comments today that I would
25 like to submit.

1 First, I would like to speak to the \$8-plus
2 million and annually that the City will be spending on
3 transit, police services and DPW in their service and
4 support of arena events. These expenditures represent a
5 subsidy.

6 The counterargument that, Well, those
7 expenditures can be covered by the revenues received
8 from the Warriors each year, that's not a compelling
9 argument, and I elect to use a quote by Supervisor Jane
10 Kim to back me up.

11 The quote reads:

12 "Our taxpayers expect that we use those
13 funds to pay for affordable housing, to pay
14 for homeless services, to pay for mental
15 health services, to pay for Muni, not for an
16 event that is primarily marketing and
17 promoting a corporate institution."

18 This is in regards to the taxpayers footing a
19 bill for San Francisco's Super Bowl 50 celebration. So,
20 those expenditures, despite the fact that they're
21 covered by expenditures, represent a subsidy.

22 In the bottom line of my report, looking at an
23 alternative for the land, reveals that in an average
24 year, the City will be going -- foregoing revenues
25 between 3.6 and \$7.4 million a year.

1 Over a 20-year period, that's 80 to \$163
2 million that the City will be foregoing by pursuing the
3 Warriors Arena instead of, perhaps, a biotech
4 alternative.

5 Indeed, the inclusion of off-site impacts, in
6 particular, the hotel and tax -- hotel transient
7 occupancy tax revenues, in estimating revenues
8 associated with the arena, is improper in this regard.

9 It's been argued that I've included them in
10 other reports I've done, in fact, for the City, but
11 including these off-site impacts is very case-sensitive
12 and not appropriate in this --

13 SUPERVISOR CAMPOS: Thank you. Thank you.

14 Next speaker, please.

15 ERIK RINGELBERG: Madam President,
16 Supervisors, my name is Erik Ringelberg (phonetic). I'm
17 a consultant for Mission Bay Alliance.

18 I've spent the last 22 years working on
19 hazardous waste, wildlife and endangered species, and
20 unfortunately, I'm here to talk with you about two of
21 those of items and where this project affects both of
22 them.

23 The project relies on the 1988 Risk Analysis.
24 We believe that document to be outdated.

25 We prepared an alternate Risk Analysis using

1 2015 standards from U.S. EPA and from the State of
2 California, and identified that 19 hazardous chemicals
3 were above the screening levels at the site.

4 What that means is that the workers and the
5 community, as the materials are being dug out for the
6 foundation of this project, will be exposed to 19
7 different hazardous chemicals, which the project does
8 not identify.

9 We believe that the Risk Analysis provided in
10 the EIR is outdated and not protective of human health
11 and the environment.

12 Today, we discovered that six of these
13 hazardous chemicals were found in the storm drains at
14 Terry Francois Boulevard. We provided that information
15 for the record.

16 We believe that the current mitigation, the
17 best management practices at the site are not being
18 applied or maintained, and we have brought this to the
19 attention of both the City and the Regional Water
20 Quality Control Board, and identified the ability to
21 consistently meet the mitigation measures both for
22 C.E.Q.A. and for water.

23 Finally, in regards to the ecological
24 conditions, the Applicants' own environmental consultant
25 identified that there was a half-acre wetland at the

1 site, and then they did a very good job of trying to
2 bury that in the documentation.

3 We went out and we observed from the fence
4 line that there was a half-acre wetland out there, and
5 we think that the project needs to get either an Army
6 Corps of Engineers permit or any analysis demonstrating
7 that it is not, in fact, a federal wetland.

8 Thank you very much.

9 SUPERVISOR CAMPOS: Thank you.

10 Next speaker, please.

11 PATRICK SOLARI: My name is Patrick Solari,
12 and I'm going to argue on behalf of Mission Bay Alliance
13 regarding the City's flawed approach to mitigating
14 transportation impacts, more specifically, the City's
15 strategy of mischaracterizing the Transportation
16 Management Plan and Transit Service Plan as components
17 of the project, rather than properly treat them as
18 mitigation measures.

19 Now, this could seem an academic or
20 hypothetical exercise, but it has real-world
21 implications, particularly here, because a lot of lead
22 agencies follow this strategy in order to avoid the
23 specificity and enforceability that C.E.Q.A. imposes upon
24 mitigation measures.

25 At its most basic level, C.E.Q.A. requires

1 analysis of potentially significant impacts, and then a
2 separate analysis of all feasible mitigation measures to
3 address those impacts.

4 Here, the Transportation Management Plan is
5 simply -- which was prepared, apparently, in
6 consultation with the City well before the EIR was
7 prepared -- is simply unenforceable.

8 And how do we know this?

9 It's found on page 100 of the document itself,
10 where it states that:

11 "The project's failure to comply with
12 specified performance standards means that
13 the Warriors will explore additional travel
14 demand strategies."

15 That's it. That's all that the Warriors are
16 required to do if this massive document fails to
17 mitigate traffic.

18 Now, the fundamental deficiency of this
19 strategy, I think, is addressed by asking the following
20 question: Did the EIR ever propose simply requiring the
21 Warriors to pay for these six new lightrail trains that
22 are unquestionably required to mitigate transportation
23 impacts?

24 The answer is, no, and yet any other
25 development of this size and scale would have been --

1 would have included that analysis.

2 And with that, thank you for your
3 consideration.

4 SUPERVISOR CAMPOS: Thank you.

5 Next speaker, please.

6 DELPHINE PERRET: Hello. My name is
7 Delphine Perret, and I've been a resident of
8 San Francisco for 35 years.

9 I followed, as carefully as a possible, the
10 development alongside the Bay, and I highly respect what
11 has been done by U.C.S.F. It's an example of a good
12 project, well-built, very important for the community.

13 And I think it's criminal to do anything that
14 could prevent this hospital to function properly, as it
15 should.

16 And I also think that the consideration of the
17 pollution at this time and age -- the pollution and
18 noise and light and the quality of air has to be really
19 steadfastly -- carefully studied, and would be quite
20 problematic here.

21 SUPERVISOR CAMPOS: Thank you.

22 Next speaker.

23 PUBLIC SPEAKER: I'm here for one purpose
24 only. To get recognized. But let it go at that.

25 But, really, when it comes right down to it,

1 Polk Street here -- emergency vehicles coming down Polk
2 Street should be one way, and the emergency vehicles
3 should have the ability to be with the bicycle lane.

4 Two -- bicycle lanes and emergency vehicles should be
5 able to share. It's an idea of mine. But maybe there
6 is a plan in place for looking to everybody in this.

7 You know, when they talk about toxicity and
8 everything, and under a hospital and next to a hospital,
9 maybe there's some concern there.

10 And we should understand that maybe a monorail
11 system might be better adapted to us in the City and not
12 destroy the infrastructure with these tunnels and
13 everything.

14 Like, in Brazil, they don't have any problems
15 anymore with their transportation because they went with
16 Monorail. I mean, we could have a monorail out Geary,
17 and we could have a real nice City, and we could see it,
18 not be stuck under the ground somewhere.

19 And I really appreciate the Supervisors here.
20 I'm here because of Ross and the loss of Ross, and many
21 other reasons. Today is the day that John Lennon died,
22 and gun violence and other things.

23 But this is a hospital, and we have to provide
24 them with adequate emergency access. In other words, a
25 bicycle lane and an emergency lane.

1 Maybe like Polk Street, the whole thing could
2 be provided, because they always come down, you know,
3 against traffic. And there could be a bicycle lane
4 there on Polk Street and one-way traffic on Polk Street
5 coming this way, and it would be a lot better, I think,
6 that we recognize all of us.

7 PRESIDENT BREED: Thank you very much.

8 Next speaker, please.

9 ANGELIQUE TOMPKINS: My name is Angelique
10 Tompkins. I'm a Bayview Hunters Point resident, and I
11 serve in several capacities through service
12 organizations and board engagements, supporting
13 Bayview Hunters Point in the areas of health and
14 wellness, education, youth mentoring, economic
15 development, and the environment.

16 My comments today are based on experiences
17 with the Golden State Warriors in their capacity as
18 community stewards, having demonstrated interest and
19 support for local Bayview Hunters Point community
20 sustainability and revitalization initiatives.

21 When approached to support STEM -- Science,
22 Technology, Engineering, and Mathematics -- educational
23 outreach and programming at the EcoCenter at Heron's
24 Head, the newest acquisition to the Bay.org portfolio of
25 conservation and environmental programming in

1 Bayview Hunters Point, the Warriors answered our call
2 and set about helping us to exhibit and showcase a
3 response of highly relevant interests of our community
4 related to environmental justice, urban sustainability,
5 and community revitalization.

6 As the EcoCenter represents San Francisco's
7 best example and model for green building sustainable
8 resource use and experiential learning, the Warriors
9 organization understand that their engagement with
10 neighboring communities is a requirement and an
11 expectation for being good community stewards to the
12 diverse array of youth and adults.

13 They recognize their privilege and obligation
14 to the community and support for pivotal community
15 programs. They have adopted best practices aligned
16 with our community tenets to protect the environment.

17 It is clearly important with the Warriors'
18 breadth of resources that they remain in San Francisco
19 to visibly demonstrate their community consciousness and
20 how we can better use the environment's resources in
21 order to foster ecosystems and healthy economies in our
22 local communities.

23 PRESIDENT BREED: Thank you.

24 Before I move to the next speaker, I just want
25 to remind members of the public, this is an opportunity

1 for those who oppose the project and who support the
2 Appellant. There will be an opportunity for those who
3 oppose the Appellant and support the project to speak at
4 a later time in this hearing.

5 Next speaker, please.

6 CHARLIE WALKER: Hi. My name is Chrisdon
7 (phonetic) Walker, and I'm here to speak on behalf of
8 Kylie Miriam (phonetic) from Modesto, California.

9 (As read) "Have you ever had a sick
10 child? If not a child, how about anyone
11 that you've had to care for?

12 "From a mild cold, upwards to open heart
13 surgery or radiation treatment is taxing to
14 the caregiver, as much as the one who was
15 ill.

16 "I once went four days with no sleep
17 while my five-year-old was on ECMO. For
18 those of who don't know, that means a
19 machine was performing his essential
20 functions. Wires forced his heart to beat,
21 a ventilator forced his lungs to breathe,
22 and a machine was taking blood from his
23 heart, oxygenating it and warming it, and
24 putting it back into his heart. It's a
25 nightmare for any parent.

1 "In the moments where I felt like
2 screaming at his doctors, asking why they
3 couldn't fix him, I would take a walk in the
4 garden, take in the fresh air, and spend a
5 few minutes in solitude.

6 "No beeping, no machines, no hushed
7 conversations about the poor prognosis, and
8 no hospital stench.

9 "But if you allow the arena to be built,
10 that will be lost for all the other parents
11 and caregivers who need it.

12 "When they seek quiet moments, they will
13 hear fans stomping, booing, and cheering.
14 Please do not deprive them of that when they
15 are feeling deprived of so much else."

16 Thank you.

17 PRESIDENT BREED: Thank you very much.

18 Are there any other members of the public who
19 would like to provide comment in support of the
20 Appellant at this time?

21 (No response)

22 PRESIDENT BREED: Seeing none, public comment
23 is closed, and we will move on with this hearing.

24 And we will have up to 10 minutes for
25 representatives of the Successor Agency to the former

1 Redevelopment Agency and/or Planning Department to
2 present their analysis for certifying the EIR.

3
4 PRESENTATION BY SUCCESSOR AGENCY

5
6 OCII EXECUTIVE DIRECTOR BOHEE: Good
7 afternoon, President Breed, Board Members. Tiffany
8 Bohee, Executive Director of the Office of Community
9 Development and Infrastructure, or the Successor Agency.

10 As you know, the proposed Golden State
11 Warriors Event Center and Mixed-Use Project is located
12 in the Mission Bay South redevelopment project area.
13 OCII is the lead agency under C.E.Q.A. for administering
14 environmental reviews of Mission Bay projects, and our
15 staff, with the assistance of the Planning Department,
16 procured through an MOU in 2014, has conducted an
17 in-depth and thorough analysis of the potential physical
18 environmental effects of the proposed project,
19 consistent with C.E.Q.A.

20 OCII believes the Final SEIR provides and
21 adequate, accurate, and objective analysis of the
22 potential environmental impacts of the project, is
23 sufficient as an informational document, is correct in
24 its conclusions, and that the OCII Commission's
25 certification findings are correct.

1 Chris Kern, from the Planning Department, will
2 now present additional information on behalf of OCII.

3 SENIOR ENVIRONMENTAL PLANNER KERN: Good
4 afternoon, President Breed and Supervisors. Chris Kern
5 with the Planning Department. I'm assisting OCII in the
6 environmental review for the proposed project.

7 Before I address the specific issues raised by
8 the Appellant, I'd like to briefly clarify the context
9 for this proceeding today.

10 First, the purpose of C.E.Q.A. is to provide
11 for informed decision-making about how a project or
12 action, if taken, could affect the environment.

13 The standard for C.E.Q.A. is not perfection,
14 rather, it is a good-faith effort to provide for a
15 complete, accurate, and adequate, under the law,
16 analysis of potential environmental effects.

17 In this case, OCII acting as lead agency,
18 exercising its independent judgment, has certified an
19 EIR based on the determination that the subsequent EIR
20 meets that standard of review.

21 To overturn OCII's determination today on this
22 appeal, the Appellant would need to demonstrate to your
23 satisfaction that OCII certification of the subsequent
24 Environmental Impact Report is not supported by
25 substantial evidence in the record.

1 Disagreements between the experts and the
2 attorneys for the Appellants about certain conclusions
3 or methodologies used in the EIR, objections to certain
4 aspects about the project, concerns about the project's
5 environmental effects and critiques of the methodologies
6 used in the EIR are not valid grounds for overturning
7 OCII's determination that the EIR meets the requirements
8 of C.E.Q.A.

9 Staff and our C.E.Q.A. consultants have
10 reviewed the materials submitted by the Appellants'
11 attorneys and experts, both in their appeal, in their
12 subsequent briefings to the appeal, which were
13 voluminous, as you are aware, as well as the materials
14 that the Appellants have submitted into the record just
15 over the last few hours.

16 All of the issues raised in these documents
17 are fully responded to in writing in the documents
18 previously provided to you by OCII, both in the SEIR,
19 the response to comments documents, and the appeal
20 response and our subsequent briefs in response to their
21 subsequent briefs.

22 And then, lastly, I'd like to just touch
23 briefly on some of the key issues that were raised in
24 testimony today.

25 Department staff and our consultants are

1 available to delve deeper into any of these topics,
2 because there were many covered in the Appellants'
3 briefs.

4 And, first, also, just for setting the
5 context, both for your benefit and for that of members
6 of the public, again, the function of the EIR is to
7 disclose the potential environmental effects of the
8 project and the -- clearly, one of the key issues of a
9 project of this nature is its impacts on transportation
10 and traffic.

11 The EIR doesn't skirt those issues. It
12 includes an in-depth and thorough analysis based on the
13 methodologies that the City employs for its
14 environmental review of projects throughout the City,
15 and the expertise and the professional judgment of both
16 Planning Department staff, MTA staff, and our expert
17 C.E.Q.A. consultants.

18 The conclusions reached in the EIR about the
19 traffic and transportation impacts of the project is
20 that there would be significant effects.

21 Feasible mitigation measures are identified,
22 and a great deal of work has gone into evaluating how
23 best to mitigate the traffic and transit impacts of the
24 project.

25 I would also note that a lot of comparisons

1 are down to the transportation system impacts of the
2 Giants stadium in comparison with this project, and it's
3 important to note that the EIR certainly considered the
4 impacts of overlapping events, Giants events at the
5 stadium and events at the proposed Event Center.

6 It's also important to note that the proposed
7 Event Center is less than half the size -- half the
8 capacity of the Giants stadium.

9 So, while that assessment of overlapping
10 impacts is critically important and was thoroughly
11 addressed in the document, I think it's important
12 context to know that this is a much smaller center, or
13 venue, than the Giants stadium.

14 And now let me get into just a few of the
15 specifics. First, a lot has been said by the project
16 opponents about the analysis locations used in the EIR.
17 So, the Transportation Analysis appropriately included
18 intersections and freeway ramps in the project vicinity
19 and along approaches and departure routes most likely to
20 be affected by project-generated vehicle trips.

21 The analysis locations were chosen because
22 they represent the primary gateways that define access
23 for the southern portion of Mission Bay, 3rd, 4th, 7th,
24 16th, and Mariposa Streets.

25 Beyond these gateways, traffic is broadly

1 dispersed throughout the SOMA street grid, which
2 provides multiple routes for travel to any given
3 destination.

4 Beyond the Mission Bay gateways, traffic
5 analysis was focused on key locations that align with
6 direct-access routes to and from these gateways.

7 The Response to Comments document included
8 additional traffic analysis of the intersection of 8th
9 and Brannan and South of Market. This intersection was
10 selected primarily because its location is in close
11 proximity to the two I-80 ramps, and it is along the
12 access route to Mission Bay from South of Market and
13 Mid-Market Areas via 8th Street.

14 The results of this intersection level of
15 service conducted for the weekday P.M. evening and
16 late-evening conditions with and without an overlapping
17 SF Giants evening game did not identify any
18 project-specific impacts at that particular
19 intersection.

20 Other SOMA intersections to the east and to
21 the north suggested by the Appellants would be even more
22 remote to the project site and would experience lower,
23 more dispersed project-related traffic volumes.

24 Likewise, since the publication of the Draft
25 SEIR and as reported in the Response to Comments

1 document, nine intersections south of Mariposa affecting
2 the Dogpatch and Potrero Hill neighborhoods were
3 evaluated and the impact analysis -- the related impact
4 analysis is reported in the EIR statements that impacts
5 on those neighborhoods were not addressed if the EIR
6 mistaken.

7 Now, primary to the issues for this project
8 are its impacts on the U.C.S.F. hospital and emergency
9 vehicle access to the hospital. A great deal of work,
10 again, was done by the team to evaluate those effects
11 and to devise appropriate mitigation measures.

12 The proposed project's impacts on emergency
13 vehicle access, including emergency vehicle access by
14 the police department, fire department, and ambulances
15 to the Medical Center were conducted and are disclosed
16 in the SEIR, and access to the U.C.S.F. Medical Center
17 is a focus of the impact discussion.

18 Implementation of the Transportation
19 Management Plan, stationing of the PCO's, parking
20 control officers, before and after the event and planned
21 transit-only lanes on 16th Street would facilitate
22 emergency vehicle access in the project vicinity.

23 The City, the Project Sponsor, and U.C.S.F.
24 have developed a local Hospital Access Plan which was
25 incorporated into the project secretary TMP to ensure

1 that inbound access to the Mission Bay area by
2 residents, employees and U.C.S.F. staff, during the
3 weekday 6:00 to 7:00 p.m. evening peak, when the maximum
4 inbound project demand is expected to occur, which
5 consists -- which overrides with U.C.S.F. staff shift is
6 not substantially affected as a result of event-related
7 traffic.

8 I'm running out of time, so if you have
9 questions about that, SFMTA staff can provide much more
10 detail about the local hospital access plan.

11 Likewise, staff is prepared to respond to
12 questions you may have about the testimony provided
13 about the greenhouse gas analysis.

14 I can assure you that the Greenhouse Gas
15 Analysis is consistent with both the standard
16 methodologies that the City uses and that have been
17 supported by the Bay Area Air Quality Management
18 District, but we've also looked at the recent
19 Supreme Court case mentioned by counsel for the
20 Appellants and have determined that our methodologies
21 are consistent with the Court's advice from that recent
22 case.

23 Thank you. And staff is available to respond
24 to questions.

25 PRESIDENT BREED: Thank you.

1 Supervisor Kim.

2 SUPERVISOR KIM: Thank you. I did have a
3 question -- a couple of questions for staff, regarding
4 traffic and mitigation plans.

5 I think it's certainly been the biggest
6 question and point of discussion in our neighborhood.
7 While most people are excited about the arena and, of
8 course, are very supportive of our undefeated Warriors
9 team, you know, the biggest question has always been,
10 how can we, as a City, handle the influx of people that
11 are going to come for our events and our concerts.

12 So, I believe question this was a question for
13 SFMTA, if you can walk us through a little bit in terms
14 of how you've assessed the mitigation, and then kind of
15 the plan moving forward on how we can work on this.

16 And then, if you can also touch on how the
17 arena is working to reduce vehicular traffic to the
18 game, I think that would be great.

19 And then, finally -- this came up a lot in
20 public comment -- is how you're working with U.C.S.F. to
21 ensure, you know, very importantly, that our residents
22 and U.C.S.F. patients are going to be able to receive
23 the critical care that they may need in times of
24 emergency.

25 URBAN PLANNING MANAGER ALBERT: Thank you.

1 Peter Albert from MTA.

2 And, Supervisor, if I've left out one of the
3 three points in your question, feel free to prompt me.
4 I'll start with the overall transportation strategy,
5 because I think that's the right approach.

6 First of all, so much work has been done, even
7 before we required the Environmental Review to help us
8 identify the mitigation measures in what we call the
9 "Transportation Management Plan."

10 In my extensive experience working on big
11 projects in the City, to have that much work done
12 upfront, to solve the problems before they're even
13 identified as potential mitigation measures gives us a
14 huge leg up, because we actually built this into the
15 very D.N.A. of the project.

16 We still used the Environmental Review to make
17 sure we're looking at the potential impacts, but the
18 jump-start here has been on some of the big issues that
19 we really care about.

20 Do we overflow the capacity of Muni because
21 we're not buying enough extra streetcars to handle the
22 crowds?

23 Are we thinking about the nimbleness of the
24 lightrail system, to make sure that when there's an
25 event, people can still get to and from the Bayview

1 without being blocked by streetcars?

2 The very platform itself, is it big enough to
3 handle what happens with the hospital and the Warriors
4 Arena at the same time?

5 Luckily, the answer is yes, yes, yes, all
6 three of those, because we were able to inform the very
7 capital investments that needed to be made to help this
8 project work better.

9 We even thought about things that most people
10 would never think about, like, What happens when there's
11 a Giants game and a Warriors game and two banks of
12 electric-operated, lightrail vehicles are waiting to
13 queue up?

14 Does that overtax our electrical supply
15 system?

16 We figured in case it does -- and we got
17 pretty close to that limit -- we built into the capital
18 investments of this project the extra power capacity, a
19 substation that we would love to use even if there
20 wasn't a Warriors Arena.

21 So I'm opening starting with, we have thought
22 about that, plus the traffic mitigation measures, the
23 implementation of parking control officers, learning
24 very much from what we wish we had done more with the
25 Giants ballpark.

1 The bicycle networks, there's gaps in those
2 networks that this project helps close. So, the cycle
3 track along Terry Francois Boulevard, is part of this
4 network and part of this project shape.

5 So, then, we get into the mitigation measures
6 and say, above and beyond that, looking at all of the
7 intersections identified, those along south of Mariposa,
8 South of Market, those in the vicinity of Mission Bay,
9 where are the problems and what do we do to mitigate
10 those?

11 So, you can see the transportation mitigation
12 measures take this strong base and build into those
13 strategies.

14 What I would like to talk about now is, How do
15 we make sure that people who need to get to the hospital
16 when there's an event, or dual events, make sure that
17 their access is prioritized, that we're not compromising
18 public safety?

19 We hit that on so many levels. So, let's say
20 we started with the extra transit and the traffic
21 mitigation measures that we did as part of the project,
22 and then what we analyzed in the Environmental Review.
23 What we found is we still need to do more.

24 So, if I can switch to the overhead, I think I
25 want to show you what we call the "Local Hospital Access

1 Plan" and some of the basics of how that will function
2 for accommodating the transportation needs of this area.

3 It's kind of a dense graphic, so let me walk
4 you through what you see.

5 You see, first of all -- the basic streets in
6 faint red are those that we analyzed, because we know
7 the arterials are going to be doing the heavy lifting.
8 Those are also the streets that a lot of people will be
9 taking to go to the parking facilities that serve the
10 arena.

11 It's important to point out --

12 PRESIDENT BREED: Excuse me just a minute.

13 Do you have any copies of that? because my
14 overhead is not working. I can't see it.

15 URBAN PLANNING MANAGER ALBERT: I'm sure we
16 can furnish that.

17 PRESIDENT BREED: It's actually also important
18 for the public to see too, so I just want to make sure
19 we're able to follow along.

20 URBAN PLANNING MANAGER ALBERT: I'm sure we
21 can furnish that.

22 PRESIDENT BREED: Thank you.

23 SUPERVISOR KIM: Perhaps you can E-mail this
24 to the Board, so we can pull this up on our computers.

25 URBAN PLANNING MANAGER ALBERT: So --

1 PRESIDENT BREED: It's actually also important
2 for the public to see it too.

3 URBAN PLANNING MANAGER ALBERT: Thank you.

4 I don't want to use the graphic while it's
5 being copied, because then that means no one is looking
6 at it.

7 So, here's, like, a really important part of
8 our analysis that I was going to get to that doesn't
9 require a monitor: It's making sure we're using a
10 state-of-the-art transportation strategy when you get a
11 hospital near an event center.

12 We thought that this might not be the first
13 time that ever happened. We did a good study.

14 We found 12 American cities that had major
15 hospitals within a half-mile -- much closer, typically,
16 than what we see here.

17 Some of the cities that we looked at were
18 Los Angeles, Boston, Chicago, Minneapolis, Pittsburgh,
19 Seattle, Miami.

20 In Los Angeles, it's not just one
21 entertainment center. There's three major ones --
22 Staples -- there's the sports venues. There's two large
23 entertainment venues all within a block of the only 24/7
24 trauma center in all of the City of Los Angeles.

25 We look at Pittsburgh, where they have two

1 hospitals right next to both -- if you know Pittsburgh,
2 they've got a baseball stadium right next to the
3 football stadium.

4 We looked at New Orleans, where they have two
5 hospitals, two health centers right near Super Bowl
6 Drive.

7 We looked at Minneapolis, which is kind of
8 amazing, because Minneapolis is building a new stadium
9 directly kiddy-corner [sic] from a major hospital.

10 What we found is that none of those have
11 anything like a Local Hospital Access Plan. So, we got
12 to kind of invent how this should be done.

13 Am I good now with the graphic? Good.

14 So, let's go back to this one.

15 What we did was, we looked at the street
16 networks that are needed to get people to and from the
17 Warriors Arena.

18 Again, I want to emphasize that the parking
19 provision at Warriors is not an accidental feature.
20 It's defined to minimize the amount of traffic that's
21 coming right to the heart of this area.

22 So, we use intercept parking. We use the
23 facilities that are around there, Mission Bay
24 facilities.

25 We have two other parking facilities that are

1 going to be part of this agreement. But, still, people
2 are going to try to come close to the center of the
3 arena. We know that.

4 We also want to make sure people who arrive
5 into critical medical shifts about the same time an
6 event might be happening at the arena can use the
7 streets to bring them to the front door of U.C.S.F.

8 So, this graphic shows the streets in close
9 partnership to U.C.S.F. that they agreed would help make
10 sure nurses could get to and from where -- from the
11 outer area to the hospital.

12 We identify those streets in the blue network.
13 They include 4th. They include Nelson Rising. They
14 include portion of Owen, right off -- right by Mariposa.

15 We also identified streets working closely
16 with Dogpatch, Potrero Hill, and South Beach in Mission
17 Bay, where they would like to make sure -- they just
18 want to get north and south and don't want to get caught
19 up in this -- is there an alternative that's useful to
20 them that doesn't compromise access to the Warriors
21 Arena.

22 And Owens ends up being that kind of street.
23 It works well for north-south access, but it isn't a
24 street that helps people coming around to get to the
25 front door.

1 Now, coloring streets on a map is one thing.
2 Making sure we staff every time there's a certain
3 event -- and we have a variety of events that we're
4 accommodating here -- we staff those intersections to
5 help people safely get to where they need to go, while
6 directing patrons to the parking facilities -- has been
7 a huge success.

8 Supervisor, you know in your neighborhood how
9 much success we had with the pilots on the PCO's
10 partnering with the police. Great model. That taught
11 us a lot.

12 So, what we have here are multicolored stars
13 because there's layers of when we need them. Most stars
14 in the most extensive situation where there's a Giants
15 game and the Warriors at the same time, but we know that
16 not every event is a big number, so we want to be smart,
17 fiscally prudent, and make sure we're not extending our
18 budget every day as if it's a 19,500-foot event.

19 The beauty of this is that we put the stars
20 where the analysis showed there might be problems. What
21 we have, though, is flexibility and revenue. That makes
22 the difference.

23 If the revenue is coming in -- and my
24 colleagues can talk about it -- define how we support
25 the transportation plans we need, and we work closely

1 with cost estimates of the PCO, of the transit service,
2 of maintenance, and we have that red star right there by
3 the Warriors Arena that's a Transportation Management
4 Center, we can deploy these PCO's where they need to be.

5 We got a lot of good input from folks in
6 Dogpatch and Potrero Hill about how they would like to
7 see extra PCO help south of Mariposa.

8 And you see some stars doubling up, because we
9 have a Giants PCO and a Warriors PCO. We have the
10 ability to make sure that we can put more of them down
11 there if that's where attention is needed.

12 And then, finally, that cost of all of those
13 stars on that map, of all of those human beings that are
14 intelligently unblocking the box and managing traffic,
15 is not the complete cost that we would be able to recoup
16 through the revenue.

17 So, later in this conversation you're going to
18 be able to talk more about this lockbox model, which
19 helps make sure that the revenues coming in go to
20 exactly these kinds of transportation strategies.

21 Now, one of the things I didn't cover, which
22 was probably like the starting point -- but I did it the
23 way I did it because I think we want to get to the nuts
24 and bolts -- is the broader functionality of this part
25 of town.

1 We heard some criticism about the transit-only
2 lanes on 16th Street corner that serves the 22 Fillmore.
3 It's actually going to make the 22 more reliable, higher
4 capacity and more frequent.

5 So, for transit-only events, this is like the
6 dream come true. The T 3rd also has transit-only
7 right-of-ways. These are already used by emergency
8 vehicles. There's a public health center right there on
9 3rd Street that allows fire engines and ambulances to
10 get to and out. The two red streets that you see on
11 this map, 16th and 3rd, intersected exactly the
12 intersections where's there's the Warriors Arena and the
13 hospital.

14 Now, those stars are humans that are trained
15 to help emergency cases get onto those emergency
16 right-of-ways if they need to. You don't just need a
17 flashing light of an ambulance to help someone who has
18 an emergency situation get by-passed, waved by the PCO's
19 who can recognize that situation a good half-mile out
20 and bring them to the front door.

21 There's no other hospital in San Francisco
22 that has transit-only right-of-ways that double as
23 emergency vehicle access lanes in north-south and
24 east-west directions.

25 So, this basic landscape, this use of transit

1 right-of-ways to help with emergency, the nimbleness of
2 putting PCO's where they need to be and moving them
3 around where they actually need to be when the
4 Transportation Management Center is in operation, the
5 experience of what's been happening in the rest of the
6 country when these juxtapositions happen, and then the
7 other metrics that go into the Local Hospital Access
8 Plan that we worked so closely with U.C.S.F. that we
9 would monitor how long it takes to use these blue-street
10 networks to get to the front door -- we would do this
11 religiously and carefully. And when they trip a certain
12 threshold, we have to do so much more.

13 It's very much built into the plan. That's a
14 mitigation measure. That's what we are obligated to do.
15 But that helps everybody.

16 A nurse who knows it takes this much extra
17 time to get there will be supported by the PCO's in
18 these transit networks and these exclusive travel lanes.

19 If monitoring shows we're coming up against
20 the brink, we don't wait for it to happen. We use our
21 Transportation Management Center to deploy the extra
22 CPO's where we need them to go.

23 If over the course of the year we see a
24 problem rising because the monitoring information is
25 data rich, we're able to make sure we step up the plan.

1 So, I'm only scratching the surface of how
2 complex this Local Hospital Access Plan is, but I could
3 not be, at this point, describing it with such
4 confidence if I didn't work in partnership, not only
5 with U.C.S.F, but with the Mission Bay businesses and
6 residents who also benefit from this strategy.

7 So, I'm not taking up any more time unless
8 there's more questions. I'll be happy to --

9 SUPERVISOR KIM: Mr. Albert, I just have one
10 follow-up question. I know that Supervisor Cohen has
11 some questions as well. She represents the district
12 neighboring this arena.

13 You had talked a bit about the local access
14 roads which will be cleared just for vehicles going
15 back -- going towards the hospital, and I know this came
16 up when we had met, but I was hoping you would talk a
17 little bit about how the enforcement for that would
18 happen, and also what the signage would look like.
19 Because the original signage I saw, I mean, I wouldn't
20 understand that meant I couldn't drive through those
21 roads unless I was not going to the arena.

22 URBAN PLANNING MANAGER ALBERT: Thank you.

23 Yes. There's sort of a soft and a hard
24 control that happens. The soft control is making sure
25 we're not creating queues of people that have to be

1 badge-checked, identification-checked before they can
2 pass into what we call the "hard controls" at some of
3 the intersections, such as the intersection of 7th and
4 Mission Bay Boulevard just west of the freeway, or even
5 at the traffic circle there.

6 Those are PCO's that are helping unblock the
7 box, keeping traffic flowing, but they're to not
8 requiring checks.

9 The checks would be required when you're on
10 those blue streets, getting closer to the hospital. You
11 really don't have business there, looking around to find
12 an on-street parking space. It's not going to be there.
13 We don't want you there. We want the nurses to be able
14 to get there. That's where the badging works.

15 The agreement with U.C.S.F. that we're so
16 excited about is that they're going to make sure that
17 the employees know when these scheduled events happen.
18 They'll have their badges. They'll have this
19 understanding.

20 And then here's some great feedback. The
21 people on the life sciences community around there
22 already know our PCO's by name. They have a human
23 relationship with people like Monica Georgopoulos, who
24 is singled out as someone who has been resourceful
25 and really helpful.

1 These are people who will know what to do and
2 how to be nimble about these situations, and they will
3 report on a regular basis. So, when we get the system
4 worked out with the shift regulars, and they know the
5 scheduling, we imagine this is going to be a clockwork
6 operation.

7 SUPERVISOR KIM: So, that's great in terms of
8 ensuring that hospital workers are going to be able to
9 get in and out through the neighborhood, but we also
10 have a lot of residents that will want to use the local
11 access road.

12 And, also, when there are arena attendees that
13 do use these roads, how are you going to enforce against
14 that type of behavior?

15 URBAN PLANNING MANAGER ALBERT: So, the blue
16 streets identify where there aren't residents for that
17 reason. Especially Nelson Rising and 4th become streets
18 that are the core of what's the hospital campus.

19 But the soft closures keep up the periphery,
20 those are where people can go through. They're not
21 necessarily being told, you have to prove you live here.

22 What they're saying is, Going to the arena,
23 this is where to go. Going into Berry Street --

24 SUPERVISOR KIM: So, there will be people out
25 on the street saying those things?

1 URBAN PLANNING MANAGER ALBERT: That's right.
2 And permanent signs year-round that help direct that so
3 people can follow the notions without necessarily a
4 human having to direct them.

5 SUPERVISOR KIM: Right. But the signs that I
6 was shown, I wouldn't have understood them. "Local
7 access road only" doesn't mean anything to me.

8 So, if I was going to the arena, even as a
9 SOMA resident, I wouldn't have known that meant I
10 couldn't drive through there to get to the arena,
11 because the arena is in the City local way.

12 So, is there a way that we can better --

13 URBAN PLANNING MANAGER ALBERT: Absolutely,
14 because the arena opens in 2018. And we can work on
15 clarity to signs, and we can actually do testing.

16 We're actually starting to do some of the
17 strategy testing, the use of transit right-of-ways for
18 emergency vehicle access.

19 If we want to get the language right so that
20 it's immediately intuitive and understandable, it could
21 even be that we could use signs now to help sort out
22 access to the hospital even without the arena.

23 This is the time now, with this kind of
24 feedback, to make sure we've got it right. I'd be glad
25 to share with you prototypes that you think help get at

1 that need for clarity and legibility.

2 SUPERVISOR KIM: I think that's the most
3 important thing, if you're going to put signage up and
4 say that it's gonna have some level of direction, is
5 that it actually makes sense, and if it doesn't make
6 sense to a City Supervisor, I don't see how it's going
7 to make sense to an arena attendee.

8 I provided this feedback months ago, so I was
9 hoping that we'd have some iterations by now, and not
10 say, we'll deal with that after the vote.

11 URBAN PLANNING MANAGER ALBERT: Well, be
12 assured, if it is about legibility in signs, we work
13 with those --

14 SUPERVISOR KIM: Not legibility, it's
15 understanding what the signs say.

16 URBAN PLANNING MANAGER ALBERT: But we also do
17 have problems with legibility. People that work --
18 there's a lot of issues.

19 SUPERVISOR KIM: Absolutely.

20 URBAN PLANNING MANAGER ALBERT: So, yes.

21 SUPERVISOR KIM: Thank you.

22 PRESIDENT BREED: Thank you, Supervisor Kim.
23 Supervisor Cohen.

24 SUPERVISOR COHEN: Thank you very much.

25 Mr. Albert, clearly you have studied this, and

1 you know it like the back of your hand, and I can
2 appreciate that.

3 My apologies if I'm going to ask some
4 questions that you've already just answered. I'm just
5 going to go through my questions, and they really stem
6 from the Dogpatch Neighborhood Association, and a
7 particular letter that they called out some concerns
8 that they had that I'm going to talk about in the
9 hearing today -- I'm going to raise on their behalf in
10 the hearing today.

11 So, we've all received that the Dogpatch
12 Neighborhood Association wrote us a letter, and they
13 outlined some of their concerns, primarily with some of
14 the potential transportation impacts in the neighborhood
15 from the arena.

16 It states that no traffic analysis has been
17 conducted in the Dogpatch neighborhood. Now, I believe
18 that it has been, but I want to give you an opportunity,
19 if you could describe the type of analysis that you
20 undertook, just for the record.

21 URBAN PLANNING MANAGER ALBERT: Sure. And I'm
22 going to do this in partnership with Adam Van de Water,
23 because they helped me coordinate with the Environmental
24 Review, but I'm also going to be here, in case there's
25 other questions about any other part of MTA that I could

1 address.

2 SUPERVISOR COHEN: I definitely have other
3 questions for MTA. But thanks, Adam.

4 PROJECT MANAGER VAN de WATER: Thanks,
5 Supervisors. I'm Adam Van de Water at the Office of
6 Economic and Workforce Development.

7 We sent a letter in response to the Dogpatch
8 letter to each of you yesterday, but quickly, in
9 summary, the Initial Draft Environmental -- Subsequent
10 Environmental Impact Report looked at the 22
11 intersections that we thought might have potential
12 significant impacts.

13 Those are largely the locations of the Parking
14 Control Officers that Peter represented with stars on
15 the Local Hospital Access Plan Map. We did look through
16 the neighborhoods south of Mariposa.

17 The dominant access is through regional
18 connections, so the I-280 northbound off-ramp at
19 Mariposa, 3rd Street, 16th Street, and others, but you
20 we subsequently looked at two different parking lots
21 south of the site, one in between Crane Cove Park and
22 the future Pier 70 Orton developments, and one just
23 north of Pier 80, on what's called our "Western Pacific"
24 site, and did an additional parking analysis of those
25 two locations.

1 And Appendix TRX looked at nine additional
2 intersections south of Mariposa, along corridors to
3 access those two --

4 SUPERVISOR COHEN: So, when you say you looked
5 at those two intersections, what exactly are you looking
6 for?

7 PROJECT MANAGER VAN de WATER: So, in looking
8 at the intersections, we start with data from Oracle
9 Arena based on patron data, point of origin, where are
10 they coming from, where are they going to.

11 We adjust those for San Francisco based on San
12 Francisco mode shifts experienced at AT&T Park, at other
13 special events in this neighborhood, looking at the mode
14 share that we analyzed in the document.

15 And then for those that will not be taking
16 transit or car-sharing services or bicycling or taking
17 other modes, that will be driving, where will they be
18 coming from, where are the primary access points.

19 From the south, it's largely off the 280
20 off-ramps, and off of 3rd Street. A number of the
21 residential streets in the Dogpatch, Potrero
22 neighborhood either do not go fully through or are
23 interrupted on a regular basis by stop signs,
24 intersections, et cetera.

25 So, while we any think a handful of cars might

1 go through there, our traffic analysis suggests less
2 than 3 percent of total vehicles will be on those
3 residential streets, and that, really, we should be
4 focusing our attention on the regional collectors, which
5 will be the primary access routes to parking garages.

6 SUPERVISOR COHEN: One of the points that the
7 letter also raises, it has to do with study, if at all
8 conducted, on south of Mariposa. South of Mariposa
9 Street.

10 Did you study that area?

11 PROJECT MANAGER VAN de WATER: Yes, we did.

12 And so, we looked at all likely paths of
13 travel to the arena, and then, as part of the Appendix
14 TRX of the Supplemental EIR in Volume 6, we looked at
15 the following nine additional intersections:

16 Pennsylvania and the I-280 southbound off-ramp, 18th
17 and the I-280 southbound off-ramp, 18th and the I-280
18 northbound off-ramp, 3rd and 20th, Pennsylvania and
19 I-280 southbound, Indiana, 25th and I-280 northbound,
20 3rd and 25th, Pennsylvania, Cesar Chavez and the I-280
21 northbound off-ramp, and Illinois and Cesar Chavez.

22 SUPERVISOR COHEN: So, again, you looked at
23 these intersections and did some data modeling?

24 You looked at the numbers --

25 PROJECT MANAGER VAN de WATER: That's correct.

1 Our transportation analysts who are here with us today
2 looked at throughput modeling.

3 So, they analyzed the length of the traffic
4 signal, the capacity of the roadway network, other
5 background conditions, whether it's P.M.P. rush hour or
6 other events in the area, and looked at those
7 intersections that would have a significant impact in
8 terms of travel delay.

9 That's where we assigned our Parking Control
10 Officers, but we did it in a way so we could iterate and
11 respond to realtime conditions.

12 We recognize that we're doing a traffic
13 analysis here, in 2015, for an event that will be
14 operational in 2018. There could be significant changes
15 in technology and mode shifts, and we need to be
16 flexible to do that.

17 So, we have an on-site Transportation
18 Management Center with realtime communications to the
19 Parking Control Officers, and they can be redeployed as
20 needed.

21 So, if we find that one of those stars is
22 misplaced and needs to be shifted to a different
23 location, then we can do that in realtime.

24 SUPERVISOR COHEN: You have this flexibility
25 to.

1 So, earlier this year and late last year -- I
2 think it might have been even late last year, there was
3 an ongoing discussion about the Mission Bay Loop, and as
4 you know -- I'm just looking to make sure I'm not
5 overlooking anyone.

6 The Mission Bay Loop has been a pretty
7 contentious proposal that's come from MTA, and I was
8 wondering if you considered the Mission Bay Loop, or how
9 does the Mission Bay Loop which is -- for the folks in
10 the audience, MTA has proposed the T Line to come to a
11 certain point at 3rd Street, and then loop around to go
12 back into the system to relieve pressure in other areas
13 of the City.

14 How does Mission Bay Loop complement or
15 even -- I assume it complements, or maybe it doesn't --
16 with the T Line in some of the proposals that we're
17 dealing with now, because at that time at Mission Bay
18 Loop, we weren't even thinking about an arena being
19 built, so...

20 URBAN PLANNING MANAGER ALBERT: Peter Albert
21 again, for MTA.

22 So, while it might be tricky to talk about
23 some aspects of the loop -- because I need to be clear,
24 it's under injunction right now -- we assumed the
25 operation of the Mission Bay Loop to compliment the

1 Central Subway.

2 So, what that meant was we created an extra
3 intensity of lightrail service between the
4 Mission Bay Loop, which is at 3rd and between 18th and
5 19th, and then Chinatown.

6 So, you would get two layers of T3rd service.
7 T3rd from Chinatown, all the way to the Bayview, and
8 then T3rd service short line, which goes to the
9 Mission Bay Loop. The arena's position north of that
10 helped them benefit from the full extra service that's
11 there.

12 The assumptions also included the two-car
13 operation of the T, so if there were questions or
14 concerns about the capacity for light rail, this
15 actually helps double the capacity of every service and
16 increase the frequency.

17 So, the Mission Bay Loop's design is to give
18 us nimbleness and extra service coverage. On accord, we
19 would expect there to be more demand.

20 SUPERVISOR COHEN: So, a few more questions
21 around transportation and City planning.

22 So, the City has really helped to create a lot
23 of the congestion in the development happening in the
24 southeastern corridor, largely created through the
25 Eastern Neighborhood's Plan, as well as the Pier 70

1 Master Plan.

2 I wanted to hear your thoughts around the
3 C.E.Q.A. analysis, if it took into account the
4 cumulative impacts of both of these developments.

5 URBAN PLANNING MANAGER ALBERT: So, for that,
6 I turn to my colleague, Chris Kern.

7 SENIOR ENVIRONMENTAL PLANNER KERN: Chris
8 Kern, Planning Department.

9 The answer to the question is, yes, the Impact
10 Analysis did consider all of the surrounding development
11 that could contribute to impacts that the project would
12 also contribute to.

13 Now, that said, the Cumulative Impact Analysis
14 is specific by topic, as to what development is
15 considered to be relevant to the Cumulative Impact
16 Analysis.

17 SUPERVISOR COHEN: What are some of the key
18 topics that come to your mind?

19 SENIOR ENVIRONMENTAL PLANNER KERN: Well,
20 certainly I think traffic and transportation impacts are
21 key, and the Cumulative Impact Analysis in that case is
22 the based on projected growth in the model the City uses
23 for analysis throughout the City.

24 SUPERVISOR COHEN: And in that projected
25 growth, you took into consideration the -- almost, I

1 guess -- the several different development projects that
2 are underway in the pipeline, and then also possible
3 future ones?

4 SENIOR ENVIRONMENTAL PLANNER KERN: Yes.

5 And if we want to get deeper into the
6 methodologies of the Transportation Analysis, I'd like
7 Bill Wyco, a colleague who is the transportation lead
8 for the Planning Department. He's more familiar with
9 the nuts and bolts of our transportation analysis
10 methodology.

11 SUPERVISOR COHEN: That would be great if he
12 could come and present, because I think if we were to
13 look at a project as an individual -- and as it stands
14 on its own merit, it's okay -- but I do believe we need
15 to start to look at the cumulative impacts.

16 Pier 70 is a huge project that voters approved
17 last year. There are other major projects that are also
18 being currently developed and redeveloped in the area.
19 So, I am concerned about the cumulative traffic impacts.

20 Could you help relax my concerns?

21 ENVIRONMENTAL REVIEW OFFICER WYCO: Bill Wyco,
22 Planning Department. Some of you maybe remember my
23 former life as well.

24 The Cumulative is done kind of in a similar
25 way that it's done on most projects for transportation.

1 You know, we have a lot of projects in the pipeline,
2 specific ones that we know about.

3 We also have growth forecasts that are based
4 on the economics of the region and San Francisco. And
5 the traffic transit and all the transportation
6 components are essentially taking into account the
7 specific project we know, the details of those specific
8 projects -- you know, like Pier 70, which is in very
9 close proximity, as well as the potential of projects
10 that we don't have specific details, but we know that
11 there is this envelope of growth that's out there that's
12 gonna happen in a geographic area.

13 And so, when we're doing the Transportation
14 Analysis, we're talking all that into account to
15 establish the Cumulative.

16 And an example would be when we looked at the
17 secondary parking facilities, like the Pier 80, and we
18 saw a significant impact over on the freeway ramps on
19 Pennsylvania, those impacts -- the arena, if we operate
20 those parking facilities for joint events, will
21 contribute to those significant impacts, but the primary
22 source of those impacts is Pier 70, because Pier 70 has
23 kind of a direct pipeline to there.

24 And so, it's a good -- Pier 70 is a good
25 example of -- the project is out there. It's very

1 specific.

2 You know, there's a Transportation Analysis
3 already underway and it allows us to get to the
4 localized details, where we have the localized details,
5 as well as accounting for this bigger picture of growth
6 that is pending, but where the details are not as
7 specific.

8 So, you're generally going to assign traffic
9 and transit riders to a geographic area to account for
10 the cumulative impacts.

11 SUPERVISOR COHEN: Okay. Thank you.

12 I'm going to pivot back to, I think,
13 Mr. Albert. This is for you.

14 Now, you know we've had many conversations
15 about switchbacks, and you already know how I feel about
16 them. And Supervisor Tang also.

17 And for the members that are here, for the
18 public, I hate switchbacks. Switchbacks have the T Line
19 going down southbound into the City, and then they
20 switch back into the other parts of the City to relieve
21 traffic, thus rendering the people that are on the
22 T Line without transportation to get home.

23 So, I want to ensure that we are not
24 exacerbating the T Lines, because when I read the Plan
25 and the Analysis, it looks like it would help alleviate

1 switchback problems.

2 URBAN PLANNING MANAGER ALBERT: Thank you.

3 I do want to point out I'm both an N Judah
4 rider and a T 3rd rider, so I've experienced the
5 downside of that phenomenon, but here's -- it wasn't
6 just my own personal interest in making sure it doesn't
7 happen to me again.

8 We hear all the time about that challenge.
9 The problem is, if we don't provide that extra capacity
10 of the extra fleet, what happens is we have to make a
11 hard decision to pull a streetcar that otherwise wants
12 to go to the end of the line, turn it around. So, we
13 built that into how our service plan should work.

14 That's why we came up with -- we looked at a
15 crowding factor and came up with -- because these are
16 expensive, these streetcars, and we knew if we were
17 going to have a partnership, we wanted to make sure we
18 could justify why we wanted them to be covered in the
19 revenues.

20 We came up with four full streetcar sets.
21 That helps us offset the need to take any other transit
22 out of service on even the biggest event day, because
23 those four cars would not be possible except for the
24 agreement we have with the provision of the Event
25 Center.

1 That means that the T 3rds that need to go all
2 the way down to the Bayview don't have to turn around
3 because we're having a big crowd over there. That's why
4 we augmented our fleet with those four cars.

5 SUPERVISOR COHEN: So, we've talked a lot
6 about the north-south transportation with the T Line.

7 Now let's talk about the east-west
8 transportation from the 16th and Mission BART station.

9 How have we enhanced that -- the coaches that
10 are traveling on 16th and 17th?

11 URBAN PLANNING MANAGER ALBERT: Thank you. If
12 I could have the overhead. I'm actually going to answer
13 a question you asked, because I think it's a great
14 starting point.

15 When you're looking at the problems in the
16 area right now, you know what you know. You know what's
17 out there.

18 What we wanted to make sure, looking at 2018,
19 is to understand the conditions today, including the
20 difficulty of going east-west. What will happen between
21 now and say 2018, 2019, what investments are in place?

22 And then, What more do we need to do to handle
23 the Event Center?

24 East-west traffic is a big challenge. The
25 graphic right now shows that -- we took a snapshot of

1 what happens in 2020. That includes the 22 Fillmore
2 that runs on 16th Street, east-west. It also includes
3 the connections to multiple BART stations, because
4 Central Subway allows us to get to Powell Street. The
5 existing N Judah service goes to Embarcadero.

6 The 16th Street corridor helps us get to
7 16th Street. So, unlike AT&T Park, where there's a
8 critical mass of people around the Embarcadero, we
9 spread that burden on three different BART stations and
10 help them dissipate.

11 However, the analysis said we needed to do
12 more. So, this next graphic I'm going to put up shows
13 what "more" could look like.

14 Building onto the backbone of all this
15 infrastructure, we're going to run extra Muni buses and
16 extra Muni trains. They're much like the shuttles we do
17 for AT&T Park.

18 So, we know we need to run more T 3^{rds} from
19 the Mission Bay Loop into Chinatown, because that's
20 going to help people get to Powell Street BART. It gets
21 us there pretty quickly because of the subway.

22 We keep that N Judah line on the Embarcadero
23 and extend it down into the arena center on a post-game
24 event, so people can get down along the waterfront, and
25 we augment not only the 22 Fillmore that runs on

1 16th Street, we take advantage of the BRT line on
2 Van Ness, which goes north-south in the western part of
3 the City, and we plug a line from that BRT, all the way
4 from the arena through the Van Ness Metro Station,
5 through South of Market into the Mission, along the
6 Mission east-west.

7 We're reaching so many different access points
8 and people all over the City, that you could probably
9 make this trip to the arena with no transfer, or at
10 least toast one, to a high-capacity system.

11 SUPERVISOR KIM: Now, are people going to be
12 able to use this transportation system when there are no
13 games being played?

14 URBAN PLANNING MANAGER ALBERT: So, we talked
15 about what we need to do for an event center. To make
16 that happen, we had to build capital facilities. Those
17 capital facilities included in those streetcars help us
18 run even if there's no event.

19 The flexibility of the pocket track, the
20 expanded platform is something we wish we could have
21 done from the beginning, and we're doing it now. The
22 extra streetcars can be used anywhere in the City we
23 needed extra capacity, but we are not jump-starting
24 stuff that's already lined up to happen. We're taking
25 advantage of the investments we've built, and we're

1 using them to the maximum efficiency.

2 SUPERVISOR KIM: Okay. Fair enough.

3 One of the things that really piqued my
4 interest and answered my question already was how
5 well-thought-out the PCO answer is to traffic.

6 So, we've talked about congestion or potential
7 congestion on public transportation, but there's a real
8 reality of the people that live in the neighborhood -- I
9 live in Potrero Hill. The place is already congested as
10 it is right now, with cars and bicyclists. So, it is
11 comforting to hear that there will be enforcement.

12 Now, this PCO enforcement, is this something
13 that's going to be standard, a new standard of living,
14 or is this something that's going to be on game days or
15 when there are -- an event at the arena?

16 URBAN PLANNING MANAGER ALBERT: Thank you.

17 We designed the PCO plan for the events, but
18 not just game days. It's something that would happen
19 even with a small event.

20 I think you saw the graphic that shows there's
21 a variety of events that trigger different responses.

22 SUPERVISOR COHEN: What are those triggers?

23 URBAN PLANNING MANAGER ALBERT: I'll show you
24 here.

25 SUPERVISOR COHEN: Do you think this is

1 something we could also implement on an everyday
2 purpose?

3 URBAN PLANNING MANAGER ALBERT: Yeah. The
4 Transportation Management Center is in operation every
5 day.

6 What it does is it creates a new gravity of
7 transportation management in the heart of Mission Bay.
8 There isn't one now. It's going to have
9 state-of-the-art cameras, safety mechanisms. We can see
10 what's happening at intersections. It allows our whole
11 staff, not just our PCO's, but our transit operators a
12 base.

13 So, what they need to know is this graphic
14 here shows the variety of events and the sizes that are
15 happening.

16 Building this into our schedule makes sure we
17 can staff up for the events that we know are going to
18 happen and staff down when we need to be more lean. I
19 think that's an important part of this. It's not a
20 one-size-fits-all situation.

21 SUPERVISOR COHEN: Would this require us to do
22 any hiring, or is this a job generator we're talking
23 about, an opportunity for local hiring, or do you
24 already have the staff on --

25 URBAN PLANNING MANAGER ALBERT: We don't

1 already have the staff. It is an opportunity to hire.
2 We know what he we need. Now we have to identify the
3 revenues to bring them in. And that's where this
4 lockbox conversation is so essential.

5 The revenues that are only here because of the
6 Event Center and dedicated to this local source help us
7 make sure that these very needs we have identified have
8 actual human beings showing up to duty.

9 SUPERVISOR COHEN: Got it.

10 I think we might have exhausted my list of
11 questions. Just double-checking. Um, I think that's
12 it.

13 Oh, there was something that the Appellant
14 brought up about an \$8 million annual expenditure. Is
15 this accurate?

16 I don't know if someone from MTA could speak
17 to this.

18 URBAN PLANNING MANAGER ALBERT: I'll turn this
19 back over to Adam Van de Water, who has helped us
20 coordinate with the revenues and expenditures.

21 SUPERVISOR COHEN: Thank you.

22 PROJECT MANAGER VAN de WATER: Thank you,
23 Supervisors. Adam Van de Water again.

24 There's an item later on your agenda today, an
25 ordinance creating a Mission Bay Transportation

1 Improvement Fund, where we can walk through the specific
2 details of the sources and uses on the site. I'm happy
3 to go into that high-level now and then --

4 SUPERVISOR COHEN: Well, I think my question
5 is, Was the Appellant correct in saying that there is an
6 \$8 million annual expenditure?

7 PROJECT MANAGER VAN de WATER: There is an
8 annual cost of providing the extra PCO's train service
9 and bus service, transit fare inspectors, et cetera,
10 plus foot patrol officers and the occasional street
11 sweeper, plus a capital cost of purchasing the extra
12 lightrail vehicles and making the improvements that
13 Mr. Albert described.

14 SUPERVISOR COHEN: Fair enough.

15 Are there -- is there an opportunity for us to
16 leverage and, I guess, recoup some of the expense we're
17 spending on making this operation a reality, as folks
18 come to the arena for different events?

19 So, how do we offset that?

20 I don't know if the Warriors are paying a fee
21 that's going specifically towards this part of the -- I
22 guess, towards the MTA budget -- is what I'm looking
23 for. Help me out here.

24 PROJECT MANAGER VAN de WATER: The Warriors
25 are paying all of the required taxes and fees. There

1 are no property tax or sales tax or any other waivers on
2 site. They're paying the full freight of the
3 Transportation Impact Development Fee, which is
4 offsetting the cost of some of the capital improvements.
5 They're also paying an annual fee, which is called the
6 "stadium admission tax" --

7 SUPERVISOR COHEN: Do you happen to know what
8 the fees are or what the total cumulative amount is?

9 PROJECT MANAGER VAN de WATER: The TIDF is
10 about \$17 million --

11 SUPERVISOR COHEN: And this is something paid
12 out annually or on a one-time basis?

13 PROJECT MANAGER VAN de WATER: One-time basis,
14 when they get their construction permits. And then
15 there's also a stadium tax, a \$2.25 cost on the dollar
16 value of each ticket. So, it is an annual cost, and
17 it's part of the reason why this project generates a lot
18 more on-site revenue than --

19 SUPERVISOR COHEN: So, if the Warriors
20 continue to win, ticket prices will continue to be high,
21 which means there will be a higher surcharge that will
22 go back into our transportation system?

23 PROJECT MANAGER VAN de WATER: The surcharge
24 is a flat \$2.25, so...

25 SUPERVISOR COHEN: So, it's not flexible?

1 PROJECT MANAGER VAN de WATER: It is per
2 ticket.

3 SUPERVISOR COHEN: All right. I tried. I
4 tried to get us a few extra dollars.

5 Next time I'm going to get you. If I were
6 negotiating that contract, that would have been a
7 certain percentage.

8 Let me see if there's anything else on my
9 questions.

10 I do have one more about the drawn map about
11 the project area that the Appellants raised questions
12 about drawing the map and mapping out the different
13 project areas.

14 So, specifically, it is kind of a funky little
15 configuration.

16 How did you come to that area?

17 I don't know if you are the best person, Adam.

18 PROJECT MANAGER VAN de WATER: I could give it
19 a shot, but I think our project team might do it justice
20 better.

21 SENIOR ENVIRONMENTAL PLANNER KERN: Through
22 the President, I'd again ask Bill Wyco, who was the
23 transportation lead, to explain the transportation study
24 area. He knows the details of that better than I do.

25 ENVIRONMENTAL REVIEW OFFICER WYCO: Bill Wyco

1 again. I'm sorry, the acoustics back there. I kind of
2 missed the specific --

3 SUPERVISOR COHEN: No problem. So, let me
4 speak a little louder for you.

5 The Appellant raised an interesting question
6 about the funky configuration of the study area. It's
7 kind of jagged. It's kind of in this blue area. I was
8 wondering if you can explain to me how you came up with
9 this --

10 ENVIRONMENTAL REVIEW OFFICER WYCO: Okay.
11 First of all, I wasn't involved with the project design,
12 so I don't have any vested interest in defending it or
13 not, but it's basically -- and this is partly related to
14 what I said earlier, when we were talking about
15 cumulative and, you know, we had specificity on some
16 projects.

17 But in this area of Mission Bay, what you have
18 is some very clearly-defined gateways. From the north,
19 you can come in 3rd Street, 4th Street and 7th Street.
20 From the west, you can come in from 16th and Mariposa.
21 From the south, you can come in from 3rd Street.

22 Yeah, there's ways that somebody that really
23 knows the street system could kind of come in. And we
24 accounted for that in other ways.

25 So, the study area is basically defined by

1 those gateways. At those gateways, the traffic is
2 focused. That's where most of the intersections we
3 studied are -- is at the gateways and in the immediate
4 proximity of the project.

5 Once you get beyond those gateways, you know,
6 so how can you get to 4th and King? Well, you can come
7 down 4th from Harrison, maybe from Howard, maybe on
8 Brannan, maybe on Townsend.

9 And so, the problem that Appellants are
10 pointing out, really, with their logic, is -- I mean, I
11 was counting while we were listening -- they identify
12 about 100 intersections that we should have studied.

13 And once you move beyond those gateways,
14 there's a whole lot of different ways that people can
15 travel. At the gateways and within Mission Bay, there's
16 very limited ways that people can travel.

17 So, the area is basically defined by those
18 gateways. There's nothing sinister or clever about it
19 other than it's basically trying to identify where you
20 can track that people will be, not trying to make broad
21 guesses that all the people are going to be on the
22 Embarcadero, or all the people are going to be going --

23 SUPERVISOR COHEN: So, let me see if I can
24 boil all that sophistication down, all those fancy
25 words.

1 You looked at the numbers, you looked at the
2 data, and that is how you came to identify the traffic
3 area for you to study?

4 ENVIRONMENTAL REVIEW OFFICER WYCO: Right.
5 And, you know, we did, in the response to the EIR -- you
6 know, they had these 90 or 100 intersections that, you
7 should have looked at these.

8 So, we looked really carefully at each and
9 every one of those, and we looked at 8th and Brannan,
10 because you go to Google and Google says -- you know, I
11 think, somewhat stupidly -- from the East Bay, get off
12 and go from 8th and Brannan.

13 So, we looked at 8th and Brannan, because even
14 if you're not coming from the East Bay and getting off
15 there, it's kind of a logical place for people to go
16 through coming from the western part of the City,
17 northern part of the City. We looked at that and added
18 that, and there's no story.

19 The Appellants kept raising other concerns:
20 How about the Embarcadero?

21 There's materials that were just developed
22 that look at the two worst intersections on the
23 Embarcadero, Embarcadero, Bryant, and Harrison. And,
24 again, no story. 60, 70 cars, no significant impact.

25 And, I think, the point of that is -- you

1 know, and we had looked at a broader area, and specific
2 places where you think there might be a problem. We are
3 not seeing that problem because traffic is dispersed as
4 you move further away from the site.

5 So, the study area is basically defined to
6 focus on where the impacts are concentrated, and not
7 just drawing a big geographic area and saying, well,
8 somewhere in this big blob, there might be an impact.

9 SUPERVISOR COHEN: Thank you. I appreciate
10 all the City staff that's taken all the time to answer
11 my questions.

12 Madam President, I'm done.

13 PRESIDENT BREED: You sure?

14 SUPERVISOR COHEN: Well, I do have some
15 environmental questions, but I'll save them for later.
16 I do have questions for the Project Sponsor and the
17 Appellant, but, again, for the appointed time. I can
18 wait.

19 PRESIDENT BREED: Thank you, Supervisor Cohen.
20 You're too kind.

21 Supervisor Avalos.

22 SUPERVISOR AVALOS: I have a question. We've
23 heard a lot about the ways we've studied this project
24 and different ways we can mitigate the impact, but what
25 I'm really interested in hearing is, What is the

1 quantifiable impact?

2 What's the difference we're going to see,
3 let's say, to our Muni lines?

4 Quantifiably [sic], are we actually going to
5 see, based on what we're able to apply with our
6 mitigation members, a benefit or even, despite our
7 mitigation measures, are we going to see delays?

8 What have you been able to measure with that
9 so we're getting down into the weeds?

10 URBAN PLANNING MANAGER ALBERT: Thank you to
11 the President.

12 So, when we talk about Muni lines, one of the
13 most important mitigation thresholds is overcrowding.
14 So, there's flow of traffic, which we talk about Level
15 of Service A, B, C, D, E, and F, but in Muni, it's
16 beyond that, because that does impact the operations of
17 transit.

18 Here we have the benefit of these
19 transit-protected right-of-ways, but it's not really as
20 much an issue. But what would be an issue is
21 undersupplying the transit capacity.

22 So, we have a threshold at MTA that says,
23 Above this, you're creating a significant impact because
24 the trains are too crowded for people to even get on.

25 That analysis, that threshold I could lean on

1 my colleagues at City Planning to identify the
2 threshold. We provided that to them.

3 Our responsibility at MTA was to make sure
4 where we needed more capacity, we had those extra buses
5 or extra streetcars where we actually needed to procure
6 more fleet.

7 SUPERVISOR AVALOS: So, my question is, Are we
8 getting overcapacity?

9 Are we getting to that threshold, and how
10 often, in your measurements?

11 And then I'm also interested not just in the
12 capacity of the cars themselves, but also of our lines
13 to be able to move people in terms of frequency and
14 preventing delays.

15 URBAN PLANNING MANAGER ALBERT: Sure.

16 So, yes, we're getting close to the threshold,
17 but our mitigation measures helped us stay below what
18 the threshold was. I'm sorry. The second part of your
19 question?

20 SUPERVISOR AVALOS: The second part is based
21 on -- are we looking at delays because, despite our
22 mitigation measures, are there delays?

23 How would that affect our headways for Muni
24 lines, and which Muni lines?

25 If you could do it line by line. I think

1 we're just talking about the 22 and the -- I'm concerned
2 also about not just the people who are getting to the
3 arena, but the people who are getting past the arena
4 from one end to the other, because on the T Line to get
5 to -- you know, to downtown, you're actually going past
6 it.

7 What's the experience going to be based on
8 what your measurements have been?

9 URBAN PLANNING MANAGER ALBERT: So, we started
10 with an analysis where we had capacities to fill up
11 these trains and make sure we had enough of them running
12 to keep our headways.

13 The advantage we had is, when the biggest
14 events were happening tended to be the most -- the Event
15 Center's -- the events would start at 7:00 or 7:30,
16 sometimes even eight o'clock at night, so we missed the
17 peak of the peak.

18 But better than that, though, is the reverse
19 commute potential, except for the T, where you have a
20 lot of people coming from downtown through there.

21 You've got a lot of trains that are coming
22 into downtown -- or, they're coming in fairly empty and
23 taking commuters home or out to the outlying areas.

24 So, if you're coming in from the north, the
25 west, or the south part of the City on BART, Muni,

1 Caltrain, you've actually got more capacity, especially
2 at these later hours.

3 The fleet itself could have been a challenge,
4 but after about 6:30 and before the event really kicks
5 in, we start to retire our fleet, because the biggest
6 numbers have already done their heaviest lifting.

7 So, we are especially aware of when we can
8 keep some vehicles in operation beyond that 6:30
9 threshold to get us into 7:00, 7:15, if an event is at
10 7:30, even later if it's at 8:00.

11 At ten o'clock that night, if there is a
12 problem, we have a whole bunch of fleet buses and trains
13 that we can just pull right back out of the yard. And
14 we do that already.

15 We don't have problems with congestion at the
16 corridors, provided that the mitigation measures we
17 identified allow that flow. But, again, we had a huge
18 head start, because two of the critical transit
19 arterials are absolutely protected from traffic
20 congestion -- 16th and 3rd Streets.

21 SUPERVISOR AVALOS: They're absolutely
22 protected from traffic?

23 URBAN PLANNING MANAGER ALBERT: Right.

24 Those are transit-only ways. The only other
25 vehicles that can be on them are emergency vehicles.

1 SUPERVISOR AVALOS: And so, my question was,
2 What is the quantifiable difference?

3 And if you're able to -- I mean, you've talked
4 about ways you can mitigate changes, you can mitigate
5 impacts, but what are you able to see in terms of
6 quantifiable differences in headways?

7 And you said you got close to capacity on
8 vehicles. I guess that's close to the answer to my
9 question, but on -- really, on headways, are we seeing
10 an improvement based on -- or, are we seeing, you know,
11 some delays based on what we're going to see in terms of
12 people coming to the arena?

13 URBAN PLANNING MANAGER ALBERT: Right.

14 And so, again, returning to Adam Van de Water.
15 I just want to point out why we do this sort of one-two
16 combo with Adam.

17 We gave him the data. He plugged it into the
18 thresholds that matter to the EIR. He bounced back with
19 what the results were, and that helped us make sure that
20 if we gave him our most rigid standards about
21 overcrowding or missing headways, he helped us translate
22 that, with the help of the Planning Department, into
23 performance.

24 So, Adam.

25 PROJECT MANAGER VAN de WATER: I have the

1 luxury of focusing on one and not many, many projects at
2 the same time.

3 The T 3rd line, to answer your question,
4 Supervisor Avalos, will have about a fourfold increase
5 in service, and that's going to really be the workhorse.
6 That will be the future Central Subway connection to
7 Powell Street and take the most passengers by transit.

8 We are also proposing arena-specific
9 special-event shuttles along 16th Street, connecting,
10 via Mission, to the future Van Ness BRT, from the Event
11 Center to the Transbay Terminal and the Ferry Terminal
12 Expansion at the Embarcadero Street BART, complementing
13 the T, when we reach the capacity of the trainway
14 network there through the switchgear and existing
15 underground platforms, and adding extra service.

16 The reason behind the Mission Bay
17 Transportation Improvement Fund, Item 66 on your agenda
18 today, is really to put the funds aside in a
19 Controller's reserve, so that we can fund all of the
20 cost of all of these -- this transit service without
21 impacting any parts of the service. We absolutely do
22 not want to cannibalize service from elsewhere in the
23 City.

24 We recognize that people take transit to get
25 to school, to daycare, to work, to run their errands,

1 and we cannot afford to pull that service on a regular
2 basis away from there, as we occasionally do for one-off
3 large events in San Francisco.

4 SUPERVISOR AVALOS: Don't we already have some
5 level of cannibalization with Giants games?

6 I have actually -- I have the experience of
7 going to Giants games on Muni, and I do see that there's
8 limited service elsewhere. Maybe it's not entirely
9 limited, but it's limited.

10 I also have had the experience of going on --
11 coming back from games, I go south -- I don't go north
12 or west -- to the western part of San Francisco, and I
13 know it's much easier to catch a train going north and
14 west versus south. And I've actually experienced
15 switchback even coming back from Giants games.

16 So, we've learned some things from that
17 experience and that's actually going to improve the
18 transit opportunities for people.

19 There's plenty of people who actually go past
20 the games on our transit systems who don't go to the
21 games as well, and are very inconvenienced even right
22 now by the games.

23 URBAN PLANNING MANAGER ALBERT: So, through
24 the President again. Yes, we do have -- there's two
25 problems that happen the way it is now.

1 We didn't build in the traffic flexibility
2 that allows transit to get around them so easily. So,
3 if you're trying to catch Caltrain, you're stuck
4 sometimes behind a queue of streetcars that are just
5 unloading passengers.

6 So, that's part of the reasons why the
7 cross-over tracks and that platform reconfiguration is
8 something that really would help us and the Warriors.
9 Would have been lovely with the Giants...

10 The other factor, those four lightrail
11 vehicles that came into this, were designed especially
12 to make sure that the crowds that we're absorbing --
13 remember that the Warriors Arena is only at the
14 highest -- what was it -- 19,000 or 18,500 -- whereas
15 the Giants built a 42,000-seat stadium.

16 So, we have a smaller number to work with, and
17 yet we're uniquely in this project providing extra
18 streetcars to accommodate that smaller number.

19 SUPERVISOR AVALOS: I think we'll get to a
20 discussion about the fund itself. I do have concerns
21 that I've raised with you directly about how it works,
22 and I comment on that when that's before us.

23 PRESIDENT BREED: Thank you, Supervisor
24 Avalos.

25 Seeing no other names on the roster, we will

1 move to the presentation from Real Party in Interest.

2 You will have up to 10 minutes to make your
3 case for certification of the EIR.

4
5 PRESENTATION BY THE REAL PARTY IN INTEREST

6
7 WARRIORS PRESIDENT WELTS: Thank you,
8 Supervisors, and good -- still good afternoon, yes.

9 So, I probably had to pinch myself this
10 morning to think that this day had actually really come.

11 It's actually been three-and-a-half years
12 since we accepted the City's invitation to move the
13 Warriors back in San Francisco. And we're thrilled in
14 those three-and-a-half years to have earned the
15 opportunity that will be before you today.

16 I think the only thing that hasn't changed in
17 the project in those three-and-a-half years is Aaron
18 Peskin is still hiking in Nepal.

19 PRESIDENT BREED: Can you please identify
20 yourself?

21 WARRIORS PRESIDENT WELTS: I'm sorry. I'm
22 Rick Welts. I'm the President and Chief Operating
23 Officer of the Golden State Warriors.

24 Hold the applause. Thank you.

25 Well, weed mitigation is not exactly as

1 exciting as what our basketball team is doing in
2 rewriting NBA history, but I think we've actually
3 approached it in the very same way in terms of as our
4 team has in terms of our commitment to this process, our
5 preparation, and our effort.

6 Since we've pivoted from Mission Bay, we've
7 really been overwhelmed with the support, not only from
8 the public but also from the neighborhood.

9 The proposal that OCII approved last month was
10 a result of extensive study and community process. We
11 engaged in a productive dialogue of key stakeholders
12 including the neighborhood, U.C.S.F., the Mission Bay
13 life science community, and local businesses. We have a
14 better project today because of all the input we've
15 received.

16 And Supervisor Cohen, you will be happy to
17 know you have great negotiators on your side. That
18 two-dollar-plus per ticket tax we're paying, the Giants
19 are paying 25 cents per ticket. So, they did well.

20 After 11 meetings of the Mission Bay CAC, they
21 voted unanimously to endorse the project. We've had
22 over 50 meetings with the Dogpatch, Potrero, and South
23 Beach neighbors. We reached a critical agreement with
24 the leadership of U.C.S.F. which addressed their
25 concerns.

1 We have a letter of support from all the major
2 companies that make up the Mission Bay life science
3 community, and in each of these steps, the principals in
4 the Warriors organization were participants front and
5 center, not hiding behind paid surrogates, a distinction
6 I hope you recognize.

7 I particularly want to thank the staff at OCII
8 and the City for all their incredible hard work. It's
9 been a long road to get to this point, and the staff
10 should really be acknowledged for their thoroughness and
11 thoughtfulness that went into this analysis.

12 Thanks, Supervisors, for your time and
13 attention.

14 And I'd now like to ask counsel, Mary Murphy,
15 to address the specific issues raised in the appeal.
16 Thank you.

17
18 PRESENTATION BY COUNSEL FOR THE PROJECT SPONSOR
19

20 COUNSELOR MURPHY: Good afternoon, Members of
21 the Board. Mary Murphy, Gibson, Dunn & Crutcher,
22 counsel for the Project Sponsor. With the Board's
23 indulgence, I'd like to share my time with my cocounsel,
24 Whit Manley of Remy Moose & Manley.

25 I'd like to address how the Event Center

1 relates to the Mission Bay Redevelopment Plan and OCII's
2 environmental analysis.

3 First, OCII found that the Event Center is
4 consistent with the Mission Bay Redevelopment Plan.
5 There is ample support for that conclusion as spelled
6 out in OCII's findings.

7 OCII, as the lead agency, is responsible for
8 making that decision, and that decision is not properly
9 before this Board this evening. Rather, as you know,
10 this appeal focuses solely on the CEQA process.

11 Second, to date, all projects in Mission Bay
12 have been approved based on addenda to the 1990 and 1998
13 EIR's. Here, OCII has gone well beyond that by
14 preparing a subsequent EIR.

15 The notion that OCII has done less
16 environmental review for this project than it would for
17 other projects in Mission Bay is simply untrue.

18 Finally, Appellant argues that the arena
19 should go somewhere else so that this site should be
20 reserved indefinitely for medical or biotech uses.

21 As you know, the Warriors have already moved
22 once before and have sought approval of the arena at
23 this location after a long and thoughtful process.

24 Further, this property has been for sale on at
25 least two previous occasions, but no one emerged to

1 develop this site for medical or biotech uses.

2 With that, I'd like to turn over to Whit
3 Manley to address some of the specific issue that have
4 been raised this afternoon.

5
6 PRESENTATION BY CEQA COUNSEL FOR THE PROJECT SPONSOR
7

8 COUNSELOR MANLEY: Good afternoon, Members of
9 the Board. My name is Whit Manley of Remy Moose Manley,
10 CEQA counsel for the Project Sponsor.

11 I do want to note that we have had about three
12 dozen speakers attend here in opposition to the project.
13 That's a striking contrast from the hearing at OCII or
14 other committee meetings or Board hearings. In
15 particular, at OCII, there were three speakers in
16 opposition out of about three dozen speakers. Two of
17 them were lawyers hired by the Alliance. So, there
18 really has not been an outpouring of opposition.

19 I recognize that people have expressed their
20 concerns here today. We do feel that the environmental
21 analysis does address their concerns.

22 I also want to note that the Appellant here,
23 the Alliance, has seemingly unlimited resources for
24 lawyers and consultants, and it has done an admirable
25 job of showering comments at every opportunity on staff.

1 And I have to say staff to say that OCII staff and the
2 consultants have really done a pretty remarkable job at
3 responding to all the rainstorm of -- thunderstorm of
4 comments that have come.

5 With respect to process, there have been
6 accusations by the Alliance that the City has
7 short-circuited the process, either by cutting it short
8 or relaxing its environmental standards. Those
9 accusations are correct.

10 This project has followed all the procedures
11 associated with CEQA so far, and it has done -- it has
12 followed the exact same type of vigorous analysis that
13 the City is known for.

14 The Event Center has been certified by
15 Governor Brown as an Environmental Leadership
16 Development Project under Assembly Bill 900. That
17 certification was concurred in by the Joint Legislative
18 Budget Committee of the State's Senate and Assembly.

19 And those decisions are final and are not
20 before you today, but those do not shortcut the
21 environmental review process at all or affect the
22 standards. All they do is mean that if litigation is
23 filed, it will be promptly resolved. That's all.

24 In fact, we're very proud of the project and
25 the rigorous environmental standards that it adheres to.

1 I'd like to turn to a couple of specific
2 issues. First of all, with respect to transportation,
3 we've all recognized that that's a key and perhaps the
4 most complex issue surrounding the project.

5 I wouldn't reiterate what Mr. Albert or Mr.
6 Wyco talked about with respect to that analysis. They
7 did a far better job than I can.

8 I will say that the project is well served by
9 transit right on the T 3rd line, and it will provide the
10 resources to upgrade the station and the line, and by
11 the lightrail transit necessary to be able to augment
12 transit to the site.

13 We also will provide the funding necessary to
14 deploy Parking Control Officers, and as Mr. Albert
15 noted, they work. They work very well.

16 One particular focus of our effort has been to
17 ensure that those travelling to the Event Center do not
18 obstruct traffic to the hospital or U.C.S.F., and
19 Mr. Albert described the efforts that have been made to
20 secure local hospital access.

21 The Appellant has said that the Transit
22 Service Plan developed by SFMTA to develop transit
23 service to the site can't be relied upon. Well, we are
24 providing the funding necessary to implement it, and we
25 share SFMTA's confidence that it will work.

1 I do want to note that there is backup
2 mitigation that was approved by OCII that applies to the
3 Warriors, and that is, if the Transit Service Plan for
4 some reason is not implemented, this mitigation kicks
5 in. It applies to the Warriors. It's specific and
6 concrete. And it makes us employ a series of programs
7 in order to expand transit use and decrease reliance on
8 automobiles until we hit a specific performance target
9 of reduced private vehicle transit.

10 It's a binding performance standard that we
11 have to adhere to. There's nothing uncertain about it.

12 Very briefly, there was a Supreme Court
13 decision that came out about a week ago dealing with
14 greenhouse gas emissions. It struck down the GHG
15 analysis in the EIR for a big new town in Los Angeles
16 County.

17 In the course of striking down that EIR's GHG
18 analysis, the Court actually listed a couple of ways
19 that the County might have done the analysis.

20 One of its recommended approaches is the
21 approach that the City of San Francisco follows, and we
22 fit very neatly into that strategy. We're consistent
23 with it.

24 And on top of that, we have to buy greenhouse
25 gas emission reduction credits such that we don't

1 achieve a net increase in GHG emissions. That was one
2 of the criteria that we had to meet to qualify under
3 Assembly Bill 900, on top of complying with the City's
4 suite of ordinances to implement climate -- greenhouse
5 gas emission reductions.

6 Working with stakeholders. We've heard from a
7 variety of the stakeholders. You've met with many of
8 them.

9 We have reviewed the letter from the Dogpatch
10 Neighborhood Association, and a couple of
11 recommendations they had were directed to the Warriors,
12 namely designating a contact person at the Warriors
13 available to the Association and other neighborhood
14 groups. We endorsed that suggestion.

15 We also endorsed the Dogpatch Neighborhood
16 Association's recommendation that our updates to the
17 Transit -- Transportation Management Plan, the data and
18 surveys, all be publicly available. We agree with that
19 recommendation as well.

20 And finally, a word about working with
21 stakeholders. As Mr. Welts noted, we have really worked
22 hard with the stakeholders -- the biomedical industry,
23 the neighborhood groups, and so forth -- and in
24 particular with U.C.S.F.

25 And I do want to note that our efforts with

1 U.C.S.F. culminated with entering into a Memorandum of
2 Understanding, and under this agreement, the Warriors
3 have committed to control peak hour traffic around
4 U.C.S.F. to maintain hospital access.

5 We also committed to scale back the number of
6 peak events overlapping with Giants games if certain
7 traffic targets are not met. No other sports arena in
8 the country has made commitments like that.

9 We've done it because we take our obligations
10 to the community and to U.C.S.F. very seriously.

11 We appreciate U.C.S.F.'s willingness to work
12 with us. We do understand their concerns, and we are
13 very glad that we were able to reach an agreement that
14 satisfies those concerns. We're very proud to have
15 earned their support and their trust, and we look
16 forward to working with them.

17 We recognize that the Appellant has given
18 every indication that he intends to sue. We feel that
19 OCII, the Planning Department, and their consultants
20 have done everything possible to provide a
21 comprehensive, robust analysis. We cannot be cowered by
22 threats of lawsuits no matter how loudly they might be
23 made.

24 We'd be happy to answer any questions, and we
25 ask for your support. Thank you.

1 PRESIDENT BREED: Thank you very much.

2 I see that Supervisor Cohen's name is on the
3 roster.

4 SUPERVISOR COHEN: I'm not quite sure who to
5 direct my question to. I believe it's to Mr. Welts.

6 Why don't you come back up, Mr. Welts.

7 So, actually, my question is not a CEQA issue,
8 but I want to pass on to you one of the recommendations
9 the Dogpatch Neighborhood Association outlined
10 specifically for your organization in a letter that I
11 referenced earlier.

12 I'm happy to get you a copy of it as well
13 after the hearing. But the letter is that the -- in the
14 letter, the request is made that the Warriors have a
15 dedicated method to address neighborhood-specific issues
16 when they arise, and a regular staff member that they
17 can be in contact with.

18 Is this something that you can continue to be
19 committed to? because as of right now, you have all
20 hands on deck. There's, like, more than enough people
21 reaching out to us.

22 But, you know, as the project, granted, gets
23 under way, I want to make sure there's a person that I
24 can direct people to, you know, so I'm not the only one
25 receiving the complaints. I can share it a little.

1 WARRIORS PRESIDENT WELTS: Well, I can't
2 promise that you won't receive the complaints, but I
3 promise that you will have a person on staff --

4 SUPERVISOR COHEN: Sure.

5 Is that person already in place, or is this a
6 position that you're going to be creating?

7 WARRIORS PRESIDENT WELTS: I would guess we
8 will take one of the people who's been involved -- very
9 involved in the community organization that we already
10 have in place and probably re-assign somebody to that
11 role. But we'll commit that we have that role.

12 SUPERVISOR COHEN: All right. Fantastic.

13 So, I also ask that we make their E-mail and
14 contact information public and that they're accessible,
15 that they're attending neighborhood meetings and really
16 being on the ground, much like the work that you've done
17 all the way up until this point today to work with the
18 project.

19 Oftentimes, Project Sponsors spend a lot of
20 resources and then they pull out when challenges arise,
21 and I just want to ensure that that's not going to
22 happen.

23 WARRIORS PRESIDENT WELTS: You have that
24 commitment.

25 SUPERVISOR COHEN: Thank you.

1 PRESIDENT BREED: Thank you, Supervisor Cohen.
2 And with that, we're going to move to open
3 this item up to public comment.

4 Would those public commenters who want to
5 speak in support of affirming the Environmental Impact
6 Report please line up to my left.

7 If there are any of the members of the public
8 with any physical disabilities, please come forward to
9 the front.

10 First speaker, please.

11
12 PUBLIC COMMENTS IN SUPPORT OF THE EIR
13

14 HENRY WIMMER: Hello. My name is Henry
15 Wimmer. I'm a longtime resident of Potrero Hill, small
16 business owner, and a supporter of the arena project.

17 I wanted to take a moment to really commend
18 Rick Welts and his whole team for interacting with the
19 community and really a lot of great planning with --

20 PRESIDENT BREED: Excuse me. Let me just
21 pause your time for a second.

22 To members of public who are here, can you
23 please keep the noise down while we listen to public
24 comment. Thank you very much.

25 HENRY WIMMER: Again, I wanted to commend the

1 Warriors for their outreach in the community and their
2 cooperation with transportation concerns.

3 Obviously, there's a lot more gridlock as
4 there's a lot more building in the last 24 months, 36
5 months, and it's great to understand that \$17 million
6 are being implemented from the Warriors with this
7 concern in addition to annual funds.

8 I think it's a marvelous project on a lot of
9 levels. I think that it's important to remember that
10 the scope of the arena is less than half the size of the
11 Giants stadium, and there are a lot of naysayers and
12 concerns about that. And a lot of those issues have
13 been mitigated very well.

14 And there are half as many games as well. So,
15 it's a much smaller project than the Giants situation.
16 And with a lot more flow to the area, as has been, you
17 know, mentioned before, it's -- the traffic concerns, I
18 think, are something that certainly can be solved.

19 One thing I'm excited about is the multi use
20 of the stadium. I'm a big music fan, and that's where
21 my heart is. So, the fact that we can have a
22 world-class arena here in San Francisco as opposed to in
23 San Jose, I think that benefits the City in a great way.

24 And open space on the site for a multitude of
25 uses is also excellent for education and family-oriented

1 events.

2 Thank you so much for your consideration.

3 PRESIDENT BREED: Thank you.

4 Next speaker, please.

5 PUBLIC SPEAKER: Good evening, Supervisors.

6 I just want to I say I'm a lover of San
7 Francisco, and this project is a great opportunity for
8 the City of San Francisco.

9 As you probably know, San Francisco Port
10 before 1960 was the busiest port this side of the
11 Mississippi, but because we didn't want to commit to
12 improving our port facilities and Oakland did to the
13 tune of \$800 million, that traffic went over there.

14 And also, in the southeastern part of San
15 Francisco in the Dogpatch area, that area used to be the
16 heaviest area of -- heaviest concentrated area of heavy
17 industry this side of the Mississippi. Now that's all
18 gone elsewhere.

19 And so, with this Warriors stadium, it's
20 fantastic that they're willing to mitigate any problem
21 or any negative issue that comes up. And they do it
22 without costing the taxpayers of San Francisco a dime.

23 The fact that they were able to get the
24 hospital to sign on to this just proves their commitment
25 that they love the City and that they are responsible

1 and that they're obligated to make sure that this
2 doesn't have a negative impact on the City.

3 The City is more crowded because we have more
4 people, and this will actually help that because these
5 MTA and transportation facilities will be in place
6 whether there's a game or not.

7 You also have to remember that -- you know,
8 like one of my friends said, Well, we always have the
9 Moscone Center and we have the Bill Graham Auditorium.

10 But, you know, we're San Francisco, and this
11 would be great just -- like, for instance, if we had
12 three simultaneous events happening at these three
13 venues, this will be a windfall for the City.

14 And I think the Supervisors -- I really want
15 you to appreciate the hard work that OCII has done, and
16 please accept this proposal for the coliseum.

17 Thank you.

18 PRESIDENT BREED: Thank you.

19 Next speaker, please.

20 PUBLIC SPEAKER: Hello. My name is Paulette
21 Brown.

22 I'm here in support also. I just want to
23 bring that, you know, it's been a while. I want to say
24 this is gonna help people get jobs when this come
25 here -- when the stadium is here. And it's gonna help

1 people to get jobs.

2 And I say that because, you know -- and it's
3 gonna -- I don't think it's gonna do anything to disrupt
4 the hospital. Matter of fact, it's probably going to
5 benefit them, because the children and families and the
6 people that are in the hospital are going to, you know,
7 make a wish to say, Look, I want to meet my favorite
8 sports player. And they can come there and talk to the
9 patients there. So, I think it's a good thing.

10 I'm not -- I am worried about a little bit of
11 violence, but if you have things in place, this won't
12 happen.

13 So, I support -- I support the -- what's gonna
14 happen. I support that they're gonna be coming here,
15 and maybe I can get a job with them.

16 Thank you.

17 PRESIDENT BREED: Thank you.

18 Next speaker, please.

19 GREG L. PENNINGTON: My name is Greg
20 Pennington, and I'm a resident of San Francisco for 38
21 years. And the current score is 113 to 94 in the fourth
22 quarter. We're on our way to 23-0.

23 I want to say that I appreciate that U.C.S.F.
24 gives us some of the best medical care in the world, and
25 I'm very proud of that.

1 This is not an either/or situation. The City
2 that knows how can make this a win-win for everyone.
3 And the Warriors have worked very hard with U.C.S.F. to
4 make that real.

5 The Warriors came to San Francisco from
6 Philadelphia in 1962. They were a San Francisco team
7 that moved to Oakland because Oakland built an arena.
8 We are not stealing an Oakland team; we are getting our
9 team back.

10 We lost the Bank of America to Charlotte, the
11 Rock & Roll Hall of Fame to Cleveland, the George Lucas
12 Museum to Chicago, NBC and the 49ers to Santa Clara
13 County. It is time to stop the losses and get something
14 back that is ours.

15 All the terrible problems claimed by the
16 opposition of AT&T Park never came to pass. South Beach
17 is a vibrant and thriving neighborhood. AT&T Park is a
18 success story and model for private financing of
19 stadiums.

20 And I remind you, there's always people
21 against everything. There was vociferous opposition to
22 the Golden Gate Bridge.

23 San Francisco played a major role in rock &
24 roll history, and it has no major rock & roll venue.
25 Coldplay and Elton John and major groups play Oakland

1 and San Jose. I cringe when I hear Coldplay say,
2 "Hello, San Jose."

3 Bernal Heights complained about the noise from
4 the Rolling Stones at AT&T Park, shamefully embarrassing
5 this rock & roll city.

6 The noise problem is eliminated with the new
7 arena. Indoor arenas have better acoustics than outdoor
8 stadiums.

9 The Warriors are offering an incredible gift
10 to this city. They offer the best team in basketball, a
11 world-class arena that brings prestige to this city.

12 I don't want to know the way to San Jose. I
13 want San Francisco to be the city that knows how.

14 MADAM CLERK CALVILLO: Thank you.

15 Madam President, before the next speaker, I'll
16 just remind the public that vocal expression is
17 prohibited in the chamber. Please use your supportive
18 fingers instead.

19 PRESIDENT BREED: Thank you very much.

20 Next speaker, please.

21 PUBLIC SPEAKER: Hello, Madam President,
22 distinguished Members of the Board.

23 If I may say hi to -- I previously interned
24 with Supervisor Tang and I am a former Don. So, go
25 Dons, President Breed.

1 I just want to say my argument for the stadium
2 is more of a substantive argument in that I do a lot of
3 work with youth and I also do a lot of work in my
4 community of Ocean Avenue.

5 And the work I've done with youth, I've done a
6 lot of work with youth involved with sports as a coach.
7 I've done a lot of work as a mentor and a counselor, et
8 cetera.

9 And I just have to say that I have dealt with
10 kids in the Lakeview. I've dealt with kids in the
11 Hunters Point and different areas. And I have used
12 sports and I have used this idea of bringing a community
13 together around something to really take kids off of the
14 streets.

15 And it's actually really -- one person I was
16 mentoring, he actually was just out of Juvenile Hall,
17 and we ended up giving him a basketball scholarship at
18 the school I was coaching at. And through this sports
19 thing, he now is in college. He is now off the streets.
20 He is now no longer involved in violence.

21 And what this arena brings is a sense of
22 community. It brings something for youth to get
23 involved around rather than getting involved around
24 things that they shouldn't be involved with. They get
25 involved with something that brings the community

1 together, that brings youth together, that brings the
2 City together, and that gives us really something to
3 root for together.

4 And honestly, just, it's a blessing to the
5 City to be able to help youth in the community.

6 So, thank you very much.

7 PRESIDENT BREED: Thank you.

8 Next speaker, please.

9 MIKE McGONGLE: Those are tough acts to
10 follow.

11 Hi. My name is Mike McGongle. I live in
12 Mission Bay, and I strongly support the Warriors
13 project.

14 When my wife and I bought our home over
15 three-and-a-half years ago, we knew the neighborhood
16 would change and change in a big way.

17 We looked forward to it. For most of us that
18 live in the neighborhood, it has not happened fast
19 enough, and we're all tired of the empty spaces and the
20 piles of dirt.

21 The project will replace acres of empty space
22 with a venue that San Francisco has always needed. It
23 will also come with substantial transportation
24 improvements.

25 Those of you that think biotech is the answer

1 to a more liveable community, I encourage you to walk
2 the area after 7:00 p.m. You will soon realize what all
3 of us that live in Mission Bay already know: Nothing is
4 going on.

5 These workers arrive in the morning and go
6 home in the evening, treating our neighborhood like an
7 office park, leaving behind an empty and quiet area
8 where crime can and does take place.

9 The arena is a gift to the City and our
10 neighborhood. It will bring a vibrancy to the area that
11 is sorely missing. In doing so, it will welcome and
12 showcase the diversity of people that makes this city
13 great.

14 Thank you.

15 PRESIDENT BREED: Thank you.

16 Next speaker, please.

17 PUBLIC SPEAKER: Good evening, President
18 Breed, Supervisors.

19 On behalf of U.C.S.F. Chancellor Sam Hawgood
20 and Vice Chancellor Barbara French, I'd like to share
21 the following statement:

22 "U.C.S.F. supports the entitlement and
23 construction of the Warriors Arena and Event
24 Center, and we oppose the appeal that is
25 before you today.

1 "U.C.S.F. began studying the proposed
2 Warrior project in the summer of 2014 with
3 an eye to its impact on the newly opened
4 Women's, Children's and Cancer Hospitals.

5 "The main concern of our chancellor was
6 the impact of the project on transit and
7 transportation, and the ability of our
8 patients, patient's families, and health
9 workers to access the hospital in a safe and
10 timely manner.

11 "Over several months, U.C.S.F. worked
12 with the city and the Warriors, and made
13 concrete transit and transportation
14 management measures to facilitate access to
15 our hospitals with a specific focus on
16 weekday evening events when there's a
17 baseball" -- or, excuse me -- "a baseball
18 game at AT&T Park and a large event at the
19 Warriors Arena and Event Center.

20 "In October, our Chancellor acknowledged
21 agreements with the City and the Warriors
22 and endorsed the project.

23 "U.C.S.F.'s endorsement reflects our
24 satisfaction with the transit and
25 transportation measures adopted by the City

1 and the Warriors.

2 "U.C.S.F. believes that the
3 transportation infrastructure that is
4 currently planned in the area combined with
5 the specific actions that are adopted by the
6 City and the Warriors will facilitate access
7 to our Mission Bay hospitals."

8 Thank you.

9 PRESIDENT BREED: Thank you.

10 Next speaker, please.

11 MICHE PRICE: Good afternoon. Actually, I
12 guess it's evening now.

13 Madam President, Supervisors, thank you for
14 your time. I'm Miche Price. Twenty years living here
15 in San Francisco, and three years in Mission Bay. I was
16 kind of one of the originals in Mission Bay South.

17 Over the past three years, I've seen a lot of
18 change. And in that change, it's been wonderful. Great
19 people. Amazing dogs everywhere. A community garden.

20 But what I haven't seen is improvements to
21 transportation, to places to eat, any kind of sources at
22 all within the neighborhood. Even the Starbucks is
23 closed on evenings and weekends even though it's in a
24 residential building.

25 So, in my humble opinion, this Warriors

1 project really is what our neighborhood needs in order
2 to create that positive change in each of these areas.

3 However, today's appeal is really about
4 transportation, so I'm going to focus on that, because
5 getting to Mission Bay, does it suck? Oh, yes,
6 definitely, without a doubt.

7 Can we handle more traffic during commute
8 hours? Absolutely not.

9 And Muni? Even today it's kind of more like,
10 Move over, sardines. We're many coming in.

11 However, with or without the Event Center,
12 traffic in Mission Bay is going to increase. We're not
13 even 40 percent occupied as far as residents.

14 The question is just whether it's going to be
15 for a variety of games and events and other social
16 activities that the community members can participate
17 in, or is it going to be more office buildings where
18 office workers where, as the previous speaker said, will
19 leave at 7:00.

20 For me, I hope it's going to be something that
21 is a going to help me build the neighborhood.

22 And the well vetted events plan already
23 includes much of the transportation improvements that we
24 already desperately need today.

25 So, let's not forget that it's also going to

1 bring jobs, retail, sense of security, entertainment
2 opportunities, friends, and also places to eat
3 hopefully, for not just the neighbors and the residents
4 and the people that work there, but also for those
5 people, family members and friends, who are visiting the
6 people at the U.C.S.F. hospital, because there's nowhere
7 for them to go in order to get away and take a break.

8 So, thank you for your time once again. And
9 as an aside, remember we are a Transportation-First
10 Neighborhood, so parking garages are not the answer.

11 PRESIDENT BREED: Thank you. Thank you.

12 Next speaker.

13 DAVID LOMBARDI: Good evening. My name is
14 David Lombardi, and I live in the Mission.

15 I'm also a football reporter, and I cover
16 other sports for ESPN. So, I think I come at this
17 project from a two-sided kind of angle, first as a
18 resident, and then obviously for my professional life.

19 But as a resident of San Francisco, I can say
20 that I haven't always lived here. And this has always
21 been a city that has inspired me, because I'm from three
22 hours.

23 And when I was about 10 years old in 1998, my
24 dad drove me to San Francisco. We went to watch the
25 Giants play at Candlestick Park. And then he drove me

1 downtown or near the area of downtown where AT&T Park
2 now is.

3 It was abandoned warehouses. It was
4 disgusting. We had tents everywhere. It just was not
5 an area that can make what I think is the most beautiful
6 city in American and what I think is one of the most
7 beautiful cities in the world proud, so close to the
8 center the everything.

9 And my dad told me that Barry Bonds is going
10 to be hitting home runs here in just about three to four
11 years. And I did not believe him at the time, but now
12 we fast-forward about 20 years and we see what that area
13 has become and what it's going to become in the future
14 still with so much more development happening in South
15 Beach.

16 So, I think that what we have here with this
17 Warriors arena project is very similar to what we had
18 potentially with AT&T Park. And we can make this into a
19 great area of San Francisco.

20 The Warriors have fully committed to creating
21 a world-class venue that this City really needs.

22 And from my professional perspective, it's
23 ridiculous that you could be in a city this great and
24 not have an event center that really suits a city of
25 this kind.

1 Finally, I've spoken at a couple of these
2 other meetings, and I can say that there have been
3 hardly any opposition members until today.

4 And you see this long line of people waiting
5 to speak behind me. We've had this kind of turn-out at
6 almost every single meeting so far. So, the Warriors
7 are a first-class organization, and they have done the
8 community organizing to make sure that this should
9 happen.

10 Thank you.

11 PRESIDENT BREED: Thank you.

12 Next speaker, please.

13 SUPERVISOR AVALOS: And they're about to win
14 again.

15 ANN-MARIE OLSSON: Thank you for allowing me
16 the opportunity to share my opinion regarding the
17 proposed Warrior Arena and public spaces project.

18 When a project such as this deeply resonates
19 with me, I feel compelled to come out of my comfort zone
20 and stand up to speak on its behalf.

21 My name is Ann-marie Olsson and I live in the
22 Haight. I believe that the project before you will
23 benefit the City and the neighborhood greatly providing
24 tax revenues which would not exist but for this project,
25 while not burdening the residents of San Francisco.

1 The tax revenues would be set aside for
2 improving public transportation and the lessening of the
3 severity of the traffic in the Mission neighborhood.

4 I also believe the completed project with its
5 parks, its retail, its beautiful vistas and walkways,
6 along with the arena for the Warriors and for other
7 events, will become a major destination for friends,
8 family, visitors, and maybe filmmakers to our city.

9 Please deny the EIN's [sic] appeal and allow
10 the project to move forward. As a lifelong Golden State
11 Warrior fan, I thank you for your time and your
12 consideration.

13 PRESIDENT BREED: Thank you very much.

14 Next speaker, please.

15 TEREZIA NEMETH: Good evening. My name is
16 Terezia Nemeth. I'm with Alexandria Real Estate
17 Equities, Inc.

18 We have developed, own, and maintain all of
19 the Mission Bay life sciences buildings to date. We
20 work very closely with the Mission Bay life science
21 community because they are our tenants.

22 We met several times with the Warriors, and
23 were incredibly impressed with their professionalism,
24 how carefully they listened to all of the concerns and
25 issues that the life science community brought to them.

1 They addressed each and every one of them to
2 such an extent that we all came together and jointly
3 issued a statement of support to them with 19 firms, I
4 believe it was, including ourselves.

5 So, we are here to say you should reject this
6 appeal and we support the project.

7 Thank you.

8 PRESIDENT BREED: Thank you very much.

9 Next speaker, please.

10 GEORGE AMBUS: Hi. My name is George Ambus,
11 and I am a native of San Francisco, and I have been
12 working in San Francisco for the last consecutive 24
13 years.

14 I grew up in the City, and I had the good
15 fortune of seeing it change from old shipyards and
16 desolate land to the vibrant community it is today.

17 Just like the vibrant diversity of the City,
18 so are its peoples. It is our community that should be
19 reflected in how we shape the building of the City; it
20 is the building of the city that not only represents us,
21 but also the diversity in the tourists that visit us.

22 To keep it short, I bulleted a few points that
23 I respectively would like you to consider when making
24 your decision.

25 Number one, housing is overpriced. This

1 project brings with it \$25 million in affordable
2 housing.

3 Even the most educated and hard-working
4 residents are struggling with the increases in rent
5 prices. Housing in particular is an important area to
6 consider given the current housing market increases
7 brought on by the growth of the tech industry.

8 The project brings more retail and restaurant
9 space, a chance for small businesses' opportunities in
10 the City. New architecture, retail spaces and
11 restaurants increase the attractiveness to potential
12 tourists.

13 It also brings \$40 million in transit
14 improvements which would benefit the whole surrounding
15 neighborhood.

16 As the son of an immigrant father that drove a
17 Muni bus for 30 years to put three kids through school,
18 I saw what it meant to be afforded an opportunity in
19 this beautiful city.

20 When discussing the future of this city, we
21 should not forget that all residents should continue to
22 be afforded with opportunities from education and job
23 opportunities to being part of the cultural experience
24 of the City.

25 We as San Franciscans can move forward with

1 projects that touch the lives of our residents. I
2 believe that the Warriors building project does that.

3 Thank you.

4 PRESIDENT BREED: Thank you.

5 Next speaker, please.

6 ANTOINETTE MOBELY: Good evening, Board of
7 Supervisors. My name is Antoinette Mobely. I am a
8 resident of Bayview Hunters Point. I'm a proud resident
9 of Bayview Hunters Point.

10 And the Warriors -- I've been a fan since my
11 childhood. So, the big number 40, you know, we won us a
12 championship; right. We did it.

13 And now we get an opportunity to bring this
14 world-class event stadium here on behalf of the Golden
15 State Warriors. I mean, that's unprecedented, as
16 someone said earlier at the rally. And I believe that
17 wholeheartedly.

18 There isn't very much lifestyle going on in
19 the Bayview. I mean, we all get together when we can,
20 and we enjoy ourselves together, but there isn't a place
21 like this proposed plan where we can be outdoors, you
22 know, bring some development in, have jobs for our
23 construction workers, have places for families to come.

24 And that's really a key word. You guys have
25 to understand the families in Bayview Hunters Point have

1 waited a long time for a plan like this to come its way.

2 The 49ers, unfortunately, they had nine home
3 games. That's it. This is gonna be 365 days a year of
4 events.

5 And people brag about San Francisco. They're
6 gonna do more than that, you know, with a world-class,
7 seven-days-a-week event center.

8 So, I really want you guys to throw out all
9 that nonsense that those opponents have brought to you
10 guys today and just consider, you know, what we
11 supporters are sharing with you.

12 I want to thank the Warriors Ground and SFMTA
13 and OCII and everybody involved in this plan for
14 bringing this and making this happen. You guys have
15 done an exceptional job.

16 Thank you, Supervisor Malia Cohen, for your
17 questions today, for really digging in to make sure that
18 everyone could answer questions that I'm sure some of
19 you didn't even think about. That means that we have
20 such an awesome leader in our neighborhood.

21 PRESIDENT BREED: Thank you very much. Thank
22 you.

23 Next speaker, please.

24 SUPERVISOR COHEN: Are you cutting her off?

25 TIM SLAUGHTER: My name is Tim Slaughter. I

1 live in Dogpatch.

2 I want to thank you supervisors for staying
3 awake, alert, listening to that long line of people.

4 I want to give respect to that women who just
5 was speaking. She mentioned, families, things to do.

6 I probably cross through this lot there at
7 16th and 3rd over to Terry Francois eight to twelve
8 times a week from where I live going up into Mission
9 Bay.

10 I walk through the lot -- the parking lot
11 that's there, maybe 30 percent full. That doesn't
12 generate a whole lot of money.

13 I see all the weeds there. I ride my bike. I
14 walk along Terry Francois. A few benches. Let's sit
15 and look.

16 What will this project mean? This will
17 enliven the whole area. Parks amounting to about
18 four-and-a-half football fields. The activity. The
19 restaurants.

20 The money -- hiring people to build this, to
21 maintain it, to work it.

22 People coming in. We have great restaurants,
23 shops down in Dogpatch, down 3rd Street.

24 People come to the event. They come down to
25 Dogpatch, down to Bayview. All these areas where

1 families are. Things that we can do.

2 I went to a meeting sponsored by the Dogpatch
3 Neighborhood Association. These people were here. The
4 Alliance people. Everybody spoke.

5 I heard the Alliance people bringing up the
6 same point. Page 100 of the EIR, which is rebutted by
7 the traffic people.

8 Why are they going back in churning up
9 questions that were answered already? Because they
10 don't have much of anything.

11 This is something San Francisco needs,
12 something that will enrich us all, will bring the region
13 into San Francisco instead of spreading it out around
14 the Bay.

15 Thank you all so much.

16 PRESIDENT BREED: Thank you.

17 Next speaker, please.

18 ERIC SMITH: Good evening, Supervisors. Eric
19 Smith, San Francisco Bay Railroad and former member of
20 the Mission Bay CAC.

21 I'm in support of the Warriors project.
22 Although I grew up in Washington, D.C., I can still
23 vividly remember Rick Barry beating my Bullets. So, I
24 don't even know what to say about that.

25 But one of the things I did notice in the EIR,

1 or lack of, was when they discuss what they were going
2 to do with remediating the site, getting rid of the, you
3 know, hazardous materials.

4 They talked about barging -- I haven't seen
5 the Port of San Francisco do that in I don't know when
6 -- or trucking it across the Bay over the Bay Bridge.

7 Now, just think for a second. That's 20,000
8 truck trips. Okay. That's at same amount of trucks
9 that go over the bridge from Recology in five years.
10 So, the Warriors want to do that in three months.

11 Now, I don't know why they didn't look around
12 and see if there might be some other sustainable
13 options. San Francisco has a freight rail. They've
14 taken stuff from Transbay, from Mission Bay, from the
15 shipyard, and they could do it in a third of the amount
16 of time. So, looking at that, that was sort of funky
17 for me.

18 But local hiring is big. Keeping stuff in the
19 City, I mean, that's a big, big thing for me. So, I
20 would encourage the Warriors and the Supervisors to look
21 at that.

22 And reducing greenhouse gas emissions, that's
23 big. I mean, if you want to be great stewards of the
24 community and really hire from the community and local
25 hire and that kind of thing, I would seriously consider

1 those options.

2 Thank you, Supervisors.

3 PRESIDENT BREED: Thank you.

4 Next speaker, please.

5 PETER VARMA: Good evening. My name is Pete
6 Varma. I'm also a business owner in San Francisco, and
7 I'm here to represent the National Association of
8 Minority Contractors.

9 I'm the local chapter president.

10 We have over a hundred contractors -- small,
11 minority contractors out of the Bayview District and
12 also throughout San Francisco.

13 This is a huge project for us, built by
14 minority contractors, built by small companies. This
15 gives an opportunity to generate revenues, grow their
16 business scale up, because that's what we should be
17 doing in San Francisco.

18 And as far as the Warriors is concerned, they
19 are one of the best corporate citizens. They joined our
20 organization without any hesitation. They came to our
21 events when we hosted it, met with contractors -- small
22 contractors and emerging contractors, and talked about
23 some of the opportunities.

24 Contractors will create jobs. We have union
25 members, nonunion members. They will hire from the

1 communities, and they will get back to the communities.

2 So, I'm here to support and don't miss out on
3 the opportunity for not agreeing on building this
4 Warriors stadium. I think this is history being made.

5 Thank you.

6 PRESIDENT BREED: Thank you.

7 Next speaker, please.

8 ESTHER STEARNS: Thank you. Hello. I'm Ester
9 Sterns. I'm a resident of Mission Bay South.

10 My wife and I are raising our three teenage
11 children in a building that looks right out onto the
12 arena site, and we are big supporters of the arena.

13 When we made the decision three years ago to
14 move into Mission Bay South, it was a leap of faith.
15 The neighborhood was very undeveloped, but we believed
16 that big cities do big things, and we believed that
17 great cities do great things. And we were certain that
18 San Francisco would make Mission Bay a great place.

19 And I think we're well on track, but it was an
20 incredible gift when the Warriors arena got slated for
21 Mission Bay. It well exceeded our expectations.

22 You know, I don't think anybody who moves into
23 an undeveloped neighborhood, whether to live or to build
24 or to work, should be surprised when things change.
25 That was the whole plan -- was change, and it's

1 disingenuous to think you can control all the change
2 that's around you.

3 But we can all engage in this public process
4 that we have and create a great plan, and the Warriors
5 have been fabulous partners in listening to concerns.

6 Naturally, we were concerned about transit,
7 traffic, and congestion. You know, we live there every
8 day. And the plan that they've developed not only am I
9 very supportive of, but what I really like about it is
10 the flexibility they have built into it so it's not just
11 a "One and done, This is the way it's gonna be."
12 Because who can foresee all of the impacts of a huge
13 development like? I don't think anybody can.

14 But what we can do is put the best plan in
15 place now and then agree to keep working together, and
16 that's what I think is happening here, and it's
17 fabulous. And having the funding to pay for the transit
18 for the southeast side is critical.

19 Thank you very much. Please reject the
20 appeal.

21 PRESIDENT BREED: Thank you.

22 Next speaker, please.

23 PUBLIC SPEAKER: Supervisors, Michael
24 Theriault, San Francisco Building and Construction
25 Trades Council.

1 There's been some attrition in the building
2 trades contingent here. It was more substantial
3 earlier, but I'd like to honor the persistence of those
4 who've remained and ask them to stand, if you would.

5 Laborers, carpenters, operating engineers,
6 electricians, so on, stand up if you would, please.

7 (Said parties in audience stand up.)

8 We remain supportive of this project. We have
9 been for quite a while.

10 On the various points in the Environmental
11 Impact Report appeal, on the question of toxics, I
12 recall well that ten years ago this entire site was
13 excavated to a depth of 20, as I said before the OCII,
14 and remediated.

15 On the desperate assertion that this is
16 marshland, well, maybe a century ago, but you all know
17 well that for decades this was the site of rail yards
18 and warehouses and a tank farm.

19 And on the -- I think Mr. Albert has very
20 adequately addressed the fear-mongering of the Mission
21 Bay Alliance with regard to traffic. I have my own much
22 less technical understanding of it. It includes in part
23 the recollection that a Kezar Stadium much larger then
24 than it is now coexisted happily with U.C.S.F. two
25 blocks away with nothing virtually but street parking

1 and served in public transit primarily by the single
2 cars of the N Judah for many, many years.

3 And I don't think mothers at the time were any
4 less likely to care about their children and their
5 hospital care than they are now, or that politicians
6 were in the U.S. less likely to pay attention to their
7 please. I think that's a bogus issue, and I think Mr.
8 Albert has shown that it is.

9 So, one other thing. Tim Paulson was here
10 earlier. He asked me to pass along that the Labor
11 Council remains supportive of the project.

12 We ask you to reject the appeal and to approve
13 the project.

14 Thank you.

15 PRESIDENT BREED: Thank you.

16 Next speaker.

17 PATRICIA BRITT: My name is Patricia Britt,
18 and I'm a resident of the Dogpatch, and I'm here in
19 support of the Warriors arena.

20 I feel the project is very important
21 because -- partially because of the Warriors' commitment
22 to improving the neighborhood.

23 Right now, as you've heard other speakers say,
24 there's very little for us to do in our neighborhood.
25 We have to go to other areas of the City for

1 entertainment. And we feel this project will bring a
2 lot of activity to our neighborhood, which will be great
3 for us.

4 I think that it will also provide many
5 positive economic benefits to Mission Bay and to
6 Dogpatch, and the level of community outreach on the
7 Warriors' behalf has been exceptional.

8 I've never spoken at a public hearing before.
9 I've never felt strongly about a project and wanted to
10 show my support for it, but I felt welcome to do that
11 through the Warriors organization, and I feel very
12 appreciative of the opportunity to be here.

13 I look forward to attending the events at the
14 facility and also to enjoying the parks and the bike
15 paths surrounding the area, and I hope that you will
16 reject the appeal and bring the Warriors home.

17 Thank you.

18 PRESIDENT BREED: Thank you.

19 Next speaker, please.

20 PUBLIC SPEAKER: Good evening, Supervisors.
21 Joel Koppel, Electrical Workers, Local 6, and San
22 Francisco Electrical Contractors Association.

23 Labor and management within our industry is
24 both fully supportive of the project. We urge you to
25 reject the appeal.

1 We've attended neighborhood meetings. We've
2 attended the commission meetings. All of them. All of
3 them.

4 And we know how much time and resources has
5 gone into this project specifically. We trust staff has
6 done its due diligence to bring forth all the facts.

7 And might I add that all the commissions and
8 hearings prior were all moving this forward unanimously.

9 So, we think that the project site is
10 extremely utilized with the combination of an event
11 center and commercial and open space, and that it will
12 have a highly positive social impact on the City as a
13 whole.

14 So, again, we're here in full support of the
15 project, and urge you to deny the appeal.

16 Thank you.

17 PRESIDENT BREED: Thank you.

18 Next speaker, please.

19 CARLOS MUELA: Good evening. My name is
20 Carlos Muela. I'm the owner of SOMA Street Food Market
21 in South of Market and home of some of the best
22 sports-viewing party events in the Bay Area. I'm sure
23 Supervisor Jane Kim can attest to that.

24 We work with over 150 different food trucks,
25 and we bring them to events all over the place. I hope

1 Supervisor Farrell is enjoying the food trucks at his
2 monthly movie nights in the Presidio.

3 So, yeah, I'm here a hundred percent in
4 support of this new arena. Six months ago, the Mission
5 Bay Redevelopment Agency reached out to me because there
6 was a need, as a lot of these neighbors have attested --
7 that there's a big need for new businesses and activity
8 to go on in Mission Bay neighborhood.

9 And I'm happy to say that I just signed a
10 lease to open up a new food truck park in Mission Bay.
11 And if it wasn't for the news of the Warriors coming
12 down there, that probably wouldn't have happened.

13 So, know that I'm proof of the change in the
14 neighborhood and the economic benefit that you guys will
15 receive in Mission Bay.

16 So, now with six months of working with
17 Mission Bay, there's a line of new small businesses
18 wanting to come in. So, I fully support of the stadium.

19 Thank you.

20 PRESIDENT BREED: Thank you.

21 Next speaker, please.

22 PUBLIC SPEAKER: On behalf of the 5,000
23 members I represent -- I have a bunch of my brothers in
24 the overflow room -- we urging to reject this proposal
25 and support the Warriors. We really like to build

1 new -- build this stadium. We one of the first local.
2 We support the local hires, and I think they going to
3 bring a lot of jobs to local San Franciscans to be work
4 on that stadium.

5 I urge you guys to support it.

6 Thanks.

7 PRESIDENT BREED: Thank you.

8 Next speaker, please.

9 BRIAN WIEDENMEIER: Good evening, Madam
10 President and Members of the Board. My name is Brian
11 Wiedenmeier, and I'm here tonight speaking on behalf of
12 the San Francisco Bicycle Coalition.

13 I'd like to draw your attention to some of the
14 bicycle improvements that are part of this project,
15 including infrastructure improvements to 16th Street and
16 Terry Francois Boulevard, which is part of our Blue
17 Greenway.

18 In addition to those infrastructure
19 improvements, the Warriors project is committed to
20 bicycle safety and education programming.

21 Bike parking at this arena will be
22 world-class. It will feature over 300 valet bike
23 parking spaces and up to 500 indoor secure bike parking
24 spaces.

25 As some of you may know, we operate the

1 bicycle valet parking at AT&T Park. And that has 150
2 spaces, and we routinely turn folks away for Giants
3 games and other events at AT&T Park.

4 We have been working with the Warriors for
5 over a year in discussions to look at the bicycle
6 impacts of this project. I think we are very pleased
7 with where things have ended up.

8 And we -- we recognize also that the bicycle
9 improvements and access issues will continue to be
10 something that we're discussing after the arena opens,
11 and we look forward to continuing those conversations
12 and working with the Warriors into the future.

13 So, thank you very much.

14 PRESIDENT BREED: Thank you.

15 Next speaker, please.

16 JESSE WOODWARD: Good evening, Supervisors.
17 My name is Jesse Woodward.

18 I'm here today to support the arena and give
19 my experience as a small business owner in San
20 Francisco.

21 I own a restaurant and a bar in District 8 in
22 the Castro. The bar that I own happens to be a sports
23 bar, and it happens to be the only sports bar oriented
24 to the LGBT community in San Francisco.

25 We've worked closely with the Warriors too.

1 We've hosted a lot of watch parties for the games,
2 including playoffs, at which the proceeds of which
3 benefited the Warriors Community foundation.

4 We've also hosted the NBA championship trophy
5 after it took a trip down Market Street during the Pride
6 period.

7 What this shows is that the Warriors have
8 engaged and listened to the LGBT community throughout
9 this arena project.

10 As a San Francisco resident, I support us
11 being able to have a world-class arena that will have
12 many purposes, not just basketball.

13 It will bring so much business to the Mission
14 Bay and to the City. I personally look forward to being
15 able to ride my bike to games and concerts without
16 having to deal with bridge traffic, BART schedules, et
17 cetera.

18 It will benefit the Mission Bay immensely. It
19 will provide open space that can be used by everyone.
20 Retail will be all year around, not only during events.

21 And the Warriors have made it clear that
22 everyone in San Francisco will be welcome and will
23 benefit from this project at Mission Bay.

24 The amount of outreach that the Warriors have
25 done, the due diligence and how they've gotten the whole

1 City involved in the process is incomparable.

2 I personally have been to several meetings
3 where they listened to the concerns and worked with all
4 the groups and worked out any concerns.

5 Rick Welts, the President and CEO, personally
6 came to the Castro Merchants meeting and answered the
7 questions. We unanimously decided to support the
8 project, as have all the other neighborhood groups.

9 So, I just wanted to thank you and support
10 this arena. Thank you.

11 PRESIDENT BREED: Thank you.

12 Next speaker, please.

13 PUBLIC SPEAKER: Good evening, Board of
14 Supervisors. Again, I thank you for still being awake.

15 I am a 13-year resident of South of Market and
16 I am a native of San Francisco. And I moved from an
17 area in Pacific Heights where there was open space. So,
18 if I felt like walking to a park, it was there. If I
19 fell like going to a café, it was there. If I felt like
20 doing something, there were things to do there.

21 I did move into South of Market knowing that
22 there were things coming down the pike, as -- like
23 someone else said, change was inevitable. But then when
24 the Warriors -- when I heard about the Warriors project,
25 I said, you know, I need to jump into the fray, because

1 we really need open space.

2 I mean, I work from home. So, here's my day:
3 I walk out and I crash into techies on their devices.
4 So, that's my excitement.

5 I have no place to sit, to work outside of my
6 house. And it would be great to sit in the open space
7 that they're proposing to offer us.

8 A lot of points that people mentioned have
9 already been -- that I wanted to mention have already
10 been mentioned.

11 So, what I want to say is I just really urge
12 you to really approve this arena. We really need it in
13 our community, and I thank you very.

14 PRESIDENT BREED: Thank you.

15 Next speaker, please.

16 CATHY SEARBY: Hi. My name is Cathy Searby,
17 and my family and I live in Mission Bay South next door
18 to the proposed arena site.

19 We're so excited, not only to watch the
20 world's best basketball team play in our own backyard,
21 but to attend the family shows, special events, holiday
22 events, concerts that we can take our kids to.

23 As a child, some of my best family memories
24 were of going to see the Harlem Globetrotters and the
25 Ice Capades with my own parents.

1 Recently, the San Francisco Chronicle reported
2 that Steph Curry is rapidly gaining international
3 attention. He was rated as the most influential man in
4 the world, and he's quickly becoming the best possible
5 role model for today's youth.

6 The article goes on to say that the Warriors
7 are becoming -- this was Sunday's article -- they're
8 becoming the coolest, most talked about, must-see show
9 in sports.

10 We should be counting our blessings that they
11 want to privately fund this project and settle in
12 Mission Bay.

13 For over 20 months now, the Warriors have
14 shown an impressive community outreach into Mission Bay.
15 They have not only become our friends; they've won our
16 hearts, gained our trust, confidence, loyalty, and
17 support.

18 Thanks.

19 PRESIDENT BREED: Thank you.

20 Next speaker, please.

21 SCOTT VAN HORN: Good evening, Supervisors.

22 First of all, I'd like to congratulate the
23 Warriors on winning another game tonight.

24 Second, my name is Scott Van Horn. I live in
25 Dogpatch, less than two blocks from the project site.

1 And before I begin my own comments, I was
2 asked by the Dogpatch Neighborhood Association Board of
3 Directors to deliver this letter specifically to
4 Supervisor Cohen, but it seems like you guys have
5 already addressed a lot of the things in there, and I
6 really appreciate that.

7 I am not speaking on behalf of the
8 neighborhood association. I'm here on my own. So, the
9 reason that I'm here today is to really voice my full
10 support for this project, and to applaud the Warriors on
11 the neighborhood outreach they've done, and to make it
12 clear that the Mission Bay Alliance does not reflect our
13 community.

14 The Mission Bay Alliance is not a
15 long-standing, grassroots organization. It is an
16 organization that was created just this past spring by
17 some billionaires and some guys with Ph.D.'s.

18 None of the members of the Alliance even
19 bothered to show up -- to appear at any of the several
20 public hearings last month. I was there. My neighbors
21 were there. The community was there.

22 Instead, their statements were all read by
23 hired spokespeople. For example, at the OCII EIR
24 hearing, well over 30 people spoke, and all but three of
25 them were in favor of the project. Of those three

1 opposed, two of them were paid lawyers.

2 Meanwhile, the Warriors have spent the last
3 three years in the community, listening and adapting the
4 project based on neighborhood and community feedback.

5 I urge you to deny the Mission Bay Alliances's
6 request to appeal the EIR. The Warriors have shown that
7 they are a great asset to the community, are committed
8 to supporting the surrounding neighborhoods, and we are
9 equally committed to making this project a reality for
10 our neighborhoods and the City.

11 Thank you.

12 PRESIDENT BREED: Thank you.

13 Next speaker, please.

14 PATRICK VALENTINO: Good evening. My name is
15 Patrick Valentino. I'm the president of the South Beach
16 Mission Bay Merchants Association. I'm also a local
17 resident.

18 And I think as of today, I've gone to almost
19 every single public meeting that's come up with -- for
20 this site going back to 30-32, going back to probably
21 2012.

22 So, what I've seen is the community input
23 evolve this project. The community support for the
24 project has been broad, it's been diverse, and it's been
25 local.

1 And Rick, we've got quite a deep bench on the
2 community side as well.

3 What has happened is a project has come about
4 that's gonna create a sense of place for Mission Bay.
5 The biggest objections to the project have been met head
6 on, and I think that's a very important to consider.

7 We've spent a lot of time tonight hearing from
8 the City, from consultants, from staff talking about
9 what the difficulties are and how to solve them for this
10 project.

11 The community has come, spoken, and evolved
12 over time. And the response has been to solve those
13 problems. So, we have a project that's teed up to be
14 excellent.

15 The opponents have been high-paid lawyers and
16 consultants. They even staffed public comment with paid
17 lawyers tonight.

18 They challenged the EIR before it even came
19 out. They said they were going to sue until the cows
20 came home before the public had the chance to see the
21 Environmental Impact Report. I think that tells you
22 where they're coming from.

23 From a -- as being a practicing lawyer for
24 over 22 years, I've always told my client, If the other
25 side brags about how much they're paying their lawyers

1 and that they're going to sue you forever, they have no
2 case.

3 And I think what's been proven tonight is that
4 they have no case.

5 Thank you very much.

6 PRESIDENT BREED: Thank you.

7 Next speaker.

8 DENNIS MacKENZIE: Thank you, Supervisors.

9 I'm Dennis MacKenzie, Round the Diamond
10 Consulting and Education. I've been teaching in the San
11 Francisco public high schools for about 14 years.

12 I sent you an E-mail this morning in support
13 of the confirmation of the EIR report, so to certify
14 that.

15 And I'm asking you to take every step
16 necessary to work with both sides.

17 Obviously, there is a lot of critical issues,
18 but you also know my perspective that I want to share
19 briefly.

20 I've asked the Warriors and City to
21 collaborate to include a high school career classroom
22 inside the arena. I believe the arena itself -- in and
23 of itself, the structure, much of time it will be
24 vacant. There will be events, of course. 150 events.
25 Basketball games.

1 But that arena can serve as an educational
2 facility, university, if you will, for the high school
3 and college kids in the City.

4 I've mentioned this many times to all the
5 commissions in the Supervisors meeting for many years.

6 The proposal I've shared with you is asking
7 that the Warriors support this proposal in some kind so
8 that the NBA can use this as a model to reach out to all
9 the cities and communities across the country, utilizing
10 the power and the influence and inspiration that kids
11 get from professional sports.

12 And these facilities, once again, multi-media,
13 journalism, the operations of these facilities, they're
14 all potential career pathways.

15 So, thank you very much.

16 PRESIDENT BREED: Thank you.

17 Next speaker, please.

18 TONY KELLY: Hello, Supervisors. Tony Kelly,
19 vice president of the Potrero Boosters Association.

20 The Boosters have no official position on the
21 arena project or this EIR, but we do want to raise
22 concerns on the record about one particular aspect of
23 the EIR that needs revision, and that issue is soil
24 mitigation.

25 There's a lot of toxic contamination of the

1 soil underneath the proposed arena. It's described will
2 in the Site Mitigation Plan, and it goes well past 20
3 feet.

4 When the Warriors met with our Development
5 Committee, we were told that contaminated soil would be
6 directly hauled to toxic waste sites.

7 Now in the EIR, the toxic soil is going to be
8 treated on-site first and then trucked to local
9 landfills.

10 We disagree with that approach, especially in
11 the case of soil that's contaminated with hydrocarbons
12 and fluorocarbons, which could be substantial given that
13 the location is right next to a big Union Oil tank farm.

14 We don't believe that on-site treatment of
15 soil contaminated with oil -- we don't believe it works.
16 We believe it delays projects, and it exposes neighbors
17 to undue risk. We have seen this on other projects in
18 the neighborhood and South of Market.

19 Now, we've raised these concerns with the
20 Warriors. And with a better plan for soil handling and
21 some city transit improvements that I'll mention on
22 another agenda item, the Warriors project could get
23 stronger neighborhood support.

24 I want to add the comments of Marie Harrison
25 of Greenaction to these comments. She couldn't stick

1 around, and these are her words:

2 "It is my considered opinion and
3 Greenaction's that often when there is an
4 issue or question and the answer is unclear,
5 that's it's best to err on the side of
6 community.

7 "It's best when oil is found in soil
8 that it's picked up and moved out, never to
9 be sued again.

10 "We also understand that this method may
11 be a bit more costly. However, we are
12 talking about the many lives of community
13 families that live adjacent to, across from,
14 up the street and down the street of this
15 particular area.

16 "It's our intent to follow the progress
17 of the particular venture closely so that
18 you are aware without a doubt the community
19 and the environmental community are speaking
20 with one voice. I thank you on behalf of
21 myself, Greenaction, and the environmental
22 community."

23 Thank you for hearing both of us, Supervisors.

24 PRESIDENT BREED: Thank you.

25 And before I move to the next speaker, I just

1 want to remind members of public who are here for public
2 comment that this is for those members of the public who
3 oppose the appeal and support the project. Thank you.

4 Next speaker, please.

5 OLIVIA SMITH: Hi. My name is Olivia Smith,
6 and I'm the managing partner of MCD Trucking, LLC.

7 And while we do support the Warriors coming to
8 San Francisco, we'd also like to see if, in fact, we
9 could get the trucking for the hazardous waste local,
10 going to the rail.

11 We know that they have had other problems in
12 the past with trucking across -- over to the East Bay
13 and to other hazardous places, and we'd like to keep
14 that work here for our companies.

15 We've been badly in need of hazardous work to
16 transport dirt within the City, and we'd like to see if
17 we can continue to do that work. And hopefully the
18 Warriors will consider us.

19 PRESIDENT BREED: Thank you.

20 Next speaker, please.

21 FRED HUNZIKER: Hello.

22 I'm Fred Hunziker. I represent Waste
23 Solutions Group and the San Francisco Bay Rail. We're a
24 rail transportation company that's been servicing San
25 Francisco since 1992.

1 We fully support this Warriors arena, and we
2 are looking forward to helping them -- assist them with
3 their contaminated soil needs.

4 We have been successful in moving over
5 one million to two million tons of hazardous waste over
6 the last 20 some-odd years.

7 And the soil treatment process has never
8 really worked throughout the projects that we've worked
9 with over the years, and we certainly would like to help
10 the Warriors defray from putting over 20,000 truck loads
11 on the Bay Bridge when we have a ton of traffic problems
12 already.

13 We've been successful with working with the
14 San Francisco Giants, removing contaminated soil from
15 that site, as well as PG&E and other large companies.
16 So, we look forward to this new arena and helping with
17 the project.

18 We do employ all, one-hundred percent local
19 truckers at our company. So, thank you.

20 PRESIDENT BREED: Thank you.

21 Next speaker, please.

22 NEIL USHMAN: Madam President, Supervisors.

23 My name is Neil Ushman. I'm a resident of
24 Mission Bay, and both my wife and I wholeheartedly
25 support the Warriors arena.

1 It has been a long process, but from the
2 beginning, the Warriors have done it right. They have
3 worked with residents and other stakeholders to address
4 legitimate concerns.

5 They have crossed all the T's and dotted all
6 the I's. This is the last step.

7 And I would hope that the Board ignores the
8 arguments of the Mission Bay Alliance and approves the
9 SEIR, because for all their bluster, all the attorneys
10 they have hired, and all the work they have done
11 unsuccessfully to show that San Francisco doesn't really
12 support the arena, fundamentally, they are just a bunch
13 of NOPIC's.

14 And the Board, and by extension San Francisco,
15 should not be held hostage by these NOPIC's who think
16 that they and only they know what's best for the City.

17 By the way, NOPIC, Not On Property I Covet.

18 PRESIDENT BREED: Thank you.

19 Next speaker, please.

20 D.J. BROOKTER: Good evening, President Breed
21 and Members of the Board.

22 My name is D.J. Brookter, and I'm the deputy
23 director of Young Community Developers, a nonprofit
24 organization in the Bayview. And I'm here to speak on
25 behalf of moving the project forward in full support of

1 the Warriors.

2 And I would also would like to say that my
3 immediate supervisor and executive director, Mr. Shamann
4 Walton, apologizes for not being able to be here, but
5 with him being a commissioner on the School Board, he is
6 doing his due diligence to the voters of San Francisco
7 at a School Board meeting currently.

8 But real briefly, I just wanted to start off
9 with a brief story, and I think it kind of talks about
10 the leadership and teamwork we've seen with the Warriors
11 over the last three years.

12 It was one of the first mixers that we had in
13 the Dogpatch, and I introduced myself to a gentleman who
14 introduced himself as, "Mr. Rick Welts, and I'm with the
15 Golden State Warriors."

16 Now, what that means to me is someone who is
17 humble and someone who exemplifies leadership and
18 teamwork. And we've seen it not only on the court with
19 the Warriors being 23-0, but we've seen it in their due
20 diligence in working with the community and all of the
21 community members that are here, along with OCII, OEWD,
22 and just all the stakeholders.

23 And just through Young Community Developers
24 alone, over the course of this season we've been able to
25 employ and serve over 152 resident from District 10.

1 We've served populations of homeless, formerly
2 incarcerated, those who are on probation or parole,
3 those who are currently seeking employment and second
4 income, along with seniors and folks who are current
5 retirees.

6 That's what the Warriors are doing now being
7 in Oakland. Just imagine how much more we're gonna be
8 able to do once they move across the bridge and are here
9 in the City.

10 And we thoroughly urge you all to continue to
11 push and move forward with this.

12 Thank you.

13 PRESIDENT BREED: Thank you.

14 Next speaker, please.

15 JOHN CALE: Hell. My name is John Cale and
16 I'm a second-generation San Franciscan. I'm also a
17 homeowner in Potrero Hill, and I live five blocks from
18 the proposed arena.

19 I'm also a Warriors season ticketholder. So,
20 to those who had traffic concerns, I can assure you I'll
21 be walking to the games. So, that's one less car you
22 have to worry about.

23 My experience being a Warriors season
24 ticketholder has been just fantastic. I can tell
25 they're a first-class organization by the way they treat

1 us.

2 I'm also a season ticketholder to the Niners,
3 and I would never say that about them.

4 So, I think this arena is going to be great
5 for our neighborhood. I think it can serve as a
6 catalyst the same way that AT&T Park did for South
7 Beach. And we -- I think it will bring restaurants and
8 much needed services there and within walking for the
9 residents.

10 So, I urge you to deny this appeal, the EIR,
11 and let this project move forward.

12 Thank you.

13 PRESIDENT BREED: Thank you.

14 Next speaker, please.

15 SHEILA ASH: Good evening. My name is Sheila
16 Ash, and I am a long-time resident of Noe Valley. And
17 Happy Holidays.

18 It took Moses 40 years to cross the desert.
19 Will it take 40 years for the Warriors to come to San
20 Francisco?

21 I was drawn to the team by their good looks.
22 I've maintained an interest by their prowess.

23 I represent the fashionistas in a
24 male-oriented game. Sweatshirts are not my style, so I
25 give you my designer wear to a team that has my respect

1 and full attention and could not be prouder to host them
2 in a city that I love so dearly.

3 My fashion and passion for the Warriors is
4 clear. So, please, bring them here.

5 PRESIDENT BREED: Thank you.

6 Next speaker, please.

7 PUBLIC SPEAKER: Good afternoon, Supervisors.
8 How you doing today? Well, this evening, actually.

9 My name is Nick Belloni. I'm a long-time San
10 Franciscan. Today I'm here to the express my strong
11 support for the Warriors and the arena in Mission Bay.

12 From an environmental perspective, this will
13 be one of the most sustainable arenas in the country.
14 Each building will be certified LEED Gold or higher, and
15 will emphasize sustainability in every aspect of design.

16 For example, the project storm water will be
17 treated on site. There will also be an on-site gray
18 water recycling system which will be a first for an NBA
19 arena.

20 As part of AB 900 compliance, the Warriors
21 also have agreed to offset a hundred percent of the
22 project's new carbon emissions, another first for an
23 arena.

24 Lastly, San Francisco Bike Coalition recently
25 called this project the most bike-friendly sports venue

1 in the country.

2 I urge you to deny the appeal and stand with
3 the community and not just a handful of people.

4 We look to history, and we've seen appeals go
5 and hold back projects. Again, people have mentioned
6 the Niners, and that's true. The more time we take, the
7 more time we have a chance to lose this. Let's not lose
8 this for our city, please.

9 Thank you.

10 PRESIDENT BREED: Thank you.

11 Next speaker, please.

12 PUBLIC SPEAKER: Mayor, Supervisors, thank you
13 for your time this evening.

14 My name is Christopher Haas, and I work in
15 Mission Bay as the consulting manager for a small
16 restaurant group.

17 I'm here, obviously, in support of the
18 Warriors project and to reject the appeal.

19 The owner of our group started 15 years ago
20 with a significant coffee cart on U.C.S.F.'s Parnassus
21 campus.

22 When U.C.S.F. initially targeted Mission Bay
23 as an expanding neighborhood for its campus, we were
24 among the first food and beverage vendors to move in
25 there.

1 We've had the pleasure of U.C.S.F.'s proactive
2 and community-driven program being support for us. Like
3 U.C.S.F., the Warriors have exhibited a proactive and
4 community-first approach to addressing concerns and
5 tackling challenges regarding this issue.

6 The main opposition for this project has come
7 from the Mission Bay Alliance, and initially their
8 platform centered around protecting U.C.S.F.'s
9 interests. U.C.S.F. ultimately endorsed this project,
10 nullifying that argument.

11 The Alliance then shifted its message to
12 protecting Mission Bay's biotech companies, although 13
13 of the largest and fastest growing of them have now
14 signed on to this project as well.

15 Through our restaurants, I work with these
16 companies, with U.C.S.F., and with residents of Mission
17 Bay every day, and I can say that any opposition to this
18 arena can only be characterized as obstinate.

19 It's a project that has to go through.
20 Progress is inevitable. Nothing is going to be perfect,
21 but the Warriors have proven themselves a proactive
22 organization interested in responding and listening to
23 the needs of the community.

24 Yeah. All right. I guess that's it.

25 One note. We all know the social and cultural

1 equity a winning franchise brings to the city. The
2 Warriors have proven they are winners both on the court
3 and off the court, and I feel we would be foolish to
4 pass up the opportunity to harness their winning culture
5 as a partner for the Mission Bay neighborhood. So,
6 let's bring the Warriors home.

7 Thank you.

8 PRESIDENT BREED: Thank you.

9 Next speaker, please.

10 PUBLIC SPEAKER: Good evening, Supervisors.
11 My name is Chris Keller. I'm a resident of Los Altos
12 down on the Peninsula in the South Bay.

13 I previously served on the environmental
14 commission in my city, and I thank you for all the work
15 that you do.

16 I just want to echo the sentiment of all the
17 other supporters that it's really been impressive to see
18 the City staff, the supervisors of the different
19 commissions and committees that have worked -- working
20 with the Warriors organization. And you can see where
21 this is really the right playbook for success for other
22 professional sports groups in North America.

23 I just want to say that no EIR is perfect.
24 Nothing is going to come in to any group, especially one
25 of this scale, and have no concerns or issues.

1 What really matters is the level and
2 competency of the groups that you're working with and
3 whether or not they're capable of being flexible and
4 nimble in being able to work with a city like San
5 Francisco to be able to get something like this
6 approved.

7 And with Rick Welts and his team, the
8 world-class organization that they have, I think they've
9 shown through their collaboration exactly what kind of
10 organization they are and what you can expect moving
11 forward.

12 I just want to also say that I am the father
13 of four girls -- I have no sons -- and I make them sit
14 and watch sports with me throughout the year.

15 They love to do it. They love to have
16 their -- most of the younger ones want to stay up later
17 and snuggle with dad, and we watch Warriors games.

18 Raising kids is all about creating special
19 family memories, and taking my daughters to this
20 proposed arena is something I look forward to greatly.

21 I ask for your continued support for this
22 project.

23 Thank you.

24 PRESIDENT BREED: Thank you.

25 Next speaker, please.

1 JASMINE CONRAD: Hi. My name is Jasmine
2 Conrad, and I'm one of the community organizers for
3 Warriors Ground SF, which is the coalition that has
4 brought you a lot of the speakers that you see here
5 today and at the past hearings.

6 It's been an honor and a privilege to be a
7 part of organizing this community, but even more
8 important, I'm a San Francisco native born and raised,
9 so it's been an absolute honor thus far.

10 Over the past year and a half, we've had the
11 opportunity to identify and engage with 5,000-plus
12 supporters in San Francisco and in the surrounding
13 neighborhoods of Mission Bay, Dogpatch, Bayview.

14 And over the past year and a half, those
15 supporters have transitioned into a Warriors Ground
16 community. They've transitioned into some of our
17 closest friends. And they certainly have transitioned
18 into our neighbors.

19 Taking my organizer hat off for a moment, as a
20 native, it's difficult to see a city you grew up in
21 changing rapidly, but I think that looking at this
22 project and what it has to offer the community gives me
23 hope that there is still very strong community in San
24 Francisco and there is a very strong voice, and I think
25 that our coalition is composed of the people that

1 resemble the San Francisco that I grew up with.

2 So, it's an absolute honor to be able to stand
3 with them today in support of this project and to reject
4 the appeal of the EIR.

5 Thank you.

6 PRESIDENT BREED: Thank you.

7 Next speaker, please.

8 SEBASTIAN KAHN: Hello, Supervisors. My name
9 is Sebastian Kahn.

10 I'll be reading a letter today on behalf of
11 Matthew Huey who was here earlier but unfortunately had
12 to take off due to time constraints.

13 He's a member of the Asian American
14 Contractors Association, as well as the California Asian
15 American Business Association.

16 "Good afternoon. My name is Matthew
17 Huey. I was born and raised in the Western
18 Addition, a native San Franciscan.

19 "My parents owned a laundry business in
20 the heart of the Bayview just off of 3rd. I
21 spent a majority of my youth working there
22 and hanging out in the Bayview, now as a
23 business owner, as a general contractor,
24 certified as an LBE within the City and
25 located in the Bayview.

1 "We also worked with many local San
2 Francisco agencies and local residents for
3 the past 30 years.

4 "Presently we are working on the Bayview
5 Opera House and working with the
6 neighborhood economic development agencies.

7 "Please approve the new stadium for San
8 Francisco residents, sports fans, and the
9 opportunists within the Bayview District and
10 San Francisco business to be a part of this
11 new endeavor in building a world-class
12 stadium and with its new business
13 ventures" -- "with its new business avenues
14 for entrepreneurs. Go Warriors."

15 Thanks.

16 PRESIDENT BREED: Thank you.

17 Next speaker, please.

18 JAIME GONZALEZ: Hello. Thank you for the
19 opportunity to speak. My name is Jaime Gonzalez, and
20 I'm an owner of Mission Constructors, a local small
21 business in the Bayview.

22 Oh, gosh. I wrote some notes, and I'm just --
23 I'm here to support the Warriors stadium. You know, the
24 project will provide skilled union jobs for our
25 neighborhood, and some of my workers and just folks that

1 work with me.

2 And our community is -- I mean, we're
3 committed. We're committed to hiring local guys that
4 live in the Bayview, the guys that live there, that --
5 born and raised.

6 And we're committed. We're part of 261, the
7 operators, and we're committed to their training
8 programs. And this project will greatly benefit our
9 neighbors, our community members, and folks that live
10 with us and work with us. And I'm here in support.

11 Thanks.

12 PRESIDENT BREED: Thank you.

13 Next speaker, please.

14 PUBLIC SPEAKER: Good evening. Thank you,
15 Madam President and Members of the Board.

16 I'm here tonight to read a letter on behalf of
17 Bruce Agid. He was here, but had to go and chair --
18 unfortunately had to leave to go chair a TJPA CAC
19 meeting.

20 "My name is Bruce Agid. I'm a
21 transportation rep and a board member of the
22 South Beach/Rincon/Mission Bay Association
23 and a member of the Ballpark Mission Bay
24 Transportation Coordination Committee.

25 "However, today I provide my public

1 comment as a resident of Mission Bay. I'm
2 very pleased to see the approach taken the
3 Warriors and the City to address traffic and
4 overall traffic concerns associated with the
5 Warriors Event Center.

6 "Although this is a very complex set of
7 issues, the Warriors, working with the City
8 and U.C.S.F., have embraced the challenges
9 and developed a best-in-class approach and
10 agreement.

11 "In addition to performing a thorough
12 EIR, the parties listened very closely to
13 the concerns of the residents and businesses
14 in and around Mission Bay.

15 "Based on this, they have come to an
16 agreement on several fronts to ensure that
17 transportation and other quality-of-life
18 issues are resolved through the integrated
19 approach.

20 "This approach includes the following:
21 Development of an in-depth public
22 Transportation and Traffic Mitigation Plan;
23 a committed and secured funding source. The
24 Transportation Improvement Fund and lockbox
25 agreement secures funding necessary to

1 provide these services.

2 "Funding for this budget is taken
3 directly from revenue generated from the
4 Event Center. A secured funding source
5 critical to ensure these services are
6 provided without impacting service levels in
7 other parts of the City.

8 "Stakeholder involvement. The creation
9 of the Transportation Improvement Fund
10 Advisory Committee consisting of
11 representatives from each key stakeholder
12 group. They will assist in setting
13 priorities on community improvement measures
14 and advise decision-makers on the uses of
15 these funds.

16 "In summary, this approach is robust and
17 thorough. Planning a secure,
18 self-generating funding mechanism,
19 stakeholder-citizen review, accountability
20 and predetermined corrective actions, this
21 should be a model for all" --

22 PRESIDENT BREED: Thank you.

23 Next speaker, please.

24 JACKIE FLIN: Good evening, Supervisors.

25 My name is Jackie Flin. I'm the executive

1 director of the A. Philip Randolph Institute, and I am
2 here with my program manager, Kurt Grimes.

3 KURT GRIMES: Good evening, everyone.

4 JACKIE FLIN: So, first of all, let me just
5 say thank you guys, to all of your commitment to our
6 city, to our communities. These are long, thankless
7 hours. And even if you're never told, we genuinely
8 appreciate you all. So, I appreciate you for being here
9 tonight.

10 You know firsthand that any project this size
11 is going to have a major impact on the communities we
12 all serve.

13 I wanted to recognize who came out earlier
14 today. Both United Playaz and APRI together brought
15 over a hundred community members from each of the
16 communities that we serve.

17 So, as you can see, we may be tired. We're
18 trying to keep our eyes open, but it's a long road and
19 we continue to march ahead.

20 We're here because we are Warriors. We also
21 stand in solidarity with our union brothers and sisters.

22 And as you know, we work closely with our
23 trades to create sustainable careers for young men and
24 women from Bayview.

25 I also know that you guys are familiar with

1 the work and the resources that we provide.

2 It's great to hear this project is going to
3 bring T line improvements, as well as hundreds of local
4 jobs.

5 I really appreciate working with the Community
6 Relations team. Theo Ellington is a son of Bayview, and
7 I really appreciate that the Warriors have shown that
8 actions speak much louder than words.

9 I think he's a mentor and a model to a lot of
10 young men and women that could aspire to work for such a
11 great company like the Golden State Warriors.

12 So, thank you again. And I am in support of
13 the project, and I am encouraging you guys to oppose the
14 proposal.

15 Thank you.

16 PRESIDENT BREED: Thank you.

17 Next speaker, please.

18 LILY YO: Good evening, everyone.

19 My name is Lily Yo, and I am a resident of
20 Mission Bay. I also own a small business on the
21 high-tech space and have that located in Mission Bay.

22 I am here to support the Warriors project. I
23 think that it's a project that is going to modernize San
24 Francisco and contribute to the beauty of the city that
25 we already have with all the nature, with all the

1 history. And now we're going to have the facility of a
2 world-class entertainment center.

3 I think that this project will also bring the
4 community together. It's more than just a sport arena.
5 It's going to be an entertainment center. It's going to
6 have parks where residents can travel to locally, with
7 public transportation to concerts and local events.

8 I think this is a huge improvement to our
9 infrastructure as well to the City in terms of what we
10 have in expediting the projects that we need to work on
11 for transportation and facility improvement and things
12 like that.

13 Last, I think this is going to be great for
14 the San Francisco economy. I am not a native of San
15 Francisco. I moved here because of my career, and I've
16 invested in two properties in Mission Bay. And that is
17 an example of my contribution to the economy in Mission
18 Bay.

19 I think it's going to create jobs, not only in
20 the development of this project, as well as maintaining
21 this project.

22 That's it.

23 PRESIDENT BREED: Thank you.

24 Next speaker, please.

25 PUBLIC SPEAKER: Good evening, Madam

1 Supervisor and Supervisors.

2 The Mission Bay Alliance are density deniers.
3 They've taken up some typical issues that most NIMBYism
4 endorses, but there's two items that come out as very
5 important to me, and that's the transportation and also
6 the accessibility of patients to the hospital.

7 However, the U.C.S.F. has a state-of-the-art
8 children's hospital with a helipad. So, the use of the
9 helicopters will not be limited by having a sports arena
10 in the neighborhood.

11 Also, too, I'm very happy that there's \$25
12 million to affordable housing that will be part of this
13 developer agreement. \$40 million will be part of the
14 transportation infrastructure contribution.

15 And also, what makes a liveable neighborhood
16 with the Warriors Arena project?

17 Diversity. The Warriors Arena offers choices
18 to all household incomes, providing a range of jobs,
19 shops, and services supporting diverse local businesses.

20 Healthy. The Warriors Arena supports the
21 physical and mental health of its residents. Clean and
22 safe, and promotes social inclusion and socialability
23 [sic].

24 Green. The Warriors Arena is well served by
25 parks, playgrounds, plazas, greenways. Trees and

1 plantings are integrated into street designs. Buildings
2 are designed to provide public open spaces, compact
3 gardens, courtyards, terraces, and green roofs.

4 I urge you to reject the appeal and support
5 this project.

6 Thank you.

7 PRESIDENT BREED: Thank you.

8 Next speaker, please.

9 JOANNE DESMOND: Good evening, Supervisors.
10 My name is Joanne Desmond, and I'm an assistant business
11 agent for the Theatrical Stage Employees, Local 16. I'm
12 here on behalf of the over 2,000 stagehands.

13 We are in support of the new Warriors arena in
14 Mission Bay. Between sporting events, entertainment
15 events, and conventions, the arena will benefit not only
16 Local 16, but for thousands of workers in San Francisco.

17 We currently have almost 1,000 members who
18 live in San Francisco. These are members who live in
19 your districts who send their children to our schools
20 and who support our local businesses. These jobs,
21 complete with benefits, will ensure our families can
22 continue to live and work here.

23 We urge your support on this worthwhile
24 project.

25 Thank you.

1 PRESIDENT BREED: Thank you.

2 Next speaker.

3 JOHN GALBRAITH: Hi. Good evening, everyone.

4 My name is John Galbraith. I'm a local resident of
5 Mission Bay.

6 I'm here tonight in support of the Warriors
7 project. Clearly, the Warriors have shown great
8 aptitude at listening to the community needs, and the
9 project will provide many jobs for the locals and for
10 various union workers and for the community.

11 So, I urge you to reject the appeal and
12 support the project.

13 Thank you very much. Have a good evening.

14 PRESIDENT BREED: Thank you.

15 Next speaker please.

16 THOMAS McDONAGH: Good evening, Supervisors.

17 My name is Thomas McDonagh, and I have lived in San
18 Francisco since the late 1970s.

19 I'm here today as a supporter of this project.
20 The Warriors have shown an impressive commitment to
21 collaboration and community input in planning this arena
22 project. They regularly have community stakeholders
23 present and updating -- and they update at the Mission
24 Bay Citizens Advisory Committee, and they seek input
25 from various business including U.C.S.F.

1 In a bid to stop the Warriors project, the
2 opposition, Mission Bay Alliance, has enlisted four
3 separate law firms and have a slate of other
4 constituents to try and stop the project.

5 Clearly, the venture capitalists behind the
6 curtain are used to giving -- are used to using lawyers
7 to get their way.

8 This appeal is not about the environment.
9 It's about a few rich people telling us how the City
10 should be run.

11 I urge you to deny the appeal on this EIR and
12 allow project to go ahead.

13 Yeah. I think you -- from listening to the
14 presentation this evening and listening to the
15 tremendous success that the Warriors have had on the
16 court in the last year, year and a half most certainly,
17 and -- you can see operationally also that this is a
18 fabulous entity. And a great city should -- get
19 together with fabulous entities such as the Warriors.

20 You've also heard some very creative thoughts
21 about how the arena could be used, say, for educational
22 purposes when it's not being utilized.

23 Thank you all so much.

24 PRESIDENT BREED: Thank you.

25 Are there any other members of the public who

1 would like to provide public comment at this time?

2 (No response)

3 PRESIDENT BREED: Seeing none, public comment
4 is closed.

5 And now the Appellants will have three minutes
6 for a rebuttal.

7
8 REBUTTAL BY THE APPELLANTS

9
10 TOM LIPPE: Thank you, Supervisors. Tom Lippe
11 again for the Mission Bay Alliance.

12 And Patrick Solari is with me. I'm going to
13 turn it over to him after I spend a couple of minutes on
14 a few points.

15 The process here is one both political and
16 legal, and a lot of what you heard about today is
17 political information. And the legal information is of
18 a different character.

19 And you've heard from the Planning staff
20 members who are very good at painting a rosy picture of
21 what's going to happen out there once this project is
22 operational. But it's harder to be glib about what the
23 document actually says. And that's where the legal part
24 of this whole process comes into play.

25 So, I want to just you give you an example

1 talking about transit impacts, because that was a topic
2 of discussion by the City employees.

3 So, if we take the scenario of with a Giants
4 game and the impact on Muni transit service, the impact
5 TR 13 says it's less than significant with mitigation.

6 Okay. So, what's the mitigation? The
7 mitigation is -- there's a mitigation measure to
8 accommodate Muni transit demand to and from the project
9 site and AT&T Park on the T 3rd lightrail line during
10 overlapping evening events.

11 (As read) "The Project Sponsor shall
12 work with the Ballpark Mission Bay
13 Transportation Coordinating Committee to do
14 some things."

15 So, that's a mitigation for a process to
16 happen, not for a result to be obtained. So, in CEQA
17 parlance, legal parlance, that's an unenforceable
18 mitigation that doesn't actually ensure that the impact
19 is reduced to the less than significant.

20 So, you don't have any evidence to make the
21 finding that that impact is less than significant with
22 mitigation.

23 If you go to another scenario both with and
24 without a Giants game, regional transit services --
25 impacts on Caltrain and the Golden Gate Transit System

1 and on the ferry system -- you have that finding that
2 it's significant and unavoidable with mitigation.

3 So, what does that mean? Well, you have to
4 look at the mitigation. And again, it's, (As read) "The
5 Project Sponsor shall work with the Ballpark Mission Bay
6 Transportation Coordinating Committee." Again, a
7 process, not a result.

8 If you go to the finding about unavoidability,
9 it says the provision of additional services is
10 uncertain and full funding for the service is yet to be
11 identified.

12 Well, that's because the mitigation was
13 unenforceable. There was no provision for the sponsor
14 to pay for the additional service that's needed. So,
15 you can't bootstrap one illegal provision into a finding
16 of unavoidability.

17 And so, you know, as I said, it's hard to be
18 glib about the document. You have to look at what it
19 says.

20 PATRICK SOLARI: And just very briefly on the
21 issue of enforceability or lack thereof, the Real Party
22 essentially concedes that the Transportation Management
23 Plan is unenforceable, but claims that there's a backup,
24 this mitigation measure TR 18.

25 But if you actually look at it, it states that

1 if the performance standards aren't met, essentially the
2 Warriors just need to go back and try again.

3 So, that's all. Thank you.

4 PRESIDENT BREED: Thank you.

5 Okay. With that, this hearing has been held
6 and -- this hearing has been conducted. And so, this
7 hearing is now closed and this matter is in the hands of
8 the Board of Supervisors.

9 So, I have a question for staff.

10 Is there -- based on the presentations, the
11 questions, and the lengthiness of this particular
12 hearing and some of the feedback, is there any
13 additional information presented by the opponents during
14 the hearing that you want to respond to at this time?

15
16 STAFF RESPONSES TO PUBLIC COMMENTS

17
18 SENIOR ENVIRONMENTAL PLANNER KERN: Yes.
19 Thank you, Madam President.

20 So, just a few issues that I want to respond
21 to.

22 With respect to hazardous materials and water
23 quality impacts, the Appellant submitted at the hearing
24 today analytical results from sediment sampling from
25 storm water drains in the project area.

1 It didn't appear that the actual sediment
2 sampling locations were documented in those materials,
3 but regardless, those would be a reflection of existing
4 conditions today, not a result of the proposed project.

5 C.E.Q.A. is concerned about the effects of the
6 proposed project on the environment.

7 With respect to contaminated sediments in
8 storm water, the project during construction would be
9 subject to sediment controls under a Stormwater
10 Pollution Prevention Plan, which is required under the
11 State's general permit for construction.

12 The main purpose of that SWPPP, as it's
13 called, is to prevent off-site transport of sediments --
14 contaminated sediments from storm water.

15 Once the project is constructed, there would
16 be no pathway to exposure from native soils from the
17 site in storm water, both because the site remediation
18 would be completed for the project site during
19 construction -- there would be no contaminated soils
20 remaining -- and no native soils would be exposed at the
21 surface. So, this does not present an issue with
22 respect to the adequacy of the EIR.

23 We heard a bit about also the preference of
24 some of the commenters for the rail transportation of
25 contaminated materials as opposed to trucking.

1 The project would, as other testified and as
2 is well documented in the EIR, provide on-site treatment
3 of contaminated soils such that the soils would -- and
4 all of that would be subject to regulatory oversight
5 both by the City's Department of Public Health and the
6 Regional Water Quality Board.

7 The result of that is that there would not be
8 a need for long-distance transportation of contaminated
9 soils from the site for disposal. And with that, there
10 is -- the advantage of rail transportation of hazardous
11 materials is lost.

12 And then, with respect to the few remarks we
13 just heard about some of the transportation mitigation
14 measures, two in particular, I wanted to read the
15 entirety of Transportation Mitigation Measure TR 13,
16 because it says a bit more than the Appellant is
17 representing.

18 What it says is (As read):

19 "As a mitigation measure to accommodate
20 Muni transit demand to and from the project
21 site and AT&T Park on the T 3rd lightrail
22 line during overlapping events, the Project
23 Sponsor shall work with the Ballpark Mission
24 Bay Transportation Coordinating Committee
25 and SFMTA to provide enhanced Muni lightrail

1 service and/or shuttle buses between key
2 Market Street locations and the project.

3 "Examples of the enhanced service
4 include Muni bus shuttles between Union
5 Square and/or Powell Street, BART Muni
6 station, and the project site.

7 "The need for enhanced Muni service
8 shall be based on the characteristics of the
9 overlapping events, e.g., projected
10 attendance levels and anticipated start and
11 end times."

12 The other measure that was not, you know,
13 fully provided to you, the language of which, is rather
14 lengthy, and that's measure TR 18.

15 This is the measure that was put into place to
16 enforce a performance standard -- a mode-share
17 performance standard as really a backstop to make sure
18 that the transportation and traffic impacts reported in
19 the EIR are accurate and the assumptions are backed up
20 with enforceable mitigation requirements.

21 The sponsor is required to implement enhanced
22 transportation management measures to reach that
23 performance standard to the maximum extent feasible.
24 They're not off the hook by just simply making a try and
25 if the measures prove to be ineffective, they can just

1 give up.

2 They are required -- and this is an
3 enforceable requirement in the Mitigation Monitoring and
4 Reporting Program, which is a condition of approval of
5 the project -- to meet that performance standard to the
6 extent that it feasible to do so.

7 And from a CEQA legal standpoint, because the
8 sponsor's attorneys want to focus on that, because there
9 is some remaining uncertainty about the feasibility of
10 meeting that standard in the future, the significant
11 determination in the EIR for that impact is what's
12 called "significant and unavoidable with mitigation."

13 That's an acknowledgment of the fact that
14 there is some uncertainty, but nevertheless the sponsor
15 is not off the hook. They still have to do their best
16 to mitigate.

17 PRESIDENT BREED: Thank you.

18 SENIOR ENVIRONMENTAL PLANNER KERN: Right.
19 And that's not a deficiency in the EIR.

20 PRESIDENT BREED: Thank you.

21 Are there any other comments from the staff
22 with regards to that particular question?

23 (No response)

24 PRESIDENT BREED: Seeing that there is not,
25 Supervisor Kim.

1 SUPERVISOR KIM: Thank you.

2 Actually, just raised from that, I do have one
3 follow-up question that came up through a member of the
4 public comment, only because I'm reading her letter now
5 because it was submitted today.

6 And this is from Susan Brandt Hawley, and she
7 addressed that there is a recent California Supreme
8 Court case that she felt was relevant to the one here on
9 a Newhall Ranch in Southern California.

10 And I was just hoping that a City Attorney
11 could respond in terms of how this appeal or this EIR is
12 distinct from that case.

13 DEPUTY CITY ATTORNEY WARREN: Elaine Warren,
14 Deputy City Attorney, through the President.

15 Yes. That -- actually, there is a
16 documentation in the record that was prepared by one of
17 the attorneys for the Warriors that goes into more
18 detail. So, it is in the record that has been submitted
19 to you.

20 But to explain briefly, that case
21 identified -- what was done in that case was not the way
22 that the Planning Department did the analysis here.

23 And the way that the analysis was done here
24 was to look at whether the project would comply with the
25 City's ordinance that established a standard for

1 greenhouse gas reduction -- this was a number of years
2 ago -- as a result of that ordinance.

3 And the goals that are identified in the
4 City's ordinance are more aggressive than the standard
5 that has been set by the State of California.

6 In the case, the Court said that the problem
7 with the approach that they took was not that they
8 looked at whether it was consistent with the State
9 goals. So, obviously, if we look at it being consistent
10 with our goals, which are even more aggressive, that
11 would be an acceptable approach.

12 But what the Court really criticized was that
13 they didn't show that the actions they were taking would
14 be effective to helping meet that plan.

15 The City -- the Court then identified other
16 ways that they could have gone about the problem, and
17 one of the ways they identified was to have a Climate
18 Action Plan or a Greenhouse Gas Reduction Plan.

19 The city has adopted a detailed program, or it
20 has put together -- it's really a series of actions that
21 the City has done, including many ordinances that have
22 been adopted by the Board of Supervisors, as well as
23 other programs that the City has put into effect.

24 The Planning Department has documented all
25 these actions into a strategy document that they

1 submitted actually to the Bay Area Air Quality
2 Management District. The Bay Area Air Quality
3 Management District said that this was really a stellar
4 effort, in effect.

5 And it is as a result of that -- that
6 compendium of actions that the way the Planning
7 Department does its analysis is it determines whether
8 projects are going to be consistent with all of these
9 programs that the City has adopted to meet these goals.
10 And it did that analysis in this case.

11 SUPERVISOR KIM: Thank you.

12 DEPUTY CITY ATTORNEY WARREN: So, we think
13 it's consistent with what the Court said --

14 SUPERVISOR KIM: I wasn't familiar with the
15 case, and I apologize. In all the myriad of papers, I
16 didn't see the response from the Project Sponsor
17 attorneys, but I wanted to understand the case better.
18 That answers my question.

19 DEPUTY CITY ATTORNEY WARREN: Thank you.

20 SUPERVISOR KIM: So, I think that having heard
21 the presentation, you know, what I would like to move
22 forward is to move forward Item 58 and to table 59 and
23 60.

24 I think that the City has done an adequate and
25 complete job in our Environmental Impact Report for the

1 proposed Golden State Warriors Event Center and Arena.
2 And so, that is a motion that I am moving forward at
3 this point.

4 I believe that we also have the appeal of the
5 Tentative Map before us as well; is that correct?

6 PRESIDENT BREED: No.

7 SUPERVISOR KIM: No.

8 PRESIDENT BREED: We will call those items
9 once we have moved forward on these items.

10 SUPERVISOR KIM: Okay. So, my motion is to
11 approve 58 and to table 59 and 60.

12 PRESIDENT BREED: Okay. Supervisor Kim has
13 made a motion to approve 58 and table Item 59 and 60,
14 and it was seconded by Supervisor Yee.

15 Madam Clerk, can you please call the roll?

16 MADAM CLERK CALVILLO: Supervisor Campos.

17 SUPERVISOR CAMPOS: Aye.

18 MADAM CLERK CALVILLO: Campos, aye.

19 Supervisor Cohen.

20 SUPERVISOR COHEN: Aye.

21 MADAM CLERK CALVILLO: Cohen, aye.

22 Supervisor Farrell.

23 SUPERVISOR FARRELL: Aye.

24 MADAM CLERK CALVILLO: Farrell, aye.

25 Supervisor Kim.

1 SUPERVISOR KIM: Aye.
2 MADAM CLERK CALVILLO: Kim, aye.
3 Supervisor Mar.
4 SUPERVISOR MAR: Aye.
5 MADAM CLERK CALVILLO: Mar, aye.
6 Supervisor Tang.
7 SUPERVISOR TANG: (Indicating)
8 MADAM CLERK CALVILLO: Tang, aye.
9 Supervisor Wiener.
10 SUPERVISOR WIENER: Aye.
11 MADAM CLERK CALVILLO: Wiener, aye.
12 Supervisor Yee.
13 SUPERVISOR YEE: Aye.
14 MADAM CLERK CALVILLO: Yee, aye.
15 Supervisor Avalos.
16 SUPERVISOR AVALOS: Aye.
17 MADAM CLERK CALVILLO: Avalos, aye.
18 Supervisor Breed.
19 PRESIDENT BREED: Aye.
20 MADAM CLERK CALVILLO: Breed, aye.
21 There are ten ayes.
22 PRESIDENT BREED: Okay. Colleagues, the Final
23 Subsequent Environmental Impact Report is finally
24 certified unanimously.
25 We're going to take a 15-minute recess before

1 we move to the next item.

2 (Off the record from 7:25 p.m.
3 until 7:48 p.m.)

4 PRESIDENT BREED: All right. Folks, we are
5 now back from recess.

6 And colleagues, we are one minute ahead of
7 schedule of our 20-minute break. I know Supervisor Kim
8 will be here shortly.

9 We are reconvening as the Board of
10 Supervisors, and we have before us an appeal of the
11 Tentative Map for the Warriors Event Center in District
12 6.

13 Madam Clerk, can you please call Item 61
14 through 64?

15 MADAM CLERK CALVILLO: Item 61, Public Hearing
16 of persons interested in the Public Works decision dated
17 November 12th, 2015, approving a Tentative Final Map,
18 No. 8593, for an eight-lot, 100-unit commercial
19 condominium subdivision for the proposed Golden State
20 Warriors Event Center and Mixed-Use Development Project
21 at Mission Bay South, Blocks 29 through 32.

22 Item 62 is the motion to approve the Public
23 Works decision to approve the Tentative Final Map.

24 Item 63 is the motion to disapprove the Public
25 Work's decision, the Tentative Final Map.

1 And Item 64 is a motion directing the
2 preparation of findings relating to the Board's
3 disapproval of the Tentative Final Map.

4 PRESIDENT BREED: Okay.

5 Colleagues, for this hearing, we will be
6 considering whether the Tentative Map for the Warriors
7 Event Center is appropriate under the Subdivision Map
8 Act, including whether it is consistent with the General
9 Plan or any specific plan that applies.

10 Without objection, we will proceed as follows.
11 Up to 10 minutes for the Appellant to describe the
12 grounds for their appeal, up to two minutes for public
13 commenters to speak in support of the appeal, up to 10
14 minutes for representatives of the Department of Public
15 Works and Planning Department to describe the grounds
16 for their decision to approve the Tentative Map, up to
17 10 minutes for the Real Party in Interest to present, up
18 to two minutes for public commenters to speak in support
19 of the Real Party in Interest, and finally, the
20 Appellant will have up to three minutes for a rebuttal.

21 So, it's time to get started, folks, and I
22 will start with the -- without objection, I will -- oh,
23 is there a motion to excuse Supervisor Peskin for Items
24 61 through 64 and 65 through 68.

25 Moved by Supervisor Farrell, seconded by

1 Supervisor Mar. Without objection, Supervisor Peskin is
2 excused.

3 All right. The Appellants are up. You have
4 10 minutes.

5
6 PRESENTATION BY THE APPELLANT
7

8 SUSAN BRANDT-HAWLEY: Thank you very much.

9 Good evening, President Breed and Members of
10 the Board. I would like to present the computer with
11 SF --

12 PRESIDENT BREED: We'll start over.

13 SUSAN BRANDT-HAWLEY: Pardon?

14 PRESIDENT BREED: We'll start over because the
15 bell rang.

16 SUSAN BRANDT-HAWLEY: Oh. Okay. Thank you.

17 Well, good evening, President Breed and
18 Members of the Board. I'm Susan Brandt-Hawley, and I'm
19 here representing the Mission Bay Alliance in this
20 appeal.

21 And I see that the photograph is up. Rather
22 than just look at me speaking, I brought some
23 photographs of Mission Bay to illustrate some of the
24 points I'm going to be making.

25 The significant problem with this project

1 overlaps the C.E.Q.A. issues, and I realize those are
2 resolved by this Board. But there's an overlapping
3 issue regarding the inconsistency with the Redevelopment
4 Plan that makes the Tentative Map problematic, and it
5 should not be approved for that reason.

6 And I'd just like to take my time or the
7 Alliance's time to walk through that issue so that this
8 Board understands that -- there's been so much paper,
9 and I understand it's difficult to read everything and
10 understand it all, and I'd just like to explain it.

11 So, back to the computer. Let me make sure I
12 can -- there. The Redevelopment Plan from 1998 for
13 Mission Bay South had a vision for Mission Bay South,
14 and that vision was a workable, liveable community that
15 was focused on medical and biotechnical research and was
16 to be a walkable, vibrant community laid out in the
17 special kind of vara blocks of a certain dimension, like
18 the original blocks in San Francisco.

19 And we see it around Union Square and in North
20 Beach and in other parts of the City. And this whole
21 area is laid out in these vara blocks, so it's an urban
22 landscape that's designed in a certain way.

23 This project is not consistent with that plan.
24 And as this Board knows, it has the ability and legal
25 authority and discretion to amend a Land Use Plan to

1 accommodate a project that it finds worthwhile.

2 But that didn't happen here, and that is an
3 underlying flaw, a very significant fundamental flaw
4 with this project. And it precludes approval of a
5 Tentative Map when there is an inconsistency with the
6 Land use Plan.

7 The EIR did not look at this issue. What the
8 EIR said -- actually, the Initial Study before even
9 getting to the EIR phase said that land use was not an
10 issue in this project, that, in fact, the project was
11 consistent with the Redevelopment Plan.

12 And what it said was that the plan has uses
13 that are prescribed for all the different blocks. And
14 the uses -- there are primary uses that are allowed
15 absolutely, and there are secondary uses that are
16 allowed if there are certain findings made that the
17 project is compatible with the Land Use Plan and
18 necessary or desirable. There's extra things one has to
19 talk about if you want a secondary use.

20 And what the Initial Study said was that this
21 project was consistent with a nighttime entertainment
22 use.

23 I'm just showing you photographs of what
24 Mission Bay looks like now. That's the hospital.
25 There's the joggers, and you can see the walkable

1 streets and the area.

2 I'll find a good one just to -- which one do
3 you like? Okay. We'll leave that one on for now.

4 So, the Redevelopment Plan starts out with
5 policies and objectives and the normal things you would
6 see in a plan where there are overall ideas for how
7 Mission Bay South is supposed to be developed, and then
8 you get into the specifics of the uses.

9 And the primary and secondary uses have to
10 both, as I said, meet the general criteria and be found
11 to be particularly appropriate, but they also have to
12 meet the words of the plan.

13 Now, nighttime entertainment, which is what
14 the C.E.Q.A. process said this project complied with,
15 basically allows dance halls, discos, nightclubs, and
16 private clubs.

17 And historically in the area of Mission Bay
18 South, there were some small clubs and bars that were of
19 this type. There is no specific size stated for those
20 uses, and so, what the initial analysis was by the
21 environmental consultants was that, Well, there's no
22 size limit, so there is going to be music at times and
23 there's going to be alcohol served, so it's consistent
24 with this nighttime entertainment use.

25 And in comments on the EIR, the Mission Bay

1 Alliance and I believe others, pointed out that the land
2 use issue should not have been scoped out,
3 quote/unquote, of the EIR, that this didn't fit into a
4 nighttime entertainment use category. And so, they
5 should analyze that and, if needed, amend the plan.

6 In response to that, the Responses to Comments
7 basically conceded the point and said, Well, in
8 addition -- and we're talking about the sports arena.
9 There's a number of uses for this project. There's
10 office retail and various things, but the sports arena
11 is the thing that doesn't fit into any of the zoning
12 categories.

13 So, the EIR consultants in the Responses to
14 Comments basically admitted that nighttime entertainment
15 may not encompass the sports arena, and so, they posited
16 that they could say that it was one of two other
17 possible uses.

18 One is a use called a "public structure of a
19 use of a non-industrial character." And they posited
20 that a public use -- that these are really two things,
21 even though presented as one.

22 And without getting too technical here at this
23 hour after all the hours you've just spent, we've
24 explained it in our submittals.

25 But the Redevelopment Agency, years ago when

1 the U.C.S.F. Hospital was approved, they used that
2 category, and they called -- they didn't say it was two
3 separate uses, either a public structure or a
4 non-industrial use.

5 They said, This is one category, public
6 structure or use of a non-industrial character -- one
7 category -- and that a public use is something that's a
8 public -- it's not just a use that the people in the
9 community can use.

10 It's actually a -- that would, in fact, mean
11 basically any kind of use would be called a public use
12 if that was the definition. And that was not the
13 definition used. It was a facility built by the
14 public -- a public agency for its own purposes. So,
15 that category does not fit.

16 And the only other category is called
17 "recreation building." And a -- there is a difference
18 in the definitions. There's not an exact definition in
19 the plan of what a recreational building is, but
20 recreation is different from entertainment.

21 Normally, recreation is when a personal
22 activity is used, as opposed to entertainment when
23 you're enjoying performances by a sports team or some
24 other entertainer.

25 And if you do look at the types of plan

1 references to entertainment and recreation, they
2 basically -- they do not meet any kind of possible
3 definition that would apply to this project. So,
4 basically none of the secondary uses apply.

5 And the response we heard from OCII --
6 actually, Mr. Morales spoke at the OCII hearing -- was
7 that the Redevelopment Agency or the Successor Agency
8 has the discretion to interpret its plan and also to
9 just -- to take action consistent with the overall goals
10 of the plan itself.

11 And respectfully, that's not what the plan
12 provides. There are overriding policies and plans, but
13 you also have to specifically comply with zoning.

14 And this Board makes that happen all over the
15 City, and why would it not amend this plan to make this
16 arena fit?

17 There's a concession that the arena -- and if
18 you look at the 1998 EIR for the Redevelopment Plan,
19 you'll see nothing at all remotely of the type or scale
20 of this arena in that plan, and it's not consistent with
21 any of these three criteria that it's trying to be
22 finagled into.

23 And in light of that, the Tentative Map is a
24 problem, because you're finding it's consistent with the
25 secondary use in the Redevelopment Plan, which

1 apparently is claimed now to be a nighttime
2 entertainment or a recreation building or a public
3 structure or use of a non-industrial character. And
4 none of those -- none of those things fit.

5 And so, in order to comply with the law, you
6 need to amend the redevelopment Plan to accommodate this
7 project.

8 And it should have been studied in the EIR. I
9 know you've already found that appeal wanting, but that
10 was one of the strongest bases, or it remains a very
11 strong criticism of the EIR, that not only was there an
12 assumption that the secondary use fit into the nighttime
13 entertainment category, it wasn't even discussed in the
14 EIR at all. Land use was scoped out.

15 And this is one of the problems with this
16 project -- is you've heard about the problems with
17 access to the U.C.S.F. Medical Center and the problems
18 with transportation.

19 There is also the problem with the big change
20 in the character of this planned community that was
21 Mission Bay South. And while that can be changed, it is
22 a significant change. You lose the vara blocks; you
23 lose the walkability; you lose the whole character that
24 was planned for the area.

25 And if that's going to happen, it needs to be

1 studied, and it needs to be something that is amended so
2 that the plan fits, as opposed to a pretense that, in
3 fact, this project was contemplated or somehow within
4 the scope of the 1998 Redevelopment Plan that still,
5 everyone agrees, is the controlling document here.

6 Thank you.

7 Actually, one second. I wanted to say to
8 Supervisor Kim that my reference to that Newhall Ranch
9 case -- can I just finish or no?

10 SUPERVISOR KIM: I will ask you the question.

11 SUSAN BRANDT-HAWLEY: Okay. Thank you.

12 PRESIDENT BREED: Okay. Supervisor Kim.

13 SUPERVISOR KIM: You were about to respond to
14 the Newhall Ranch case.

15 SUSAN BRANDT-HAWLEY: Thank you, Supervisor.

16 I did mention that case in the short letter.
17 What I said was and what I referenced, the Supreme Court
18 made a landmark decision just last week in the -- it's a
19 Center for Biological Diversity case that's been
20 discussed by us all, but my comment was not about
21 greenhouse gases, which is what Ms. Warren responded to
22 assuming that was what I was talking about.

23 It was more of an overarching thing that that
24 is a very, very -- that project has been pending for
25 many, many years. It's a huge project in Southern

1 California that was the subject of this Supreme Court
2 decision.

3 And one -- a dissenting justice said, Gee,
4 we're gonna require additional C.E.Q.A. review. That's
5 gonna hold up a really great project, and, you know,
6 look at what we're doing.

7 And what the majority of the Court said
8 clearly is that that's not -- when you're looking at
9 C.E.Q.A., you don't look at, Oh, do we really want the
10 project, Do we really like the project, Do we really
11 want it to happen quickly? First, you have to enforce
12 C.E.Q.A.

13 And the Court took a very strong position on
14 that -- that you look at C.E.Q.A. enforcement without
15 looking at the project.

16 SUPERVISOR KIM: Well, I understand your
17 argument, because you're saying that in many ways the
18 City is rushing this process because it's a project they
19 want to see, and that's the similarity that you've drawn
20 from that case.

21 SUSAN BRANDT-HAWLEY: Yes.

22 SUPERVISOR KIM: But what was the actual
23 reason that the justices decided to set aside this
24 project?

25 So, they said the city was motivated because

1 they liked the project so much, but what were the actual
2 reasons that they listed that you think are similar to
3 this appeal?

4 SUSAN BRANDT-HAWLEY: Well, just to be clear,
5 the Court didn't say that the city was motivated
6 necessarily.

7 What the Court was saying is -- this one very
8 senior Supreme Court justice said that what the Court's
9 saying -- Look what we're doing, We're holding up --
10 after reading the record, the Court said, This looks
11 like a really great project, this particular justice
12 thought, and I'm sure many people do. And he said, When
13 we, the courts, are looking at C.E.Q.A., we don't look
14 at, Oh, it's a great project we're holding up.

15 So, otherwise --

16 SUPERVISOR KIM: I don't that's what this
17 board is looking at either.

18 I mean, but you still have to have an
19 actual -- you have to have something to hang on to say
20 that the Environmental Impact Review is not complete and
21 not adequate.

22 SUSAN BRANDT-HAWLEY: Absolutely.

23 MADAM CLERK CALVILLO: So, what was the
24 reasoning that the Court found that you felt that they
25 could also find in this case?

1 SUSAN BRANDT-HAWLEY: Well, in that case, they
2 found problems --

3 SUPERVISOR KIM: Well, I mean, that you think
4 that they can find in this case before us today. Not
5 just all the reasons that they listed to overturn
6 Newhall -- or, set aside Newhall, but which one of those
7 reasons did you feel were relevant to the Golden State
8 arena.

9 SUSAN BRANDT-HAWLEY: To be clear -- and I
10 appreciate you allowing me to explain, Supervisor Kim.

11 My point was just an approach that what I'm --
12 what the Mission Bay Alliance -- it appears to the
13 Alliance that this has been rushed through.

14 Why wouldn't they amend the Redevelopment
15 Plan? It's the feeling --

16 SUPERVISOR KIM: No. I understand that the
17 feeling from the Mission Bay Alliance is that we are
18 rushing through this project because we're so excited
19 about the Warriors coming to San Francisco.

20 But you still have to actually list a
21 legitimate legal issue that was enumerated by the
22 justices when they set aside the Newhall Ranch case and
23 how that is similar to the one that is before us today
24 if you want us to overturn the certification or the
25 Tentative Map appeal.

1 SUSAN BRANDT-HAWLEY: Respectfully, I think
2 there is an issue that overlaps. There happens to be
3 one overlapping issue, but the Court's statement applies
4 across the board to every C.E.Q.A. case, and that was my
5 point.

6 In terms of the specific issue, there's a
7 greenhouse gas issue. You've already heard discussion
8 of the technicalities of that -- that the business is
9 usual.

10 And I'm not an expert on the -- that's not my
11 area.

12 SUPERVISOR KIM: That's okay.

13 SUSAN BRANDT-HAWLEY: But that was the
14 specific issue that we now believe is going to be
15 controlling in this case. And there is a difference
16 among counsel. But yes, that greenhouse gas issue is
17 common to both this case and --

18 SUPERVISOR KIM: So, it's exactly what
19 Ms. Warren actually addressed.

20 SUSAN BRANDT-HAWLEY: Yes. It's that issue
21 that --

22 SUPERVISOR KIM: Okay.

23 I think bringing up alone that the courts had
24 said that, you know, the city rushed through this
25 process because they were so excited about it, but then

1 they actually were able to lean on legitimate legal
2 issues with the C.E.Q.A. approval -- you know, I think
3 you have to be able to lean on the same justifications
4 that the justices did.

5 SUSAN BRANDT-HAWLEY: Okay. The Court didn't
6 say that the city rushed through. So, I'm sorry if I'm
7 not being understood well, Supervisor.

8 SUPERVISOR KIM: No, no.

9 I understand that what you're expressing is
10 that, you know, the justice had pointed out that that
11 reason alone is not why you should approve an EIR, and I
12 agree with that, but then there should actually be some
13 legal issues that you point to in the Newhall Ranch case
14 that are similar to the case before us --

15 SUSAN BRANDT-HAWLEY: Okay.

16 SUPERVISOR KIM: -- so that we would consider
17 overturning the certification.

18 SUSAN BRANDT-HAWLEY: Well, greenhouse gas is
19 one. But just for my last statement I would like to say
20 that we have presented a lot of environmental issues and
21 environmental problems, one of which is the failure to
22 address land use inconsistency, which is relevant to the
23 Tentative Map.

24 SUPERVISOR KIM: Was it one of the reasons why
25 the justices set aside the Newhall Ranch --

1 SUSAN BRANDT-HAWLEY: No, it's not about
2 Newhall Ranch.

3 SUPERVISOR KIM: So, speaking about the land
4 use issue, what would you actually -- what amendment
5 would you make to the plan or what zoning would you
6 convey on this project that you feel would be more
7 appropriate than the one that the City is utilizing now
8 around nighttime entertainment?

9 SUSAN BRANDT-HAWLEY: In -- the Redevelopment
10 Plan has a number of different zoning classifications.
11 None of them fit.

12 What would have to be done is a new category
13 or a new exception would have to be made for this
14 project, and that is within the City's discretion if
15 other -- C.E.Q.A. aside --

16 SUPERVISOR KIM: Is there one in the larger
17 Planning Code that they could replicate?

18 SUSAN BRANDT-HAWLEY: Well, since they
19 approved AT&T Park -- I'm just speaking off the top of
20 my head -- there's probably something. Sure.

21 We are not arguing -- the Alliance is not
22 saying as part of this Tentative Map appeal or in
23 anyplace in this record that we don't think there's a
24 way to have zoning to accommodate this arena.

25 The City has discretion to apply zoning and

1 special zoning in special circumstances, so -- but then
2 they said it had mitigated and et cetera, et cetera.
3 But that hasn't happened here.

4 There's a -- and in saying "rushing," I'm not
5 accusing anyone. It's just that's what -- it's hard to
6 understand why there wasn't an amendment made, because
7 this does not fit any reasonable interpretation.

8 And, in fact, I believe the City has conceded
9 that by now trying to fit it into other categories that,
10 in fact, they simply don't fit.

11 And so, take a little more time is what we're
12 asking. Take some time. Amend the plan. Look at
13 the -- and we have other issues, of course, we brought
14 up that aren't appropriate to bring up under the
15 Tentative Map, but this one is appropriate -- and to
16 take the time to avoid this kind of argument, and to --
17 everyone else in the City has to comply with zoning.

18 And certainly something -- you said at the
19 beginning, Supervisor Kim, that this is going to change
20 this whole area in positive and negative ways. There's
21 a concession that there are significant environmental
22 impacts to this project. Everyone agrees about that.
23 And so, all of the things should be done in the deepest,
24 most appropriate way.

25 SUPERVISOR KIM: Thank you.

1 SUSAN BRANDT-HAWLEY: Thank you.

2 SUPERVISOR KIM: Thank you.

3 PRESIDENT BREED: Okay. Supervisor Kim,
4 seeing that you have no other questions, I will open
5 this up to public comment for those who want to speak in
6 support of the appeal. You have two minutes each.

7 (No response)

8 PRESIDENT BREED: Seeing no members of the
9 public who'd like to make public comment -- please come
10 quickly.

11 Anyone else, please line up to my left.

12

13 PUBLIC COMMENT IN SUPPORT OF THE APPEAL

14

15 RODNEY TALMADGE: Are we talking number --
16 Item 64 in opposition to the preparation and findings
17 related to the Tentative and Final Map?

18 PRESIDENT BREED: Yes.

19 RODNEY TALMADGE: Correct?

20 Two minutes?

21 PRESIDENT BREED: Yes.

22 RODNEY TALMADGE: Okay.

23 As Mrs. Holly spoke very eloquently -- and my
24 name is Rodney from Potrero Hill -- it makes a lot of
25 sense.

1 She was stating the other cases in the -- that
2 it seems like she's saying we're not really trying to
3 accuse you of, like, rushing it through, but in a way it
4 looks like you're rushing -- things are being rushed
5 through, because you're not going to the letter of the
6 law and really technically doing what you're supposed to
7 be doing as far as the review process. So, she makes a
8 very eloquent point here.

9 I lived in Potrero Hill 57 years, 58 years.
10 I've seen this -- what the opposition is trying to
11 really root out just really cleanly that you're going to
12 try to put a major project like this -- I mean, it seems
13 like you want to put this down there and there's a lot
14 of opposition, so we're really fine tuning this, really
15 getting clear in this.

16 And it seems like it's not being adjudicated
17 very clear and clean. And it seems like a rush-through.
18 It actually seems like a rush-through.

19 And my thing is, Why wasn't Aaron Peskin here
20 today? Of all people, I think he could have gave a very
21 clear light to assist you supervisors through this
22 process.

23 It seems there's a lot of work to be done on
24 behalf of the Warriors, but the opposition is not
25 even -- I don't think they really even want to deal with

1 the Warriors. I think there's a lot of opposition out
2 there, and I don't think we're getting a fair shake.

3 Thank you.

4 PRESIDENT BREED: Thank you.

5 Are there any other members of the public
6 who'd like to provide public comment at this time?

7 (No response)

8 PRESIDENT BREED: Seeing none, public comment
9 is closed. And we will now have up to 10 minutes for a
10 presentation from the Department of Public Works and the
11 Planning Department to describe the grounds for their
12 decision to approve the Tentative Map.

13
14 PRESENTATION BY DEPARTMENT OF PUBLIC WORKS

15
16 CHIEF SURVEYOR MABRY: Good evening, Madam
17 President, Board Members. My name is Paul Mabry on
18 behalf of Public Works. We're the agency approving the
19 Tentative Map.

20 I'll give a brief procedural history and then
21 turn this over to my colleagues at OCII for any further
22 comments.

23 On March 9th, the Department received the
24 Tentative Map application. As you all may know, the map
25 application is a largely ministerial decision governed

1 under the Subdivision Map Act in our local ordinances
2 and regulations.

3 The application was processed and -- in
4 conjunction with other affected City agencies. On
5 October 28th, we held a public hearing. There was no
6 comment received either for or against the project.

7 On November the 6th, we received OCII's Letter
8 of Consistency, which the Appellant is basically basing
9 their appeal on.

10 On November 12th, we issued our Tentative Map
11 Approval. It was a conditional approval. We have about
12 37 pages of detailed engineering-type requirements that
13 are associated with this project.

14 As part of that, we incorporated the
15 Monitoring Mitigation [sic] and Reporting requirements
16 and the other requirements of the Environmental Impact
17 Report.

18 On December 2nd, OCII provided to our
19 Department a copy of a letter responding to this
20 particular point that the Applicant has raised. The
21 Board has a copy of these already, so I won't elaborate
22 further, but if there's any further issues that
23 Mr. Morales would like to state on behalf of OCII, I'm
24 going to turn the remainder of our time over to them.

1 PRESENTATION BY THE OFFICE OF COMMUNITY
2 INVESTMENT & INFRASTRUCTURE COMMISSION
3

4 EXECUTIVE DIRECTOR BOHEE: Good evening, Board
5 Members. Tiffany Bohee, Executive Director of the
6 Office of Community Investment & Infrastructure, OCII.

7 The Golden State Warriors Project is
8 consistent with the Mission Bay South Redevelopment
9 Plan. That determination was made based on a thorough
10 review of the proposed land uses and the physical
11 improvements for the Golden State Warriors Project.

12 We considered at a public hearing on
13 November 3rd staff recommendation, public testimony
14 before applying the Redevelopment Standards for land use
15 consistency.

16 That secondary land use determination
17 concluded that the Golden State Warriors Project
18 includes secondary uses that generally conform with the
19 redevelopment objectives and planning and design
20 controls, make a positive contribution to the project
21 area, and provide necessary, desirable, and compatible
22 development for the neighborhood and community.

23 As the Appellant pointed out in her materials,
24 she pointed out a picture of the Mission Bay hospital.
25 The approach I just described, the former Redevelopment

1 Agency applied those very same secondary use land use
2 standards in order to find a conformity with the
3 Redevelopment Plan for the Mission Bay Hospital.

4 So, with that, I'd like to turn over to Jim
5 Morales to provide additional information in support of
6 the land use consistency determination.

7 SUPERVISOR KIM: And Mr. Morales, if you don't
8 mind -- sorry -- could you actually address the issues
9 that Ms. Brandt-Hawley brought up around the land use
10 zoning.

11 GENERAL COUNSEL MORALES: Jim Morales. I'm
12 the General Counsel of OCII.

13 First, I want to point out that the alleged
14 inconsistency with the Redevelopment Plan was raised
15 several times and actually was a central part of the
16 challenge to the EIR that you just resolved in favor of
17 the EIR.

18 Ms. Brandt-Hawley and other members of the
19 legal team raised this issue in written comments in
20 letters to the OCII Commission before it made its
21 decision, and every time that the these issues were
22 raised, OCII staff, Director, Commission addressed them.

23 So, at least there's one view here that this
24 question has already been raised, it's been asked and
25 answered, and this is yet again another attempt to try

1 to challenge an EIR on grounds that have already been
2 resolved, albeit in the context of a Subdivision Map
3 Appeal.

4 I just want to walk you briefly through the
5 Redevelopment Plan and the process that we followed.
6 Director Bohee has summarized that.

7 As you know, the Redevelopment Plan is a
8 30-year plan for development in a blighted area, adopted
9 by the Board of Supervisors in 1998. Obviously, it's a
10 30-year plan to encourage and authorize development in
11 an area.

12 It was brought in scope and gave significant
13 discretion and authority to, first, the Redevelopment
14 Agency and then when it was dissolved, the Office of
15 Community Investment & Infrastructure.

16 When the State dissolved the Redevelopment
17 Agency, it did not dissolve the authority under this
18 Redevelopment Plan, and, in fact, the State found that
19 completion of the Mission Bay South project area was an
20 enforceable obligation that survived the dissolution of
21 Redevelopment and that conferred upon OCII, as a
22 Successor Agency, the complete authority of the
23 Redevelopment Agency to complete that project.

24 The Redevelopment Plan itself -- and as you
25 know, land use and zoning consists not only of use, but

1 also of the limitations on the physical improvements in
2 the area.

3 The Event Center meets the standards of the
4 Redevelopment Plan -- the basic land use standards for
5 the Redevelopment Plan in terms of the height, of the
6 floor area ratio, and other basic elements of the zoning
7 scheme that are outlined in the Redevelopment Plan.

8 In addition, the Plan allows for the Agency,
9 through its Executive Director, to determine whether
10 particular uses as secondary uses should be allowed.

11 The Event Center itself has certain uses,
12 proposes certain uses that are actually principal uses,
13 most notably arts activities and spaces, which are a
14 principal use under the Redevelopment Plan.

15 There are certain events and activities at the
16 Event Center that fall into the principal use category
17 and do don't need a secondary use determination.

18 The Appellant, however, is challenging the
19 decision of the OCII Executive Director that was heard
20 before a public hearing on November 3rd that the Event
21 Center consisted of four secondary uses -- nighttime
22 entertainment, recreation building, public use, and a
23 use of a non-industrial character.

24 Each of these are identified as allowable uses
25 and are permitted if the Director makes findings that

1 the secondary use is consistent with the Redevelopment
2 Objectives in the Redevelopment Plan and is consistent
3 with the basic land use of the Redevelopment Plan, and
4 also that the secondary use has a -- makes a positive
5 contribution to the project area, and that the size and
6 intensity contemplated is both desirable and necessary
7 and compatible with the neighborhood.

8 The Director had an extensive set of findings
9 that were proposed. There was a public hearing on the
10 matter. And in a extensive documentation that is part
11 of the record in the Secondary Use Determination, the
12 Director found at the hearing that the secondary use was
13 allowable.

14 Nighttime entertain was identified early on
15 back, I believe, in October, November last year in the
16 Initial Study as one of the allowable land uses for the
17 Event Center, and OCII has never deviated from its
18 consideration that that, indeed, was an appropriate
19 allowable use.

20 Nighttime entertainment includes particular
21 uses -- discotheques, dance halls, private clubs. There
22 is no size limitation on those uses.

23 And the definition of "nighttime
24 entertainment" says that other evening-oriented,
25 nighttime-oriented activities are allowed. And it was

1 that basic definition that was interpreted by OCII to
2 embrace and include the Event Center.

3 In addition, we looked at the definition --
4 these all fall under the broad category of "assembly and
5 entertainment," which there's no question that the Event
6 Center falls within the category of assembly and
7 entertainment use.

8 Another such use was recreation building, and
9 it is true that the Redevelopment Plan does not provide
10 a definition of "recreation building." But looking at
11 common-sense definitions of what "recreation building"
12 could include, it would include not only athletic events
13 in which people participate, but also observe. And
14 using that definition, the OCII Executive Director found
15 another basis for the secondary use.

16 In addition, the public nature of the
17 building, the fact that it will be used for a variety of
18 events that will be important and significant to the
19 community, not just athletic events, but also potential
20 convention-type activities, other types of meetings,
21 arts and activities uses, as I've mentioned before,
22 those are also included within a public use designation.

23 And finally, use of a non-industrial
24 character. And clearly, this is not an industrial use.

25 Ms. Brandt-Hawley has referred to the varas,

1 the street grid of the Mission Bay South that's in the
2 plan. The Mission Bay South street grid and the varas
3 that are proposed for that area are guidelines, but the
4 specific alignments are not required.

5 PRESIDENT BREED: Thank you, Mr. Morales.

6 Supervisor Kim.

7 SUPERVISOR KIM: Thank you.

8 Mr. Morales, do you know the -- or maybe if
9 not you, someone from Planning -- know the zoning that
10 we utilized for the Giants Stadium and Mission Bay
11 North?

12 You know, I hear both arguments. I can see
13 how, you know, for some folks in their reading of
14 "nighttime entertainment use," you know, this arena
15 might seem like a significant departure, but it does
16 seem like the definition is broad enough.

17 As you mentioned, there is no kind of
18 attendance or participant limitation in nighttime use,
19 that you could conceivably put an arena in this
20 category, but I'm just curious if we did apply a
21 specific use for the Giants Stadium.

22 GENERAL COUNSEL MORALES: Supervisor Kim, at
23 the time, the site of AT&T Ballpark was not in a
24 Redevelopment Plan area and -- it was outside of the
25 boundaries, so, at least, the Redevelopment Agency at

1 the time. And the proposal was to put it in to a
2 Redevelopment Area. It could not be done without a Plan
3 amendment.

4 SUPERVISOR KIM: But it did get a zoning;
5 right?

6 DEFENSE 2 COUNSEL: It did. So, when the
7 plan -- when the ballpark --

8 SUPERVISOR KIM: So, whoever gave it, whether
9 it was Planning Department or Redevelopment, what was
10 the zoning that was assigned to the Giants Stadium
11 parcel?

12 GENERAL COUNSEL MORALES: It was a particular
13 zoning that was attached to the Redevelopment Plan that
14 was amended to include the boundaries of that particular
15 site.

16 So, because the boundaries were amended, there
17 was a particular zoning use for the ballpark that was
18 established. So, it was a unique and specific
19 designation for that ballpark use.

20 Here, we did not have to do that, because this
21 site is already in a Redevelopment Plan, and there
22 were -- there are provisions in the Redevelopment Plan
23 to allow for a secondary use such as this that would
24 allow the Commission and the Director to make the
25 findings to allow it.

1 SUPERVISOR KIM: I see. Because it is in the
2 Redevelopment Area Plan, it is distinct from our normal
3 City process, because you can utilize secondary use for
4 changes -- what some might consider to be a change from
5 the Plan.

6 So, let me ask you this question: You know,
7 the Appellant said the sports arena was not contemplated
8 in the original Mission Bay South Plan.

9 So, what was?

10 And, you know, one significant change that I
11 can think of, of course, that I imagine was not
12 contemplated in the Plan was the hospital, because
13 that's something that -- that was a development that
14 occurred later.

15 So, was a hospital contemplated in the
16 original Mission Bay South Plan?

17 GENERAL COUNSEL MORALES: Supervisor Kim,
18 that's absolutely correct. It is true that neither the
19 hospital nor the Event Center were contemplated and
20 studied in the EIR. They were, however, allowed under
21 the Redevelopment Plan as secondary uses, which I noted
22 broad categories that have some definitions that applied
23 to both the hospital and to the Event Center.

24 But we admit that the EIR did not look at the
25 particular impacts of either the hospital or the Event

1 Center in -- the Event Center. That's why we had the
2 EIR before you today and why it was certified by the
3 OCII -- was to look at the specific impacts.

4 But that doesn't mean that the Plan did not
5 allow for the Event Center. It just meant the
6 particular impacts associated with the Event Center had
7 not been studied in 1998.

8 That absence was cured by the Environmental
9 Impact Report that was done for the Event Center that
10 was certified and now approved on appeal.

11 SUPERVISOR KIM: So, just to summarize that
12 for members of the public, so, there's a precedent for
13 this -- there are probably multiple within our
14 Redevelopment Area Plan, but I think one significant one
15 that most people would understand is the hospital
16 itself.

17 GENERAL COUNSEL MORALES: Yes. Yes. The
18 hospital clearly was not contemplated. It was the
19 subject of its own separate environmental analysis that
20 the U.C. Regents did to ensure that the impacts of a
21 hospital, which had not been contemplated at that
22 particular site, were studied and evaluated.

23 The hospital itself, as a public use, was an
24 authorized secondary use, and at that time the
25 Redevelopment Agency Director made the determination

1 that that was an appropriate, compatible use for the
2 area.

3 SUPERVISOR KIM: Thank you.

4 PRESIDENT BREED: Is that it, Supervisor Kim?

5 SUPERVISOR KIM: That is it.

6 PRESIDENT BREED: Mr. Morales, did the
7 hospital pay any taxes or any transit impact fees?

8 GENERAL COUNSEL MORALES: President Breed,
9 that's a very good question.

10 As you probably recall, one of the concerns at
11 the time the hospital was proposed was that it would
12 take property off the tax rolls because it's a public
13 use. And the Mission Bay Redevelopment Plan really only
14 works through the generation of property tax to pay for
15 the public infrastructure and the affordable housing
16 that are required under the Plan.

17 So, the fact that the hospital would not be
18 generating property tax revenues because it was exempt,
19 led to negotiations between the Redevelopment Agency and
20 the U.C. Regents to provide in-lieu payments that were
21 equal to or exceeded the amounts of property tax that
22 would be -- would have otherwise been available for both
23 the infrastructure and for the affordable housing.

24 In fact, the payments for the affordable
25 housing were quite significant, and recently we have

1 begun construction of the affordable housing that really
2 was associated with the U.C. Regents' agreement to
3 provide funding that was equivalent to the property tax
4 revenues that would have gone to the affordable housing.

5 So, technically, the hospital does not have to
6 pay the property tax upon which the Redevelopment Plan
7 so heavily relies, but came up with an alternative,
8 in-lieu payments, that satisfied the Redevelopment
9 Agency Commission at the time.

10 PRESIDENT BREED: In addition to the property
11 they purchased from Salesforce with the in-lieu fee that
12 we approved on the Board later on -- I mean, way after
13 the -- this was after -- during the Successor Agency?

14 GENERAL COUNSEL MORALES: Yes.

15 PRESIDENT BREED: Okay.

16 The one that we -- the more recent fee we
17 passed on the Board level last year, I think it was.
18 There was an in-lieu fee for transportation impacts?

19 GENERAL COUNSEL MORALES: Yes.

20 PRESIDENT BREED: Or, there was a required tax
21 attached to the property, but they weren't
22 necessarily --

23 GENERAL COUNSEL MORALES: That's it. Right.

24 PRESIDENT BREED: Okay.

25 GENERAL COUNSEL MORALES: The Transit

1 Development Impact Fee.

2 PRESIDENT BREED: Yes.

3 GENERAL COUNSEL MORALES: Yes. We have
4 determined that the Event Center is required to pay that
5 fee.

6 PRESIDENT BREED: Okay. I think it's a little
7 bit of a different question, but I think I get it.

8 GENERAL COUNSEL MORALES: I'm sorry.

9 PRESIDENT BREED: I'm good, Ms. Bohee. Thank
10 you.

11 Supervisor Campos.

12 SUPERVISOR CAMPOS: I actually was going to
13 ask the question about whether or not the use was
14 contemplated as a secondary use, primary use, but
15 actually Mr. Morales, I think, covered that pretty well.
16 So, I'm fine. Thank you.

17 PRESIDENT BREED: Okay.

18 With that, we are moving right along for the
19 next presentation from the Real Party in Interest to
20 present for up to 10 minutes.

21
22 PRESENTATION BY REAL PARTY IN INTEREST
23

24 GENERAL COUNSEL KELLY: Good evening, Madam
25 President, Members of the Board of Supervisors. I'm

1 David Kelly, General Counsel, Golden State Warriors.

2 On behalf of the Warriors organization, we
3 want to reiterate our appreciation for the efforts of
4 City staff and consultants on this project, including
5 the mapping work that is the subject of this appeal.

6 City staff has just -- and General Counsel
7 Morales -- have just summarized why the appeal of the
8 Tentative Map is without merit under the law, so we will
9 not rehash those technical and legal arguments.

10 However, we do want to note that the Mission
11 Bay Alliance has not raised any new issues in this
12 Tentative Map appeal that were not already addressed in
13 the C.E.Q.A. appeal that has already been considered.

14 Essentially, they have not raised any issues
15 related to the adequacy of the Tentative Map itself.

16 So, I will just reiterate that the Warriors
17 have worked hard with our future neighbors to ensure
18 that all legitimate concerns are addressed, and
19 including those of U.C.S.F., residents, and businesses
20 inside of the Mission Bay area.

21 The support that we've received from the
22 community from such residents, business, and U.C.S.F. is
23 a result of the process of listening, learning, and
24 working together with our future neighbors, and we
25 request that you deny the appeal of the Tentative Map.

1 Thank you.

2 PRESIDENT BREED: Thank you.

3 Okay. With that, we will open it up to public
4 comment for any members of the public who would like to
5 comment in support of the Real Party in Interest.
6 Please come forward at this time.

7 (No response)

8 PRESIDENT BREED: Seeing none, public comment
9 is closed.

10 Finally, the Appellant will have up to three
11 minutes for rebuttal.

12
13 REBUTTAL BY APPELLANT

14
15 SUSAN BRANDT-HAWLEY: Hello. Susan
16 Brandt-Hawley again.

17 Well, U.C.S.F. Hospital presents a very good
18 example, as well as AT&T Park about the problems with
19 this project that weren't present there.

20 U.C.S.F. is a public facility. And what we
21 relied upon in our arguments here to you is that you
22 have to look at the plain meaning of the words of the
23 secondary use categories, and they're being strained
24 beyond credulity. And we believe that makes the
25 Tentative Map unlawful.

1 The Redevelopment Agency correspondence and
2 reports indicate that the U.C.S.F. Hospital was allowed
3 as a secondary use under a single category, a public
4 structure or use of a non-industrial character. That's
5 one category, not two, according to the Redevelopment
6 Agency's own prior interpretations. And that's what
7 makes sense here.

8 If any non-industrial -- what they're parsing
9 here -- Mr. Morales is parsing for you -- he said
10 there's two categories -- a public structure or use of a
11 non-industrial character. They're written on one line.

12 If, in fact, any use of a non-industrial
13 character is allowed in this commercial industrial zone,
14 is leaves your plan meaningless. You don't need any
15 other kind of delineations of different uses.

16 In terms of the nighttime entertainment,
17 what -- the words are "dance hall, discotheque, private
18 club, or similar evening entertainment uses." This is
19 not under any reasonable interpretation of these words a
20 similar use to that.

21 And if you look at the 1998 Redevelopment
22 Plan, if you look at the U.C.S.F. documents and -- for
23 any kind of consistency or logic, this does not fit.

24 We learned just now that for AT&T Park, it was
25 not fully -- the land was not fully encompassed in the

1 existing Redevelopment Plan, so the Plan Area was
2 expanded somewhat to encompass it, and then there was a
3 new designation put on the zoning so that it would fit.
4 And that wasn't necessary to happen.

5 What I'm hearing is that there was probably a
6 zoning already there that got changed even though part
7 of it was not part of redevelopment.

8 And here, looking at the history of this when
9 the Redevelopment Plan was approved, what the EIR said
10 and what the plain words, the definitions in your codes
11 say, this simply does not fit, and in order to go
12 forward, you need to amend the Redevelopment Plan just
13 as it's done commonly all of the time.

14 We heard that these questions have been asked
15 and answered. That's true. The Alliance has from the
16 very beginning -- we're not coming in at the last minute
17 and saying that something should have been done.

18 From the very beginning of this process --
19 it's been six months or something like that -- we've
20 been saying, This doesn't fit into any of these uses and
21 some -- this needs to be fixed.

22 Thank you.

23 PRESIDENT BREED: Thank you.

24 And with that, this hearing has been held and
25 is now closed.

1 This item is in the hands of the Board of
2 Supervisors, and I'd like to recognize Supervisor Kim.

3 SUPERVISOR KIM: Thank you, President Breed.

4 I just want to agree with the Project Sponsor
5 that I don't believe the Appellants have brought up any
6 new arguments that we haven't already listened to in the
7 EIR determination appeal.

8 And i just want to further say that I think it
9 significantly weakens the Appellant's argument, because
10 they rest on this land use argument -- is that very use
11 of the institution that the Appellants state that they
12 are protecting, the U.C.S.F. hospitals, was also not
13 contemplated in the Mission Bay South Plan.

14 And I think that that is also, you know, from
15 a layperson's perspective, a significant departure in
16 terms of use, as much so as this Warriors Arena.

17 So, I will be making a motion to move forward
18 with Item 62 and to table 63 and 64.

19 PRESIDENT BREED: Okay.

20 Supervisor Kim has made a motion to move
21 forward with Item 62 and table 63 and 64.

22 Is there a second?

23 Seconded by Supervisor Cohen.

24 Madam clerk, can you please call the roll.

25 MADAM CLERK CALVILLO: Supervisor Campos.

1 SUPERVISOR CAMPOS: Aye.
2 MADAM CLERK CALVILLO: Campos, aye.
3 Supervisor Cohen.
4 SUPERVISOR COHEN: Aye.
5 MADAM CLERK CALVILLO: Cohen, aye.
6 Supervisor Farrell.
7 SUPERVISOR FARRELL: Aye.
8 MADAM CLERK CALVILLO: Farrell, aye.
9 Supervisor Kim.
10 SUPERVISOR KIM: Aye.
11 MADAM CLERK CALVILLO: Kim, aye.
12 Supervisor Mar.
13 SUPERVISOR MAR: Aye.
14 MADAM CLERK CALVILLO: Mar, aye.
15 Supervisor Tang.
16 SUPERVISOR TANG: (Indicating)
17 MADAM CLERK CALVILLO: Tang, aye.
18 Supervisor Wiener.
19 SUPERVISOR WIENER: Aye.
20 MADAM CLERK CALVILLO: Wiener, aye.
21 Supervisor Yee.
22 SUPERVISOR YEE: Aye.
23 MADAM CLERK CALVILLO: Yee, aye.
24 Supervisor Avalos.
25 SUPERVISOR AVALOS: Aye.

1 MADAM CLERK CALVILLO: Avalos, aye.

2 Supervisor Breed.

3 PRESIDENT BREED: Aye.

4 MADAM CLERK CALVILLO: Breed, aye.

5 There are ten ayes.

6 PRESIDENT BREED: Okay. The Tentative Map is
7 finally affirmed unanimously.

8 All right. Madam Clerk, let's get to the
9 items -- let's call Items 65 through 68.

10 MADAM CLERK CALVILLO: Item 65 is a resolution
11 to adopt findings under C.E.Q.A. and the C.E.Q.A.
12 guidelines, including the adoption of a Mitigation
13 Monitoring and Reporting Program and a Statement of
14 Overriding Considerations in connection with the
15 development of the Golden State Warriors Event Center
16 and Mixed-Use Development at Mission Bay South, Blocks
17 29-32, in the Mission Bay South Redevelopment Plan.

18 Item 66, Ordinance to amend the code to
19 establish a fund to pay for City services and capital
20 improvements such as transportation and other needs of
21 the community in connection with events at the Golden
22 State Warriors Event Center, and also to create an
23 Advisory Committee to make recommendations about the use
24 of monies from the fund, and to adopt the appropriate
25 findings under C.E.Q.A.

1 Item 67 is the Ordinance to delegate to the
2 Director of Public Works to accept required public
3 improvements related to the development of the Event
4 Center, and authorize the Director of the Real Estate
5 Division to accept any future easements, licenses, and
6 grant deeds related to the development project,
7 including a sidewalk easement and grant deeds, and to
8 adopt the appropriate findings under C.E.Q.A.

9 And Item 68, Madam President, is an Ordinance
10 under the summary vacation of four easements for water
11 lines, sanitary sewer, storm water purposes, and two
12 offers of dedication within portions of Assessor's Block
13 No. 8722 and Lot Nos. 1 and 8 within the Mission Bay
14 South Redevelopment Plan Area for the Golden State
15 Warriors Event Center, to authorize the termination and
16 quitclaim of the easements and other City rights and
17 interests in the vacated areas, and to authorize the
18 Director of the PUC and the Director of Property to
19 execute the quitclaim deeds for the vacated easements
20 and vacation areas providing license agreements, a
21 retroactive extension of the previously executed
22 agreement, for the public's use of the temporary Terry
23 A. Francois Boulevard Connector Road, and to adopt
24 C.E.Q.A. findings and make other appropriate findings.

25 PRESIDENT BREED: Okay. Let's start with Item

1 No. 65.

2 Supervisor Kim.

3 SUPERVISOR KIM: Sorry. I was just talking
4 with the City Attorney. So, we can sever this item and
5 vote on it separately.

6 PRESIDENT BREED: We've called the item, so we
7 can basically vote on it now based on a recommendation
8 that you may make.

9 SUPERVISOR KIM: So, you know, I asked my
10 colleagues. I don't know if I make a motion on this
11 item?

12 Is that what's appropriate -- a motion to
13 table?

14 So, I'll be making a motion to table Item 65.

15 PRESIDENT BREED: Okay. Supervisor Kim has
16 made a motion to table Item 65.

17 Is there a second?

18 Seconded by Supervisor Campos.

19 Madam Clerk, can you please call the roll on
20 65?

21 MADAM CLERK CALVILLO: On the motion to table
22 65, Supervisor Campos.

23 SUPERVISOR CAMPOS: Aye.

24 MADAM CLERK CALVILLO: Campos, aye.

25 Supervisor Cohen.

1 SUPERVISOR COHEN: Aye.
2 MADAM CLERK CALVILLO: Cohen, aye.
3 Supervisor Farrell.
4 SUPERVISOR FARRELL: Aye.
5 MADAM CLERK CALVILLO: Farrell, aye.
6 Supervisor Kim.
7 SUPERVISOR KIM: Aye.
8 MADAM CLERK CALVILLO: Kim, aye.
9 Supervisor Mar.
10 SUPERVISOR MAR: Aye.
11 MADAM CLERK CALVILLO: Mar, aye.
12 Supervisor Tang.
13 SUPERVISOR TANG: (Indicating)
14 MADAM CLERK CALVILLO: Tang, aye.
15 Supervisor Wiener.
16 SUPERVISOR WIENER: Aye.
17 MADAM CLERK CALVILLO: Wiener, aye.
18 Supervisor Yee.
19 SUPERVISOR YEE: Aye.
20 MADAM CLERK CALVILLO: Yee, aye.
21 Supervisor Avalos.
22 SUPERVISOR AVALOS: Aye.
23 MADAM CLERK CALVILLO: Avalos, aye.
24 Supervisor Breed.
25 PRESIDENT BREED: Aye.

1 MADAM CLERK CALVILLO: Breed, aye.

2 There are ten ayes.

3 PRESIDENT BREED: Okay. This item is tabled.

4 And Supervisor Kim, did you have any comments
5 on the other items as well?

6 SUPERVISOR KIM: Yes, I do.

7 PRESIDENT BREED: Okay. Supervisor Kim.

8 SUPERVISOR KIM: Thank you, President Breed.

9 First of all, completely separate from what is
10 before us today, I do want to congratulate our
11 undefeated Golden State Warriors, NBA Championship team,
12 who are currently 23 -- 23-0.

13 I don't remember the last time I've seen this
14 much excitement over a team this early in the season
15 before Christmas.

16 And I think what's even more extraordinary is
17 how this team is even stronger than the NBA championship
18 team that we saw in the previous season. Of course,
19 completely separate from what is before us today.

20 What's before us today, of course, is what is
21 commonly being discussed as the lockbox legislation,
22 which is establishing the Mission Bay Transportation
23 Improvement Fund.

24 And first of all, I just want to say that I'm
25 excited that we are going to have an arena and

1 entertainment venue in a few years that many of us will
2 be able to walk, bike, or take Muni to.

3 And I want to acknowledge the work that I
4 believe this Project Sponsor, along with the City, has
5 done to ensure that this future arena will really be
6 very different from arenas that we see across the
7 country. One, that people will hopefully not be
8 travelling as much by car to, but taking alternative
9 modes, which I think is incredibly important and
10 relevant as we talk about these items that are before us
11 today.

12 I also want to acknowledge a couple of other
13 points about this project that are notable. This will
14 be the only NBA arena in the league built entirely on
15 private land -- the land transaction closed in October
16 -- and for which the construction is entirely financed
17 by private investment.

18 They are also paying the full value of the
19 impact fee, both TIDF and childcare and taxes, including
20 the \$2.25 ticket stadium admissions tax with no waivers
21 or special treatment.

22 The last five new NBA arenas to open in
23 Charlotte, Orlando, Oklahoma City, Brooklyn, and soon in
24 Sacramento have spent an average of 235 million in
25 public funds just for the hard cost of the arena

1 construction.

2 There's been quite a bit of literature and
3 academia criticizing public subsidies of private arenas,
4 and whether municipalities truly actually benefit from
5 these public subsidies. And I'm proud that San
6 Francisco will be the first city to host a 100-percent
7 privately financed arena.

8 The arena was also recently certified by the
9 State of California as an Environmental Leadership
10 Development Project that is both greenhouse gas neutral
11 and LEED Gold in design.

12 And it will create 3.2 acres of public open
13 space on what is now parking lot, and will trigger the
14 construction of the much awaited 5.5 acre Bayfront Park
15 in Mission Bay. In representing a district with the
16 smallest and fewest parks in the City, I think that this
17 is a significant contribution.

18 Now, where San Francisco is contemplating
19 public dollars -- and I want to acknowledge that we are
20 doing that through the items that are before us today --
21 is to mitigate the impacts of this arena through the
22 proposed Mission Bay Transportation Improvement Fund.

23 This fund sets aside a portion the net new
24 revenue that will be generated by the site to support
25 transportation mitigations such as additional Parking

1 Control Officers, which I think are incredibly important
2 to do traffic management, something our residents are
3 already asking to see more of in our neighborhoods
4 without the arena; additional lightrail vehicles; and,
5 of course, additional Muni services.

6 This City would not touch any of the set-aside
7 funds, such as the children's fund, the library funds,
8 the open space funds. And 10 percent of all remaining
9 revenues and up to an estimated \$1.5 million a year will
10 go to our General Fund.

11 What I will also note about the special
12 fund -- because I've been critical of special funds in
13 the past, and it gives me a little bit more security --
14 is that unlike some other of our special funds, this
15 fund will actually be subject to Board of Supervisors'
16 approval and appropriation each year.

17 And I think that that is an important
18 distinction -- that there will still be oversight and
19 authorization by this board every year. And I think
20 likely we would actually allocate those dollars through
21 our general funds anyway as we do currently for our
22 Giants Stadium.

23 I do understand the concerns about special
24 funds and set-asides. They do limit the Board and
25 Mayor's flexibility to best invest back public dollars

1 based on needs and priorities of the City every year.

2 However, I would likely support utilizing a
3 portion of the net new revenue to offset the mitigation
4 of this project.

5 And there was a member of the public that
6 earlier quoted me from Monday's Land Use Committee about
7 comments that I've made about the Super Bowl 50 party.
8 And that comment -- and I just want to distinguish that
9 comment from what is before us today, because when we
10 discussed the Super Bowl 50 party on Monday, we had
11 never discussed San Francisco setting aside a portion of
12 the net new revenue that the Super Bowl Party would
13 actually generate, and using that to provide additional
14 services for the party.

15 We were simply talking about setting aside
16 just general funds and not even having a sense of what
17 the actual cost of the mitigation was.

18 I think that this is distinct from that,
19 because we're actually looking at what this project is
20 generating.

21 It's not to say that SFPD, Public Works, and
22 SFMTA may not incur additional costs above and beyond
23 what is being set aside in these funds, but I think
24 given the fact that we already have a stadium in our
25 city, the AT&T Ballpark, I am hopeful and optimistic

1 that the City has done a much stronger job this time
2 around in assessing the future prediction of what the
3 true costs will be of making sure that we can make this
4 city run and have an arena and stadium here in our city.

5 I just want to note again that the two major
6 neighbors and institutions, U.C.S.F. and Mission Bay
7 CAC, have all unanimously endorsed this project. So,
8 Colleagues, I ask for your support on Items 66, 67, and
9 68.

10 PRESIDENT BREED: Thank you, Supervisor Kim.
11 Supervisor Avalos.

12 SUPERVISOR AVALOS: Thank you. Excuse me. My
13 voice has not been used much in the past few hours.

14 So, I intend to support Items 66 through 68 --
15 I'm sorry -- 67 through 68, but 66, I will -- intend to
16 vote against.

17 And not that I don't see that there is not
18 real merit to what 66 is trying to do with its fund.

19 I realize that even hearing our Environmental
20 Impact Report and the appeal and the reason why -- the
21 report actually covers many of the mitigation measures
22 that we've already discussed that are actually being
23 done by mitigating traffic, that are in the fund that
24 the fund is supposed to be doing -- getting new vehicles
25 for lightrail that's adjacent to the facility, getting

1 Parking Control Officers to manage traffic in the
2 intersections a little bit further away from the
3 stadium, paying for police officers and some DPW
4 services as well.

5 All of these things are really important. I
6 really acknowledge -- I want to acknowledge that. The
7 Warriors and the City worked very well with the public
8 to know that these were going to be essential services
9 that need be to accompanying the stadium.

10 My concern is not with the new vehicles and
11 the new services. My concern is really how over and
12 over again I see how projects are supported with a
13 General Fund subsidy. This is a General Fund subsidy,
14 because it's taking revenue that's coming from this
15 project. And instead of that revenue going to the
16 General Fund, it's coming back into this special fund to
17 pay for those services.

18 It's much like the America's Cup event. When
19 we had the America's Cup, we were told that there was
20 going to be a certain amount of fundraising that would
21 help to cover the costs to the City. But then it turns
22 out that revenue wasn't generated, and then the City
23 used the revenue that was generated from all the
24 indirect costs -- or, indirect revenues from the event
25 to say that, Well, we were able to cover these costs

1 with this rising revenue, when, in fact, it was a cost
2 to the City that we bore.

3 My other concern about this fund is that as
4 we're seeing money potentially for the General Fund move
5 back to a particular project, it kind of exacerbates the
6 issue that I face in the southern part of San Francisco
7 where we haven't seen a lot of major development
8 happening, where we haven't seen a lot of the dollars
9 that tend to surround where development is happening, be
10 it parks or new buildings or public buildings or transit
11 facilities -- we're not seeing those types of projects
12 with all the adjacent funds that come with them in
13 District 11.

14 And to me, while we're seeing this great
15 economic boom in San Francisco, we're seeing my district
16 get passed over. There's probably other parts of San
17 Francisco that get passed over as well, and we get the
18 basics.

19 So, I see that often we're sold these projects
20 because there's a huge economic boom and a huge impact
21 to our General Fund in a positive way, and that it would
22 have a benefit for all San Franciscans, and I'm not --
23 don't at all want to indicate that I believe this
24 project doesn't have benefits for all of San Francisco,
25 but when it comes to these revenues that should be

1 available for the entire city, I don't see them
2 happening that way.

3 And I know it's a big-ticket item to ask the
4 Warriors to actually pay up to \$8 million a year in
5 these funds, but to me that would be -- what's probably
6 more appropriate is that the impacts that are created
7 from having the arena are paid for by the Warriors
8 themselves.

9 I believe that the deal that the Giants have
10 where there's a lot of General Fund dollars that pay for
11 the traffic enforcement and police enforcement around
12 the stadium is not the best deal either.

13 I think that the Giants probably should be
14 paying more to offset what the General Fund costs are to
15 the City based on the events that happen around the
16 ballpark.

17 So, to me, I understand the interest from the
18 community and the City to want to have such a fund, but
19 from my perspective where I see that development is
20 passing us over, and even the benefits that are created
21 from development often pass us over in District 11, I
22 can't put myself behind this fund.

23 Thank you.

24 PRESIDENT BREED: Thank you, Supervisor
25 Avalos.

1 Supervisor Wiener.

2 SUPERVISOR WIENER: Thank you, Madam
3 President.

4 So, first, I guess since we don't the approval
5 of the project before us, and it was the EIR appeal of a
6 subdivision map, so, I guess this is probably the best
7 opportunity, as Supervisor Kim mentioned, to really talk
8 about what an exciting project this is for San
9 Francisco, and after all these years, that we're finally
10 at a point where this project is going to move forward
11 for San Francisco.

12 And it's incredible that we're able to welcome
13 the Warriors back home, but I think it's also important
14 to keep in mind what this is going to mean for the
15 cultural vibrancy of our city, that we will finally have
16 a true arena for entertainment, for concerts, for all of
17 the things that help make a city world-class.

18 Night life is so important in San Francisco,
19 and this has always been a missing piece. And we'll no
20 longer have this missing piece. So, this is exciting
21 and I'm happy to support this.

22 I also want to talk a little about bit about
23 transportation, and I decided to raise it now instead of
24 during the EIR appeal hearing.

25 That has clearly been, I think, the biggest

1 challenge around this project, dealing with congestion.
2 And I respect the concerns that U.C.S.F. had raised
3 previously and that others have raised, but I also think
4 it's important to look at the bigger picture here --
5 that the congestion that we're seeing in San Francisco
6 and that we're seeing in this general area, it's not
7 because of -- or, it won't be because of one arena.

8 It's problematic now, and it is so much bigger
9 than any one project. It's because we have a city
10 that's been growing and growing and has been for decades
11 and is continuing to grow. There are more people here.
12 There's more jobs here. There is more economic activity
13 here. There are many more cars.

14 And we have to really grapple with that as a
15 city and decide as a city and also as a region what
16 we're going to be. And are we going to be the kind of
17 place that tolerates that level of congestion, or are we
18 going to make the massive, massive, massive transit
19 investments that we have to make to get a handle on
20 that?

21 And so, this fund is terrific. I fully
22 support it. I think it's going to help, and I'm proud
23 to be cosponsoring it, but let's also keep in mind that
24 ultimately it's the responsibility of the government of
25 this city to make sure that we're doing what we need to

1 do to invest in our transit system to make sure that
2 we're getting the train all the way to the Transbay
3 Transit Center, and that we're connecting it then all
4 the way through a second transbay tube to the East Bay
5 so that we have wonderful train service coming up the
6 Peninsula through Mission Bay, and coming from the East
7 Bay to San Francisco and to Mission Bay and then going
8 south.

9 Only with that connectivity are we ever going
10 to really address these congestion issues. And if the
11 Warriors arena disappeared tomorrow, if the Warriors
12 decided tomorrow that they weren't going to come to this
13 location, we would still have massive congestion traffic
14 problems in this area that would only get worse over
15 time.

16 So, I completely understand the frustrations
17 of the people in this area, of some folks associated
18 with U.C.S.F., people in my district, people all over
19 who are constantly talking understandably about how
20 difficult it is just to get around town in San
21 Francisco.

22 And that is because we have not done what
23 we've needed to do in terms of preparing for growth with
24 transit investment, but it's not too late. We can do
25 it.

1 We have a lot of things coming on the horizon,
2 things that are gonna go to the ballot in the next few
3 years, and we have to make sure that we make those
4 correct choices. But I am very happy to be supporting
5 this today.

6 PRESIDENT BREED: Thank you, Supervisor
7 Wiener.

8 Supervisor Yee.

9 SUPERVISOR YEE: Thank you, President Breed.

10 I'm -- first of all, I want to say I'm happy
11 that there is a possibility that the Warriors will be
12 coming back to San Francisco.

13 It seems like it's been so long, I can't
14 remember where they actually played in San Francisco. I
15 thought it was either --

16 PRESIDENT BREED: Bill Graham.

17 SUPERVISOR YEE: -- the Cow Palace or Civic
18 Center, and I'm thinking maybe both. Yeah.

19 And at some point, you actually have to share
20 the Oakland Coliseum with the Oakland Oaks. I remember
21 going to those.

22 So, I -- what I want to say is that this is a
23 special set-aside, and there are some issues that I
24 think, as Supervisor Avalos brings -- that he brings
25 up -- and I'm glad he brought it up, which my district

1 is faced with the same situation.

2 We're out in the west side of the City, and a
3 lot of developments are built in this side of the City.
4 And so, some of the benefits that we may see for the
5 City seems to be all concentrated here. And hopefully,
6 there's some other benefits that we get out of it on the
7 west side.

8 So, I wanted to ask staff -- maybe you have a
9 answer or maybe you don't -- when I looked at the
10 revenues that are going to be coming in, it was -- it
11 looked like the -- what was stated was the direct
12 revenues as a result of whatever happens right at their
13 arena.

14 And I'm thinking that it probably has a
15 secondary or residual, sort of an impact on other
16 businesses and so forth when there are activities in
17 this entertainment center, such as restaurants and maybe
18 people staying overnight.

19 So, I'm wondering if anybody did an analysis
20 of what kind of revenues would that generate, because
21 that might settle my anxiety about not having any
22 resources for the west side.

23 PROJECT MANAGER VAN de WATER: Supervisors,
24 Adam Van de Water in the Office of Economic and
25 Workforce Development.

1 We contracted with two outside consultants,
2 Economic & Planning Systems and Keyser Marston
3 Associates, to look at the projected revenues from the
4 Event Center.

5 The easiest to estimate, of course, are the
6 on-site direct revenues. Somebody goes, they buy a
7 ticket, they pay to park, they buy a beverage.

8 The more difficult is off-site, and there is
9 extensive debate in the economic community about what to
10 and what to not include there.

11 There is something called a "substitution
12 effect." If somebody is going to go to a theater on
13 Geary Street or the basketball arena, and it's not net
14 new revenue.

15 So, we took very conservative estimates of
16 what we did include off-site. We do include parking tax
17 revenue. We do include some sales tax revenue. We do
18 include some transit -- or, TOT, the hotel tax revenues.

19 But we tried to really look at the lower end
20 of those ranges so that we did not include somebody who
21 was already in town in a hotel and happens to catch a
22 game, but rather those who would come exclusively for
23 that game, so that it's net new. So, the 14.1 million
24 that is estimated in the revenues is all on-site and
25 off-site and conservatively estimated.

1 SUPERVISOR YEE: Well, thanks for the answer.
2 And I was hoping that wasn't with the answer, that maybe
3 you had left out some of the off-site calculations and
4 maybe they were, you know --

5 PROJECT MANAGER VAN de WATER: So, we're not
6 estimating the indirect, induced impacts of the
7 employees that would be on-site and they go out to lunch
8 or they're spending in the City. So, that is not
9 included here. So, that is extra revenue that would be
10 coming into the City and is not contained in the 14.1.

11 SUPERVISOR YEE: Got it. That's a little bit
12 better.

13 Thanks.

14 PRESIDENT BREED: All right.

15 Seeing no other names on the roster, Madam
16 Clerk, on Item No. 66, can you please call the roll?

17 SUPERVISOR KIM: Oh, my apologies. Actually,
18 I do have to --

19 PRESIDENT BREED: Supervisor Kim.

20 SUPERVISOR KIM: -- I have to introduce a
21 couple of technical amendments which we've handed out to
22 Members of the Board. And I see City Attorney John
23 Gibner standing.

24 I'm not sure if it's because you're going to
25 be the one to summarize the technical amendments.

1 DEPUTY CITY ATTORNEY GIBNER: I'd be happy to.
2 Deputy City Attorney John Gibner.

3 The motion that the Board approved 15 minutes
4 or so ago upholding the Tentative Map included C.E.Q.A.
5 findings, and the amendments that Supervisor Kim has
6 distributed, in each of the three items -- 66, 67, 68 --
7 incorporate those findings -- those C.E.Q.A. findings
8 that were in the Tentative Map motion.

9 The amendment -- the documents that Supervisor
10 Kim has circulated also make two additional amendments
11 in addition to the C.E.Q.A. findings.

12 One to Item 66, there's a member of the
13 Advisory Committee that will be appointed by the
14 supervisor for District 6, and Supervisor Kim's proposed
15 amendment would require that that appointee live in the
16 neighborhood within a half mile of the Event Center.

17 And in Item 68, the street vacation item, the
18 proposed amendments would reflect that the PUC took
19 action last month concluding that the easements are
20 surplus.

21 PRESIDENT BREED: Okay.

22 Supervisor Kim, would you like to move the
23 amendments?

24 SUPERVISOR KIM: Yes.

25 PRESIDENT BREED: Okay. Supervisor Kim has

1 made a motion to amend, seconded by Supervisor Campos
2 for Item 66, 67, and 68.

3 Colleagues, can we take those amendments
4 without objection.

5 (No response)

6 PRESIDENT BREED: Without objection, those
7 amendments pass unanimously.

8 On Item No. 66 as amended -- oh, Supervisor
9 Kim, you have other comments?

10 SUPERVISOR KIM: No. I'm sorry.

11 PRESIDENT BREED: Okay.

12 On Item No. 66 as amended, Madam Clerk, can
13 you please call the roll?

14 MADAM CLERK CALVILLO: Supervisor Campos.

15 SUPERVISOR CAMPOS: Aye.

16 MADAM CLERK CALVILLO: Campos, aye.

17 Supervisor Cohen.

18 SUPERVISOR COHEN: Aye.

19 MADAM CLERK CALVILLO: Cohen, aye.

20 Supervisor Farrell.

21 SUPERVISOR FARRELL: Aye.

22 MADAM CLERK CALVILLO: Farrell, aye.

23 Supervisor Kim.

24 SUPERVISOR KIM: Aye.

25 MADAM CLERK CALVILLO: Kim, aye.

1 Supervisor Mar.
2 SUPERVISOR MAR: Aye.
3 MADAM CLERK CALVILLO: Mar, aye.
4 Supervisor Tang.
5 SUPERVISOR TANG: (Indicating)
6 MADAM CLERK CALVILLO: Tang, aye.
7 Supervisor Wiener.
8 SUPERVISOR WIENER: Aye.
9 MADAM CLERK CALVILLO: Wiener, aye.
10 Supervisor Yee.
11 SUPERVISOR YEE: Aye.
12 MADAM CLERK CALVILLO: Yee, aye.
13 Supervisor Avalos.
14 SUPERVISOR AVALOS: No.
15 MADAM CLERK CALVILLO: Avalos, no.
16 Supervisor Breed.
17 PRESIDENT BREED: Aye.
18 MADAM CLERK CALVILLO: Breed, aye.
19 There are nine ayes and one no.
20 PRESIDENT BREED: The ordinance passes as
21 amended on the first reading.
22 Madam Clerk, call the roll on Item 67, please,
23 as amended.
24 MADAM CLERK CALVILLO: Supervisor -- through
25 the President to Supervisor Kim, were the amendments

1 made to Item 67?

2 PRESIDENT BREED: The amendments were made --

3 SUPERVISOR KIM: Yes.

4 PRESIDENT BREED: -- to all three items --

5 SUPERVISOR KIM: Yes.

6 PRESIDENT BREED: -- from my understanding.

7 SUPERVISOR KIM: Yes, they were amendments to
8 all three items.

9 MADAM CLERK CALVILLO: Supervisor Campos.

10 SUPERVISOR CAMPOS: Aye.

11 MADAM CLERK CALVILLO: Campos, aye.

12 Supervisor Cohen.

13 SUPERVISOR COHEN: Aye.

14 MADAM CLERK CALVILLO: Cohen, aye.

15 Supervisor Farrell.

16 SUPERVISOR FARRELL: Aye.

17 MADAM CLERK CALVILLO: Farrell, aye.

18 Supervisor Kim.

19 SUPERVISOR KIM: Aye.

20 MADAM CLERK CALVILLO: Kim, aye.

21 Supervisor Mar.

22 SUPERVISOR MAR: Aye.

23 MADAM CLERK CALVILLO: Mar, aye.

24 Supervisor Tang.

25 SUPERVISOR TANG: (Indicating)

1 MADAM CLERK CALVILLO: Tang, aye.
2 Supervisor Wiener.
3 SUPERVISOR WIENER: Aye.
4 MADAM CLERK CALVILLO: Wiener, aye.
5 Supervisor Yee.
6 SUPERVISOR YEE: Aye.
7 MADAM CLERK CALVILLO: Yee, aye.
8 Supervisor Avalos.
9 SUPERVISOR AVALOS: Aye.
10 MADAM CLERK CALVILLO: Avalos, aye.
11 Supervisor Breed.
12 PRESIDENT BREED: Aye.
13 MADAM CLERK CALVILLO: Breed, aye.
14 There are ten ayes.
15 PRESIDENT BREED: The ordinance passes
16 unanimously as amended.
17 And Colleagues, for Item 68, can we take this
18 item, same house, same call, as amended?
19 (No objection)
20 PRESIDENT BREED: Without objection, Item 68
21 passes unanimously as amended on the first reading.
22 All right. Madam Clerk, can we go back to --
23 oh, thank you and congratulations.
24 (Whereupon, at 9:04 p.m., the Special
25 Order Agenda Item of the San Francisco Board

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on Supervisors was concluded.)

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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: December 13, 2015



KATY LEONARD
Certified Shorthand Reporter
License No. 11599