

File No. 230033

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee Date February 1, 2023

Board of Supervisors Meeting Date _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
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- Form 126 – Ethics Commission
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OTHER (Use back side if additional space is needed)

- SFAC Resolution No. 0604-18-185 6/4/2018
- SFAC Resolution No. 0605-17-124 6/5/2017
- _____
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Completed by: Brent Jalipa Date January 26, 2023

Completed by: Brent Jalipa Date _____

1 [Agreement - Treasure Island Series 1, LLC - Completion of Foundation for Sculpture -
2 \$274,076]

3 **Resolution authorizing the Arts Commission to enter into an agreement with Treasure**
4 **Island Series 1, LLC, the developer of a hilltop park at Yerba Buena Island, to construct**
5 **a foundation for a 69-foot tall sculpture by Hiroshi Sugimoto, as part of the Treasure**
6 **Island Arts Program, for an amount of \$274,076 for a term starting upon approval of this**
7 **Resolution and ending upon the completion of the foundation; and to authorize the**
8 **Director of Cultural Affairs to enter into any additions, amendments or other**
9 **modifications to the Foundation Contract do not materially increase the obligations or**
10 **liabilities of the City, or reduce the benefits to the City, and are necessary or advisable**
11 **to complete the transaction contemplated by this Resolution.**

12
13 WHEREAS, The former Naval Station Treasure Island was a military base located on
14 Treasure Island and Yerba Buena Island which was selected for closure and disposition by
15 the Base Realignment and Closure Commission in 1993, acting under Public Law 101-510,
16 and its subsequent amendments; and

17 WHEREAS, On June 7, 2011, the Board of Supervisors unanimously certified the final
18 environmental impact report and made certain findings under CEQA (collectively, the "FEIR")
19 and approved a package of legislation to approve and entitle a large mixed-use project at
20 Treasure Island (the "Project"), including a Disposition and Developer Agreement dated as of
21 June 28, 2011 (as amended, the "DDA") with Treasure Island Community Development
22 ("TICD"); and

23 WHEREAS, The DDA requires vertical developers on Treasure Island and Yerba
24 Buena Island to pay a 1% Art Fee for the development of a public art program on Treasure
25 Island; and

1 WHEREAS, The San Francisco Arts Commission ("SFAC") has extensive expertise
2 and experience in public art and public art program administration, commissioning artworks,
3 developing arts master plans and managing public art projects; and

4 WHEREAS, On January 14, 2015, the Treasure Island Development Authority ("TIDA")
5 Board of Directors approved a Memorandum of Agreement between the SFAC and TIDA,
6 engaging the SFAC to develop an Arts Master Plan for Treasure Island, manage the arts
7 program budget, select artists and artworks, contract with artists and manage the fabrication
8 and installation of artworks, and develop conservation and maintenance plans and budgets for
9 the completed artworks; and

10 WHEREAS, On June 14, 2017, the TIDA Board of Directors adopted the Arts Master
11 Plan dated Spring 2017 by Resolution No. 17-24-0614; and on June 5, 2017, the San
12 Francisco Arts Commission approved the Arts Master Plan by Resolution No. 0605-17-124;
13 and

14 WHEREAS, On July 28, 2017, the SFAC issued a Request for Qualifications to solicit
15 interested artists for certain art installation sites; and

16 WHEREAS, SFAC shortlisted nine artists (three for each of three sites), and these
17 artists were invited to submit site specific proposals for the identified sites; and

18 WHEREAS, On March 27, 2018, the artists proposals were displayed at Treasure
19 Island and at the War Memorial Veterans Building in San Francisco, and were also available
20 on line for public comment; and

21 WHEREAS, On April 17, 2018, the selection panel interviewed the artists and then
22 selected finalists for each of the three sites, including Hiroshi Sugimoto for a 69-foot tall
23 sculpture to be installed at the hilltop park on Yerba Buena Island (the "Sculpture"); and

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25

1 WHEREAS, The Treasure Island Arts Steering Committee, the SFAC, and the TIDA
2 Citizen’s Advisory Board all reviewed and approved selected artists and artworks, including
3 the Sculpture; and

4 WHEREAS, The SFAC, by Resolution No. 0604-18-185, authorized the Director of
5 Cultural Affairs to enter into an agreement with Hiroshi Sugimoto for the completion of the
6 Sculpture; and

7 WHEREAS, TICD transferred its rights and obligations under the DDA for the
8 subphase of development that includes Yerba Buena hilltop park to Treasure Island Series 1,
9 LLC, a Delaware limited liability company (“Developer”); and

10 WHEREAS, Developer is undergoing construction of the horizontal development work
11 required under the DDA for the applicable subphases, including the completion of the Yerba
12 Buena hilltop park, but such work does not include implementation of the public art program or
13 the foundation for the Sculpture; and

14 WHEREAS, SFAC could wait until the hilltop park is completed by Developer, and then
15 engage a different developer to complete the foundation, but this would inevitably cause
16 damage to the newly completed park and increase costs and therefore SFAC, in consultation
17 with TIDA, determined that it would be appropriate to engage Developer, under a sole source
18 contract, to complete the foundation work in conjunction with the Developer’s completion of
19 the hilltop park; and

20 WHEREAS, SFAC has negotiated a contract with Developer to complete the
21 foundation for the Sculpture at a cost of \$274,076, a copy of which is in Board File
22 No. 230033 (the “Foundation Contract”); and

23 WHEREAS, Under the Foundation Contract, Developer will engage the same
24 contractor that is constructing the hilltop park to complete the foundation, taking advantage of
25 the efficiencies and lack of disruption created by simultaneous development; and

1 WHEREAS, The Foundation Contract incorporates the construction requirements of
2 the DDA into the underlying construction contract, including the payment of prevailing wages
3 and the hiring and nondiscrimination requirements, and otherwise requires Developer to
4 implement and oversee the construction contract in the same manner as the other
5 construction work being performed by Developer under the DDA; and

6 WHEREAS, Any dispute between Developer and the construction contract is subject to
7 binding arbitration; and

8 WHEREAS, SFAC is responsible for all costs of completing the foundation, provided
9 Developer shall not incur any costs under the construction contract without the prior consent
10 of SFAC, as set forth in the Foundation Contract; now, therefore, be it

11 RESOLVED, That the Board of Supervisors approves the Foundation Contract and
12 authorizes SFAC to enter into and perform its obligations under the Foundation Contract, in
13 substantially the form set forth in the Board File No. 230033; and, be it

14 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
15 Cultural Affairs to enter into any additions, amendments or other modifications to the
16 Foundation Contract that the Director of Cultural Affairs determines, following consultation
17 with the City Attorney, are in the best interests of the City, that do not materially increase the
18 obligations or liabilities of, or reduce the benefits to the City, and are necessary or advisable
19 to complete the transaction contemplated by this Resolution; and, be it

20 FURTHER RESOLVED, That within thirty (30) days of the agreement being fully
21 executed by all parties, the Arts Commission shall provide the final agreement to the Clerk of
22 the Board for inclusion into the official file.

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<p>Item 1 File 23-0033</p>	<p>Department: Arts Commission and Treasure Island Development Authority</p>
<p>EXECUTIVE SUMMARY</p>	
<p style="text-align: center;">Legislative Objectives</p> <ul style="list-style-type: none"> • The proposed resolution would authorize the Arts Commission and the Treasure Island Development Authority to enter into a new sole-source agreement with the developer Treasure Island Series 1, LLC, to construct a foundation for the “Point of Infinity” sculpture for an amount not to exceed \$274,076, for a term starting upon approval of this resolution and ending upon the completion of the foundation. <p style="text-align: center;">Key Points</p> <ul style="list-style-type: none"> • The developer, Treasure Island Series 1, LLC, is responsible for building the Yerba Buena Island hilltop park, upon which the proposed foundation, along with the Point of Infinity Sculpture, will stand. The foundation will be built in conjunction with the completion of the park by July 2023. The Developer has hired Jensen Landscape Contractor, LLC as a subcontractor to complete the foundation work. • While this proposed contract is below the Charter Section 9.118 threshold for Board of Supervisors approval, the City Attorney has advised TIDA and the Arts Commission that this contract requires Board of Supervisors approval because there is an arbitration clause in the contract between Treasure Island Series 1, LLC and construction contractor, and the City is responsible for paying for the work. <p style="text-align: center;">Fiscal Impact</p> <ul style="list-style-type: none"> • The total not to exceed amount for the construction of the foundation is \$274,076. The foundation will be fully funded by the Treasure Island and Yerba Buena Island “one percent for art” redevelopment fee. The fee fund is managed by the Arts Commission and currently has a balance of \$3.36 million. If approved, the art fee fund balance would be reduced to \$3.1 million. <p style="text-align: center;">Recommendation</p> <ul style="list-style-type: none"> • Approve the proposed resolution. 	

MANDATE STATEMENT

The proposed contract is below the Charter Section 9.118 threshold for Board of Supervisors approval of contracts greater than \$10 million or ten years. However, the City Attorney has advised that this contract requires Board of Supervisors approval because there is an arbitration clause in the contract between the Treasure Island developer and the construction contractor for this proposed agreement hired by it to complete the work and the City is responsible for paying for the work.

BACKGROUND

On June 28, 2011, the City through the Treasure Island Development Authority entered into a Disposition and Developer Agreement (DDA) with Treasure Island Community Development, LLC to make productive use of underdeveloped, former military base property on Treasure Island and Yerba Buena Island.¹ A Parks and Open Space Plan is included in the development. One such park in the plan is the five-acre Yerba Buena Hilltop Park which is currently being built by Treasure Island Series 1, LLC, a subsidiary of the Master Developer, Treasure Island Community Development.

On June 5, 2017, the Arts Commission passed a resolution (No. 0605-17-124) approving the Treasure Island Arts Master Plan. The Plan guides the implementation of an art program to be funded over a 20-year period with the proceeds of development fee for art, which consists of one percent of vertical construction costs on Treasure Island and Yerba Buena Island.² On July 28, 2017, the Arts Commission issued a Request for Qualifications to solicit interested artists for certain art installation sites, according to the Arts Master Plan.

In June 2018, the Arts Commission approved a contract with the competitively selected artist Hiroshi Sugimoto (Resolution No. 0604-18-185) for design, fabrication, transportation, and consultation during installation of a sculpture for the Hilltop Park in an amount not to exceed \$1,750,000.

According to Arts Commission staff, the City has an as-needed contract with the installer and will contract directly for the installation of the artwork. The fabrication and transportation are underway, and installation is anticipated to take place in May/June 2023. The cost for installation is currently anticipated to be \$300,000 and is separate from the artist's contract.

The Sugimoto sculpture is called "Point of Infinity" and is a 69-foot sculpture comprised of glass fiber, reinforced concrete, and stainless steel that functions as a sundial. The tip of the sculpture will cast a shadow on a large stone during the vernal and autumnal equinoxes.

¹ The Treasure Island Development Authority is a non-profit, public benefit agency that is overseen by the City Administrator's office and is dedicated to the economic development of former Naval Station Treasure Island.

² Treasure Island Arts Master Plan <https://sf.gov/information/treasure-island-arts-master-plan>

DETAILS OF PROPOSED LEGISLATION

The proposed resolution would authorize the Arts Commission and the Treasure Island Development Authority to enter into a new sole-source agreement with the developer Treasure Island Series 1, LLC, to construct a foundation for the “Point of Infinity” sculpture for an amount not to exceed \$274,076, for a term starting upon approval of this resolution and ending upon the completion of the foundation.

The total not to exceed amount includes a 10 percent contingency amount of \$24,916. A breakdown of the cost is shown in Exhibit 1, below.

Exhibit 1. Cost of Sculpture Foundation

Component	Cost
General Conditions	\$13,000
Foundation	\$171,250
Drainage and Gravel	\$7,580
Site Work	\$17,200
Steel Plate	\$2,050
Electrical Grounding	\$17,730
Bush-Hammered Wall	\$20,350
Subtotal	\$249,160
Contingency	\$24,916
Total	\$274,076

Source: Appendix B to Agreement between City and Treasure Island Series 1, LLC

Notes: "General Conditions" include pouring concrete and installing steel beams. Pricing is based on drilling four ground rods seven feet below the existing tank slab in a total of eight hours. Treasure Island Series 1, LLC notes that the soil conditions below the tank are unknown, but it is likely that there will be hard bedrock. If it takes longer than eight hours, then it will be considered extra work and contractor will track on Time and Materials.

Construction Contractor

Treasure Island Series 1, LLC is responsible for building the Yerba Buena Island hilltop park, upon which the proposed foundation, along with the Point of Infinity Sculpture, will stand. The foundation will be built in conjunction with the completion of the park.

Treasure Island Series 1, LLC has subcontracted the foundation construction work to the Milpitas-based company Jensen Landscape Contractor, LLC. Jensen is already mobilized on site for the construction of the park. For efficiency and cost savings, Arts Commission staff requested a quote from Jensen for pouring the foundation. The Arts Commission requested quotes from two other contractors to ensure that the City was getting a fair price for the foundation building work. We reviewed the comparison quotes, which were both higher than Jensen's.

Treasure Island Series 1, LLC will oversee the work to construct the sculpture's foundation, structural slab, and related architectural gravel and drainage. All construction requirements, including the payment of prevailing wages, hiring, and nondiscrimination requirements are

incorporated into the construction contract, similarly to the developer's larger Disposition and Development Agreement (DDA).

Any changes to the construction contract and any increase to the price must be approved by the Arts Commission in advance. Any unused portion of the foundation construction cost will be returned to the Arts Commission upon project completion. The Arts Commissions may request construction contract status updates from Treasure Island Series 1, LLC.

Construction Timeline

Arts Commission staff estimate that the time to build the foundation is one month. Form work for the foundation has begun, and the concrete pour is intended to begin in late January 2023. The sculpture is anticipated to be installed in May/June 2023. The hilltop park is anticipated to be complete in July 2023. The Arts Commission has not been invoiced yet for the work, and will not be until there is a signed, Board-approved agreement in place.

Arbitration Clause

The proposed agreement states that any legal dispute between the City and Treasure Island Series 1, LLC related to the agreement will be resolved in a manner consistent with the DDA. The agreement also states that the City agrees to participate in and be bound by any dispute resolution procedure (litigation, arbitration, or other) resulting from a third-party dispute pertaining to this contract.

FISCAL IMPACT

The total not to exceed amount for the construction of the foundation is \$274,076. The foundation will be fully funded by the Treasure Island and Yerba Buena Island "one percent for art" redevelopment fee. The fee fund is managed by the Arts Commission and currently has a balance of \$3.36 million. If approved, the art fee fund balance would be reduced to \$3.1 million.

RECOMMENDATION

Approve the proposed resolution.

Agreement Regarding Sculpture Foundation

This Agreement Regarding Sculpture Foundation (this “**Agreement**”), dated for reference purposes as of November 16, 2022, is by and between TREASURE ISLAND SERIES 1, LLC, a Delaware limited liability company (“**TIS1**”), and THE CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation (“**City**”), acting by and through its San Francisco Arts Commission (“**SFAC**”) and the Treasure Island Development Authority (“**TIDA**”).

Recitals

A. TIS1 has engaged or shall engage a Contractor (as defined in Section 1 below) to perform work for the development of the hilltop park at Yerba Buena Island (the “**Hilltop Park**”), subject to the terms and requirements of that certain Disposition and Development Agreement (Treasure Island/Yerba Buena Island) between TIDA and Treasure Island Community Development, LLC, a California limited liability company (“**Master Developer**”), dated for reference purposes as of June 28, 2011 (as amended, the “**DDA**”). TIS1 has assumed certain rights and obligations of Master Developer under the DDA as it relates to Hilltop Park.

B. Hiroshi Sugimoto (“**Artist**”) has designed an original sculptural work entitled “Point of Infinity” for the Hilltop Park (the “**Sculpture**”), a 66-foot tall sculpture comprised of glass fiber reinforced concrete and stainless steel that functions as a monumental sundial - the tip will cast a shadow on a large stone, to be placed nearby, during the vernal and autumnal equinoxes as depicted on **Exhibit A** attached hereto and incorporated herein by this reference.

C. TIS1 agrees to enter into and manage a construction contract with Contractor for the installation of a foundation for the Sculpture at the Hilltop Park, in connection with its work on the Treasure Island development project under the DDA (the “**Development**”), on the terms and conditions set forth below.

Agreement

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. SCOPE OF WORK.

a. TIS1 shall engage Jensen Landscape Contractor, or another licensed general contractor reasonably approved by SFAC (the “**Contractor**”), using an AIA Document A104 – 2017, Standard Abbreviated Form of Agreement Between Owner and Contractor (as modified by TIS1) (“**Construction Contract**”), to construct the Sculpture’s foundation, structural slab and related architectural gravel and drainage (“**Sculpture Work**”), which Construction Contract shall provide payment to the Contractor on the basis of a stipulated sum not to exceed Two Hundred Seventy Four Thousand and Seventy Six Dollars (\$274,076) (the “**CC Price**”), which includes a contingency of \$24,916. The Sculpture Work is more particularly described on **Exhibit B** attached hereto and incorporated herein by this reference. The Construction Contract, any material change to the Construction Contract and any increase to the CC Price, shall be approved by SFAC in advance, which approval shall not be unreasonably withheld, conditioned or delayed.

b. TIS1 will incorporate the construction requirements of the DDA into the Construction Contract, including the payment of prevailing wages and the hiring and nondiscrimination requirements, and otherwise implement and oversee the Construction Contract in the same manner as the

other construction work being performed by TIS1 under the DDA, subject to the specific terms and revisions set forth in this Agreement. The parties (i) do not intend to make the Sculpture Work a part of the Infrastructure under the DDA, and (ii) acknowledge that the Sculpture Work is additional and will be paid for by SFAC as set forth below; provided, however, the parties intend to incorporate the construction requirements and procedures and exemptions from the DDA into this Agreement for the benefit of both TIS1 and SFAC.

c. The Sculpture Work will be subject to the permitting requirements of the City's Department of Public Works ("PW"). Inspections specified by the Engineer of Record for the Sculpture Work will be coordinated by the Contractor or TIS1; provided, any separate fees payable to PW for these inspections will be paid for by SFAC.

d. TIS1 will not be responsible for any defective or negligent work performed by the Contractor in connection with the Sculpture Work, but TIS1 will inspect the Sculpture Work during construction in the same manner as other work performed for the development of the Hilltop Park, and will promptly notify SFAC and the Contractor if it becomes aware of any defective work or other problem relating to the Construction Contract or the Sculpture Work. Upon request, TIS1 will also provide updates to SFAC on the status of the Sculpture Work and the Construction Contract. The Construction Contract will include language granting or assigning to SFAC the right to make claims directly against the Contractor for defective work and related matters, and the parties agree to reasonably cooperate in good faith on any such claims at no cost to TIS1. The Construction Contract will also expand the indemnification clause so that it names the City and TIDA as indemnified parties in all instances, in addition to any indemnification of TIS1. SFAC waives and releases, and agrees to indemnify, protect, defend and hold harmless, TIS1 and the Indemnified Parties (as defined below), from any and all claims caused by, resulting from or related to the Sculpture Work performed by Contractor; provided, however, the foregoing release, waiver and indemnity shall not apply to any claims resulting from the negligence, willful misconduct or breach of this Agreement by TIS1. As used herein, the term "**Indemnified Parties**" shall mean and refer to the following: (i) Treasure Island Community Development, LLC, a California limited liability company; Treasure Island Development Group, LLC, a Delaware limited liability company; Treasure Island Series 2, LLC, a Delaware limited liability company; Treasure Island Holdings, LLC, a Delaware limited liability company; Lennar Homes of California, Inc.; Lennar Corporation; KSWM Treasure Island, LLC, a California limited liability company; Stockbridge TI Co-Investors, LLC, a Delaware limited liability company; U.S. Home Corporation; Kenwood Investments, LLC; WMS Treasure Island Development I, LLC; Stockbridge Treasure Island Investment Company, LLC; Stockbridge Real Estate Partners II, LLC; Stockbridge Real Estate Fund II-A, LP; Stockbridge Real Estate Fund II-B, LP; Stockbridge Real Estate Fund II-C, LP; Stockbridge Real Estate Fund II-D, LP; Stockbridge Real Estate Fund II-E, LP; Stockbridge Real Estate Fund II-B-E1, LP; Stockbridge Fund E Holdings, LLC; Stockbridge Real Estate Fund II-T, LP; and all of such persons' parent companies, subsidiaries, affiliates, successors and assigns (including in the event of a partial assignment of this Agreement, both assignor and assignee), representatives, partners, stockholders, designees, officers, directors, managers, members, agents, attorneys, and employees and their respective heirs, executors, administrators; and (ii) the following Lender Parties: Treasure Island Development Fund I, LLC; Treasure Island Development Fund 2, LLC; and any other lender to the Indemnified Parties for work relating to the Hilltop Park.

2. PAYMENT TERMS.

a. SFAC shall be responsible for all costs and expenses payable by TIS1 under the Construction Contract, without markup, but excluding any costs resulting from TIS1's breach of the Construction Contract or this Agreement ("**TIS1 Costs**"). Before making payments under the Construction Contract, TIS1 shall provide to SFAC a copy of the application for payment, applicable lien releases, a notice of the proposed payment amount and any relevant backup, together with a statement confirming that

the work covered by the proposed payment was completed by the Contractor (each, a “**Payment Notice**”). SFAC will approve the Payment Notice or state any reasonable objection to the Payment Notice (with an explanation of the reasonable objection) within ten (10) business days following SFAC’s receipt of Payment Notice. SFAC’s failure to respond to the Payment Notice within ten (10) business days following receipt will be deemed an approval of the Payment Notice. Each party will be responsible for any delay costs due under the Construction Contract that are caused by that party (i.e., for TIS1, failure to submit Payment Notices on time or failure to pay to Contractor approved Payment Notices on time, and for SFAC, failure to approve or object to a Payment Notice within ten (10) business days following receipt as set forth above). Upon completion of the Sculpture Work and approval or deemed approval by SFAC of the final Payment Notice, SFAC will be deemed to have accepted the Sculpture Work and TIDA, as owner of the land, will own the foundation. Upon request, TIS1 will sign a quitclaim or other instrument to evidence TIDA’s ownership of the foundation.

b. Within ten (10) business days following the execution of this Agreement, SFAC shall deposit to TIS1(Supplier #0000049260) the full CC Price (the “**SW Deposit**”). In connection with any change order that increases the CC Price, SFAC shall deposit with TIS1, within ten (10) business days following SFAC’s approval of the change order, the additional funds required to cover the increased CC Price, which shall be held by TIS1 as part of the SW Deposit. TIS1 shall hold the SW Deposit for distribution as provided herein. TIS1 shall make all payments due to Contractor under the terms of the Construction Contract on a timely basis following the approval (or deemed approval) of a Payment Notice from the SW Deposit. Within ten (10) business days following the completion of the Sculpture Work and the payment to Contractor of all amounts due to Contractor under the Construction Contract, TIS1 shall return to SFAC any unused portion of the SW Deposit.

3. **SFAC APPROVAL RIGHTS.** In connection with the Sculpture Work and the Construction Contract, SFAC shall have approval rights with respect to the following matters: (a) drawings, plans and specification for the Sculpture Work; (b) applications for payment (as noted in Section 2 above); (c) the use of contingency funds before payment of these funds under the Construction Contract; (d) the scope and amount of all change orders before execution of each change order; (e) the schedule for the Sculpture Work (stages, milestones and timing) and any liquidated damages assessed against the Contractor; and (f) any punch list items and the final determination that the Sculpture Work has been finally completed. SFAC shall not unreasonably withhold, condition or delay its approval to any of the foregoing matters. If SFAC fails to timely approve or reasonably object to any such matters within 10 business days, TIS1 shall have the right to do so (and SFAC shall be responsible for any delay caused thereby). In addition, SFAC shall have the right, on a good faith and commercially reasonable basis, to suspend the Sculpture Work and terminate the Construction Contract for cause and convenience; provided, however, SFAC shall be responsible for any delay caused thereby and for any costs incurred by TIS1 under the Construction Contract in connection with such suspension or termination.

4. **INSURANCE.** Contractor will be responsible for obtaining and maintaining customary insurance required by TIS1 of its contractors; provided, however, if SFAC reasonably requests additional insurance, SFAC shall either obtain such policy or shall be responsible for any additional cost charged by Contractor for such insurance; provided, further, any such increase will be included as a requirement under the Construction Contract. Upon SFAC’s request prior to the execution of the Construction Contract (and provided that TIS1 is not otherwise obtaining such insurance as part of its insurance for the Development), the Construction Contract will require Contractor to obtain, at SFAC’s cost, (1) insurance for any damage to the Sculpture which may occur following installation of the Sculpture during completion of the Sculpture Work, and (2) builder’s risk insurance for the Sculpture Work (or for the reasonable and equitable share attributable to the Sculpture Work of the cost of such builder’s risk insurance obtained by TIS1 for the Development).

5. **NOTICES.** Any notices for payment or request approvals under this Agreement shall be effective only if in writing and given by email, with a return receipt required, addressed as follows; any notice of default must be delivered both by email and by personal delivery or by certified mail with a return receipt requested, postage prepaid, or overnight courier; provided, further, any email delivered on a non-business day or after 5:30 p.m. Pacific time on a business day, shall be deemed to have been delivered on the next occurring business day:

TIS1: Treasure Island Series 1, LLC
2603 Camino Ramon, Ste. 525
San Ramon, CA 94583
Attn: Jing Ng and Levi Conover
Jing.Ng@tidgsf.com; levi.conover@tidgsf.com

SFAC: Mary Chou
Senior Program Manager, Public Art
San Francisco Arts Commission
401 Van Ness Avenue, Ste. 325
San Francisco, CA 94102
Mary.chou@sfgov.org

with a copy to: Robert Beck, TI Director
Treasure Island Development Authority
Administration Building
One Avenue of Palms, Treasure Island
San Francisco, CA 94130
bob.beck@sfgov.org

Notices herein shall be deemed given upon the date of the return receipt either from email or certified mail, or the date of personal delivery. Any party may change its address for notices by delivering a notice in the manner set forth above.

6. **DISPUTES.**

a. Any dispute between TIS1 and the City and/or SFAC relating to this Agreement shall be resolved in the same manner as any dispute relating to construction under the DDA (with TIS1 as Master Developer and SFAC as the Authority), provided (i) either party shall be entitled to actual damages (not special or punitive) following a default by the other party under this Agreement, and (ii) a default under this Agreement shall not be deemed a default under the DDA.

b. If TIS1 is involved in or becomes involved in litigation, arbitration, or another alternative dispute resolution procedure (“ADR”) with a third party relating to this Agreement or the work performed under this Agreement and TIS1 or any other party joins the City and/or SFAC as a party to such litigation, arbitration, or other ADR, then the disputes between TIS1 and the City and/or SFAC relative to the claims involved in such litigation, arbitration, or other ADR shall be resolved in such litigation, arbitration, or other ADR. In the event that TIS1 is required, by law or by contract, to resolve a dispute with a third party in litigation, arbitration or other ADR, the City and/or SFAC agrees to participate in and be bound by such procedure.

c. Pending final resolution of a dispute, except as otherwise agreed in writing, the parties shall proceed diligently with performance of the terms of this Agreement.

7. MISCELLANEOUS.

a. TIS1 and SFAC shall cooperate with each other and such party’s respective consultants, architects, engineers, contractors, subcontractors, suppliers, and others involved with or impacted by the Sculpture Work, and shall use their commercially reasonable efforts to maintain a positive working relationship with each other.

b. Nothing herein shall be construed as creating a joint venture or partnership between TIS1 and the City or SFAC (and all such parties remaining as independent contractors in connection with the Sculpture Work) and each party shall remain solely responsible for its own personnel in connection herewith. Except as expressly set forth herein, in no event shall SFAC be authorized on behalf of TIS1 to: (a) enter into any agreements; (b) waive any provisions or receive or accept notice under any contract on behalf of TIS1; (c) authorize any payments or accept or approve any documents, work, services, goods, or materials that result in a change to any contract, or (d) act as or be an agent or employee of TIS1.

c. This Agreement supersedes all prior discussions between and documents exchanged by the parties. This Agreement may be amended or modified only by a writing signed by City and TIS1.

d. This Agreement shall be governed by the laws of the State of California without regard to choice of law principles.

e. This Agreement may be executed in counterparts with the same effect as if all parties hereto had executed the same document. All counterparts shall be construed together and shall constitute a single document. Any party may deliver its signature to this Agreement by facsimile or electronic mail and any party that receives an executed signature page from another party by facsimile or electronic mail may rely upon said signature as if it was a signed original.

f. No waiver by any party of any of the provisions of this Agreement shall be effective unless in writing and signed by an officer of other authorized representative, and only to the extent expressly provided in such written waiver.

g. Time is of the essence.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first set forth above.

TIS1:

TREASURE ISLAND SERIES 1, LLC, a Delaware limited liability company

By: _____

Name: _____

Its: _____

SFAC:

CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation,
acting by and through the San Francisco Arts Commission

By: _____
Ralph Remington, Director of Cultural Affairs

TIDA:

TREASURE ISLAND DEVELOPMENT AUTHORITY, a
California nonprofit public benefit corporation

By: _____
Robert Beck, Treasure Island Director

APPROVED AS TO FORM:

DAVID CHIU, City Attorney

By: _____
Charles Sullivan, Deputy City Attorney

EXHIBIT A

Depiction of Sculpture

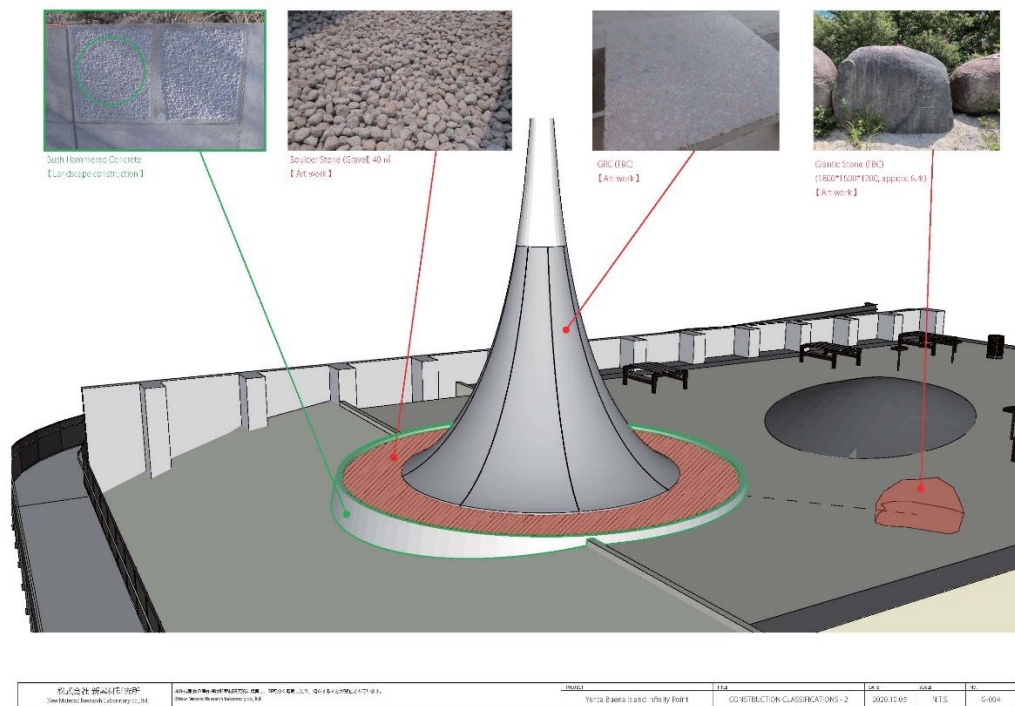
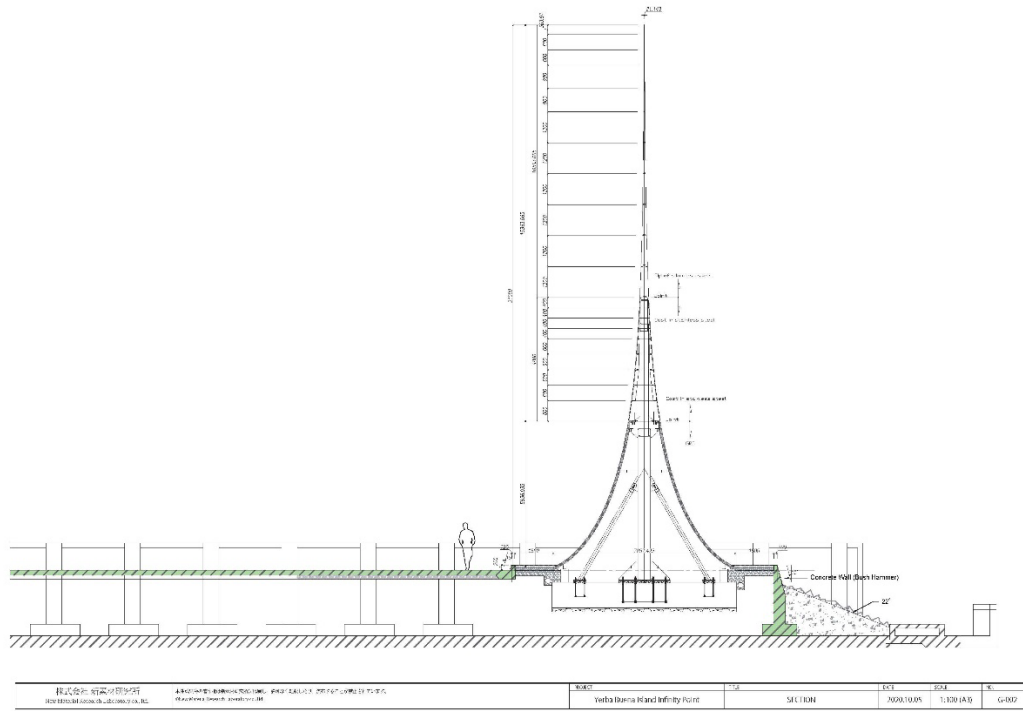


EXHIBIT B

Scope of Sculpture Work

[Attached]

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San Francisco Arts Commission



Full Commission - June 4, 2018 - Minutes

Meeting Date:

June 4, 2018 - 9:00am

Related Meeting Content:

[Agenda](#)

Location:

San Francisco Ferry Building
One Ferry Building, Second Floor
San Francisco, CA 94111

MEETING OF THE FULL ARTS COMMISSION

Monday, June 4, 2018

9:00 a.m. to approximately 5:00 p.m.

Port Commission Hearing Room, Second Floor
San Francisco Ferry Building

Minutes

President Beltran called the meeting to order at 9:13 a.m.

1. Roll Call

Commissioners Present

JD Beltran, President
Roberto Ordeñana, Vice President

Charles Collins
Simon Frankel
Mary Jung
Abby Sadin Schnair (left after 1:00 p.m.)
Marcus Shelby
Janine Shiota
Jessica Silverman
Barbara Sklar
Lydia So
Paul Woolford (arrived at 2:00 p.m.)

Commissioners Absent

Dorka Keehn
Sherene Melania
Kimberlee Stryker
Rich Hillis, ex officio

2. General Public Comment

There was no public comment.

3. Consent Calendar

There was no public comment, and the Consent Calendar was approved unanimously as follows.

RESOLUTION NO. 0604-18-166:

Approval: RESOLVED, that this Commission does hereby adopt the following items on the Consent Calendar and their related Resolutions:

1. **RESOLUTION NO. 0604-18-167:** Motion to approve the Visual Arts Committee Meeting Minutes of May 16, 2018.

Visual Arts Committee Recommendations (May 16, 2018)

2. **RESOLUTION NO. 0604-18-168:** Motion to approve Helene Fried, independent curator, as a Public Art Program Panelist for the 2017-18 and 2018-19 Fiscal Years.
3. **RESOLUTION NO. 0604-18-169:** Motion to authorize the Director of Cultural Affairs to approve honoraria payments of up to \$10,000 for San Francisco Arts Commission public program services including, but not limited to, workshops, lectures, panel discussions, performances, brown bag lunch discussions, literary readings, film screenings, community forums, and off-site projects.
4. **RESOLUTION NO. 0604-18-170:** Motion to approve the mural designs of *Ocean Bloom* by artists Hye Yoon Song, Paul Mallowney, Autumn Swisher and Youth Art Exchange Printmaking and Photography Students. The vinyl wrapped murals will be on ten utility boxes along Ocean Avenue, at the corners of Howth Street, Dorado Terrace, Geneva and Phelan, Lee, Brighton, Plymouth, Miramar, Faxon, Ashton, and Victoria Avenues. The vinyl wrapped murals will be installed on ten utility boxes that measure approximately 60 in. by 36 in. by 17 in. The project is funded by the San Francisco Arts Commission Special Project Grant by the D7 Participatory Budget Process, and is sponsored by the Youth Art Exchange; the vinyl wrapped murals will not become part of the Civic Art Collection. The approval is pending a signed memorandum of understanding from the San Francisco Municipal Transportation Agency.
5. **RESOLUTION NO. 0604-18-171:** Motion to approve the addition of a gobo light projection of new sister city, Kiel, Germany, to *Shining Paths: San Francisco's Sister Cities*, by Lewis deSoto, and the removal of the gobo light gel for Osaka, Japan at San Francisco International Airport: International Terminal, Boarding Area G.

6. **RESOLUTION NO. 0604-18-172:** Motion to authorize the Director of Cultural Affairs to enter into a contract with the selected artist Antony Gormley for conceptual design, final design and engineering of an artwork for the Treasure Island Waterfront Plaza Public Art Project in an amount not to exceed \$157,350 pending approval of the Treasure Island Development Authority.
7. **RESOLUTION NO. 0604-18-173:** Motion to authorize the Director of Cultural Affairs to enter into a contract with the selected artist Pae White (DBA Pae White Studio, Inc.) for conceptual design, final design and engineering of an artwork for the Treasure Island Building One Public Art Project in an amount not to exceed \$99,350 pending approval of the Treasure Island Development Authority.
8. **RESOLUTION NO. 0604-18-174:** Motion to approve a) the completed sculptural bust by Bruce Wolfe of former mayor Gavin Newsom and the design of the sculpture pedestal and proposed text and b) approval to issue a Conditional Letter of Acceptance upon receipt of executed donor and artist agreement and completion of all outstanding contract requirements. The sculpture is a gift of ArtCare, a nonprofit organization.
9. **RESOLUTION NO. 0604-18-175:** Motion to approve the selected artist Favianna Rodriguez and conceptual proposal for artwork(s) for the Animal Care Facility Public Art Project as recommended by the artist selection panel.
10. **RESOLUTION NO. 0604-18-176:** Motion to authorize the Director of Cultural Affairs to enter into contract with Favianna Rodriguez for an amount not to exceed \$310,000 for design, fabrication, transportation, and installation consultation of artworks for the Animal Care Facility Project.
11. **RESOLUTION NO. 0604-18-177:** Motion to approve the installed artwork *Everywhere a Color* by Leah Rosenberg at the San Francisco International Airport: International Terminal, Boarding Area G, Gate Room 96.
12. **RESOLUTION NO. 0604-18-178:** Motion to approve the final design development documents and construction document phase deliverables for Johanna Grawunder's artwork, *Coding*, for the San Francisco International Airport: Long Term Parking Garage 2 Public Art Project.
13. **RESOLUTION NO. 0604-18-179:** Motion to approve the final design development documents and construction document phase deliverables for Sarah Cain's artwork, *Untitled*, for the San Francisco International Airport: AirTrain Public Art Project.
14. **RESOLUTION NO. 0604-18-180:** Motion to approve the conceptual design documents phase deliverables for Dana Hemenway's artwork, *The Color of Horizons*, for the San Francisco International Airport: Terminal 1 Center Public Art Project.
15. **RESOLUTION NO. 0604-18-181:** Motion to approve the selected finalists Spencer Finch (DBA Spencer Finch Studio and represented by Lisson Gallery), Jorge Pardo (DBA Jorge Pardo Sculpture LLC) and Eva Schlegel (represented by Gallery Wendi Norris) as recommended by the selection panel for the San Francisco International Airport: Terminal 1, Boarding Area B, End of Pier Project.
16. **RESOLUTION NO. 0604-18-182:** Motion to approve the final design development documents and construction document phase deliverables for Woody De Othello's sculptures, *Timekeeper*, *Light*, and *Turn*, for the San Francisco International Airport: International Terminal, Boarding Area G Terrace.
17. **RESOLUTION NO. 0604-18-183:** Motion to approve Kaiser/von Roenn Studio as the selected fabricator for artist Tomie Arai's Central Subway: Chinatown Station Public Art Project, as recommended by the Artwork Fabricator Selection Panel.
18. **RESOLUTION NO. 0604-18-184:** Motion to authorize the Director of Cultural Affairs to enter into contract with Kaiser/von Roenn Studio for an amount not to exceed \$294,400 for final development of artwork design specification, fabrication, transportation and installation

consultation of an artwork by Tomie Arai for the exterior and platform level of Central Subway: Chinatown Station.

19. RESOLUTION NO. 0604-18-185: Motion to authorize the Director of Cultural Affairs to enter into a contract with the selected artist Hiroshi Sugimoto (DBA Door Four LLC) for design, fabrication, transportation and consultation during installation of an artwork for the Treasure Island Yerba Buena Hilltop Park Public Art Project in an amount not to exceed \$1,750,000 pending approval of the Treasure Island Development Authority.

Civic Design Review Committee Recommendations (May 21, 2018)

20. RESOLUTION NO. 0604-18-186: Motion to approve Phase 3 Changes of the AirTrain Extension and Improvements Lot DD Station Project.

21. RESOLUTION NO. 0604-18-187: Motion to approve Phase 3 of the Margaret Hayward Playground Renovation Project contingent upon: 1) extending the restroom benches back to 18" or removing them; 2) updating the front addition Golden Gate Avenue façade with concrete wall extension and raising the heights to match the building's datum line; 3) sending an updated landscape plan; and 4) sharing these contingency updates for administrative review with Civic Design Review staff and Committee Chair.

4. Advancing Racial Equity: The Role of Government

There was no public comment on this item.

Commissioner Silverman entered the room at approximately 9:15 a.m. Vice President Ordeñana entered the room at approximately 9:18 a.m.

Mr. DeCaigny explained that staff had had prior training focusing on the core value of racial equity, but that this was the first time for the combined Commission and staff. The training was led by Dwayne Marsh and Leslie Zeidler of Race Forward and the Government Alliance on Race and Equity ("GARE"), with Zoe Polk of the Human Rights Commission, who leads the City's participation in GARE, encompassing some thirty departments.

Commissioners moved from the dais at the front of the room, dispersing to tables around the room, with no more than two Commissioners at any table, and several staff members at each table. The facilitators introduced an exercise conducted simultaneously at each table, where participants introduced themselves by name and role, briefly described experiences and resources they brought to the conversation, and said what they hoped to leave with to advance the Arts Commission's efforts to promote racial equity.

The facilitators described GARE and Race Forward, and discussed the reasons for "leading with race." They described three pillars in addressing racial equity: normalizing conversations about race, organizing internal structures and partnerships, and operationalizing racial equity tools.

Commissioner Collins left the room at approximately 9:45 a.m., and Commissioner Jung entered the room at approximately 9:45.

Facilitators led a group exercise called "Laying it on the Line," asking participants to move to one or area or another of the room to indicate how strongly they agreed or disagreed with each of a series of statements, and asking for a few comments in response to each statement.

Commissioner Collins returned at approximately 10:45.

Participants returned to their tables, and the facilitators led a writing exercise on early experiences with race. At each table, participants discussed their responses to the exercise in pairs. A few people from each table commented to the whole group on their discussions.

The meeting went into a brief recess at 11:11 a.m., and the meeting resumed at 11:24 a.m.

The facilitators showed an excerpt of *Race: the Power of an Illusion*, a three-part documentary on race by California Newsreel.

Facilitators led a discussion on how inequity affects everyone, arguing that everyone pays for systems that don't work equitably; racial equity means closing gaps so that race does not predict success, while improving outcomes for all. They discussed the idea that diversity and inclusion are not the same as equity.

They led a discussion on how bias works, noting that bias is a normal part of human thinking. They explained the difference between implicit and explicit bias, and institutional and individual bias. They explained that institutional explicit bias is now largely illegal, as is much individual explicit bias; for governmental agencies, it is important to focus on institutional implicit bias, where policies and practices have disparate effects, regardless of the presence or absence of individual bias.

Facilitators led discussion of a "racial equity tool," a process in which the organization states desired results, collects and analyzes data, engages the community, develops strategies for racial equity and an implementation plan, and addresses communications and accountability.

The meeting was in recess between 1:00 p.m. and 2:05 p.m. for lunch.

5. Strategic Planning and Visioning

The meeting reconvened at 2:05 p.m., and roll call was taken.

Second Roll Call

Commissioners Present

JD Beltran, President

Roberto Ordeñana, Vice President

Charles Collins

Simon Frankel

Mary Jung

Marcus Shelby

Janine Shiota

Jessica Silverman

Barbara Sklar

Lydia So

Paul Woolford

Commissioners Absent

Abby Sadin Schnair

Dorka Keehn

Sherene Melania

Kimberlee Stryker

Rich Hillis, ex officio

Participants returned to their seats at the tables as assigned in the morning. There was no public comment on this item.

Mr. DeCaigny introduced a review of the strategic plan adopted in 2014, explaining that this was the final year of that five-year plan. He explained that staff was proposing moving to a two-year rolling plan to align with the City's two-year planning budget process. He distributed a summary of the mission, vision and values statements excerpted from that plan and asked participants to discuss at their tables what they felt was working and what could be changed or improved, looking through a racial equity lens informed by the morning's session.

Returning to the full group, staff and Commissioners made several suggestions, including explicitly stating the value of racial equity, focusing on artists, addressing affordability, recognizing how data can support the Commission's work, and clarifying and specifying a

number of terms and ideas.

Mr. DeCaigny asked participants to discuss at their tables goals that could be addressed within the next two years. Returning to the full group, staff and Commissioners proposed a number of ideas. These included increased investments to build a vibrant, diverse and equitable arts community; deeply investigating the meaning of “enlivening the urban environment;” pursuing innovative collaborations and partnerships across agencies and sectors, and investigating how the arts can impact health, employment and other issues; continuing to address affordability, displacement and professional development for the arts sector, including the pipeline for youth; improving data collection and analysis and establishing baselines; examining internal procedures and “choice points” through a racial equity lens; within the agency, strengthening professional development opportunities for staff and sharing best practices between programs; and ensuring that people of color are not the only staff holding the work of racial equity.

Mr. DeCaigny and President Beltran congratulated everyone on their hard work, with the expectation that the issues raised here would inform the regular work of the Committees, where decisions and choices are made, to advance racial equity, and that this would be an ongoing conversation. Finally, they noted how the San Francisco Arts Commission shapes innovative cultural policy and affects practices across the nation.

There was no public comment.

6. Adjournment

There being no further business, the meeting was adjourned at 4:06 p.m.

posted 6/18/18, 4:30 p.m. spr

revised 7/5/18

approved 7/9/18

Language Accessibility

Translated written materials and interpretation services are available to you at no cost. For assistance, please notify Commission Secretary Sharon Page Ritchie, [415-252-2256](tel:415-252-2256), sharon.page_ritchie@sfgov.org.

我們將為閣下提供免費的書面翻譯資料和口譯服務 如需協助, Commission Secretary Sharon Page Ritchie, [415-252-2256](tel:415-252-2256), sharon.page_ritchie@sfgov.org .

Materiales traducidos y servicios de interpretación están disponibles para usted de manera gratuita. Para asistencia, notifique a Commission Secretary Sharon Page Ritchie, [415-252-2256](tel:415-252-2256), sharon.page_ritchie@sfgov.org.

Ang mga materyales na nakasalin sa ibang wika at ang mga serbisyong tagapagsalin sa wika ay walang bayad. Para sa tulong, maaring i-contact si Commission Secretary Sharon Page Ritchie, [415-252-2256](tel:415-252-2256), sharon.page_ritchie@sfgov.org.

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San Francisco Arts Commission



Full Commission - June 5, 2017 - Minutes

Meeting Date:

June 5, 2017 - 2:00pm

Location:

City Hall Room 416
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Related Meeting Content:

[Agenda](#)
[Supporting Documents](#)

MEETING OF THE FULL ARTS COMMISSION

Monday, June 5, 2017

2:00 p.m.

City Hall Room 416

1 Dr. Carlton B. Goodlett Place

Minutes

Commission Vice President Roberto Ordeñana called the meeting to order at 2:00 p.m.

1. Roll Call

Commissioners Present

Roberto Ordeñana, Vice President
Charles Collins
Mary Jung

Dorka Keehn
Sherene Melania
Jessica Silverman
Barbara Sklar
Lydia So
Kimberlee Stryker
Paul Woolford

Commissioners Absent

JD Beltran, President
Simon Frankel
Abby Sadin Schnair
Marcus Shelby
Janine Shiota
Rich Hillis, ex officio

2. Approval of Minutes

Commissioner Jung requested a correction to the name of an organization on whose board of directors she serves: it is the Pacific Asian American Women Bay Area Coalition. There were no other corrections.

There was no public comment, and the corrected minutes were unanimously approved as follows.

RESOLUTION NO. 0605-17-123: Motion to approve May 1, 2017 Minutes.

3. General Public Comment

There was no public comment.

4. Director's Report

Mr. DeCaigny announced that the Americans for the Arts national convention, the premier convening for national arts leaders, would take place June 16 through June 18. He thanked all of the team helping to host the event.

He also reported that the Galleries' Grove Street location will be closing because the building will be sold by the City. Mr. DeCaigny asked Galleries Director Meg Shiffler to defer her report to the next meeting in light of the many people present to speak about former Commissioner Greg Chew.

Mr. DeCaigny wished to honor two incredible people who were leaving the Arts Commission: former Commissioner Greg Chew, and the retiring Community Investments Program Director Judy Nemzoff.

Mr. DeCaigny reported that Commissioner Chew had served on the Commission since 2009, was a past Chair of the Street Artists Committee and a member of the Visual Arts Committee, also serving on many selection panels. He called Commissioner Chew a champion for the Arts Commission and a strong liaison with the community. Mr. DeCaigny first invited staff to speak on Commissioner Chew's service.

Street Artists Program Director Howard Lazar explained that Commissioner Chew served as Chair of the Street Artists Committee for three and a half years, beginning in September, 2010, guiding the decisions of the program with its several hundred artists who contribute some \$4.5 million to San Francisco's economy. Mr. Lazar explained that Commissioner Chew was the principal planner of the program's 40th anniversary celebration in 2012, and that he was instrumental in protecting and adding precious selling spaces for the artists. He added that as Chair, Commissioner Chew always set aside time to discuss issues with staff, and never missed a Committee meeting.

Director of Special Projects Jill Manton recalled Commissioner Chew's invaluable assistance in facilitating the donation of shipping containers and costs for the temporary installation in the Civic Center of the remarkable *Three Heads Six Arms* by Zhang Huan, on the

occasion of the thirtieth anniversary of the San Francisco-Shanghai Sister City relationship. She praised him as an enthusiastic, passionate and dedicated advocate of the arts who attends innumerable events.

Ms. Shiffler thanked former Commissioner Chew for being present: at Commission and Committee meetings, at Galleries openings, at Passport and at public programs. She said that his support means a lot to her and to staff, and to the artists.

Gloria Li, representing State Board of Equalization Member Fiona Ma, thanked Commissioner Chew for his service, and praised him as a significant representative of the Asian Pacific Islander community. She thanked him for his support of the installation of Xiaoyan Wang's 50 State Flowers in the State Building. Ms. Li presented a proclamation in honor of Commissioner Chew.

Katie Arbono of Assemblymember David Chiu's office called Commissioner Chew's work on important projects in San Francisco, including the Central Subway, San Francisco Airport and the Civic Center, incredible. She presented a certificate from the California Assembly honoring his years of service to the City.

Jay Xu, Director of the Asian Art Museum, called it a delight to thank and honor Commissioner Chew for his boundless energy and enthusiasm for the arts in general, and Asian arts in particular, over the nine years of Mr. Xu's tenure, and long before.

Mr. DeCaigny added that Commissioner Chew's attendance has been impeccable, at meetings of the full Arts Commission and the Visual Arts Committee as well. Mr. DeCaigny reported that Commissioner Chew had been on the committee that hired him, and Commissioner Chew's support helped smooth Mr. DeCaigny's entry into the position.

Commissioner Sklar thanked Commissioner Chew for welcoming her so kindly on her return to the Commission after an absence of several years. She followed him as Chair of the Street Artists Committee, and praised his perseverance on that Committee.

Commissioner Keehn, Chair of the Visual Arts Committee, called Commissioner Chew extremely committed and thanked him for all his work.

Vice President Ordeñana thanked Commissioner Chew for welcoming him as a new Commissioner, and helping him understand the Commission and its work.

Vice President Ordeñana called for public comment regarding Commissioner Chew's departure.

Public Comment:

E. D. Normandy introduced himself as the retired president of the Civil Service Commission, and said that he has seen the service given over the years by Commissioner Chew. He explained that they had worked together at Foote, Cone and Belding, and have known each other for thirty years. He recalled their travels in Asia, and thanked him for his dedication and integrity, and for opening new doors.

Entertainment Commissioner Steven Lee said that he has known Commissioner Chew even longer, and his lifelong interest in the arts inspired Commissioner Lee to serve on the Entertainment Commission.

Ellen Kiyomizu introduced herself as the partner of Commissioner Chew, and described how proud he has been to serve the City. She recounted how he took her on a tour of the public art at San Francisco Airport, with little regard for the departure time of their flight.

Mark Chambers, of the Mayor's office, praised Commissioner Chew as a mentor and guide in international business and trade, with a great knowledge of the Asian-Pacific world.

Jane Groft said that she has known Commissioner Chew for twenty years, and he has always been enthusiastic and inspired in his work with the Arts Commission. She added that she knows several of the street artists, including her partner, and that Commissioner Chew always showed understanding and compassion for the many unique individuals whose livelihoods depend on the Street Artists Program. She praised his great respect for artists working on the largest sculpture or the smallest handiwork.

Brenda Kwee McNulty said that she, too, has known Commissioner Chew for twenty years, and has worked with him on a variety of advertising and branding projects, as well as fundraising for nonprofit business associations. She thanked him for being so generous with

his interest, talent and passion.

Russ Lowe has known Commissioner Chew for many years, and highlighted his accomplishment in helping to bring *Three Heads Six Arms* to San Francisco, noting that the location above the parking garage had to be certified for safety by engineers for the great weight of the statue.

Commissioner Melania explained that Commissioner Chew had succeeded her as Chair of the Street Artists Committee, and recalled how thorough he was in learning everything she could tell him about it.

Former Commissioner Chew thanked everyone for their kind remarks, and said that he still has plenty to do, and has his foot on the gas. He praised the Commission and the staff, which has supported breakthrough art, and he promised to continue to attend lots of events in the future. He said it had been great to serve the City for thirteen years, and urged the Commission not to hesitate to call on him for panels or other needs. He received a standing ovation.

Mr. DeCaigny invited everyone to Fig and Thistle after the meeting for an informal celebration.

Mr. DeCaigny then announced the retirement of Community Investments Program Director Judy Nemzoff. He explained that she has been a mentor to him since 1998, beginning in the arts education arena. He described her tenure and accomplishments at the Arts Commission, culminating in the renovation of the Bayview Opera House, which she championed through the terms of three mayors, cobbling together capital funds from a variety of sources.

He announced a community celebration in her honor on Friday, June 9 at 401 Van Ness, Room 125 at 4:00 p.m.

Commissioner Melania praised Ms. Nemzoff, especially for her tenacity and tirelessness, and for how she has touched so many individual lives and launched so many careers.

Commissioner Collins said that Ms. Nemzoff taught him how to be a Commissioner, and has had many conversations with her about the importance of what the Commission does, and how.

Public Comment:

Former Commissioner Chew said that staff puts in a great deal of work, for example, in preparation for panels. He praised the staff that Ms. Nemzoff has assembled, and thought that she could be very proud of that legacy.

Vinay Patel, Executive Director of the Asian Pacific Islander Cultural Center ("APICC"), began by recalling that Commissioner Chew reassured him, in what felt like a dark period, that when Mr. DeCaigny was hired, it was a very good thing. Turning to Ms. Nemzoff, he said that he knows what she's accomplished as a public servant. He said that when he became the director of APICC eight years ago, he had a lot to learn, and made a lot of missteps. Ms. Nemzoff guided him, knowing that what he was trying to do was important to the community.

Barbara Ockel, Executive Director of the Bayview Opera House, said that the Opera House has been one of the biggest beneficiaries of Ms. Nemzoff's work from the first day of Ms. Ockel's tenure in 2009. She recounted how many obstacles Ms. Nemzoff overcame, finding grants for Americans with Disabilities Act and safety upgrades, and shepherding the project over many years. Ms. Ockel said she would miss Ms. Nemzoff as a true comrade in arms.

Ms. Nemzoff thanked the Commissioners for the great honor of being charged fifteen years ago with the leadership of the Neighborhood Arts Program, ultimately bringing together Community Arts and Education with Cultural Equity Grants as Community Investments. She called it an honor to work with Mr. DeCaigny, and a great fortune to work with her team. She hoped to see everyone at the June 9 event. She, too, received applause.

There was no further public comment.

5. Approval of Treasure Island Arts Master Plan

Director of Special Projects Jill Manton presented the Treasure Island Arts Master Plan, and introduced Bob Beck of the Treasure Island Development Authority. She discussed how the plan was developed, some of the research that went into it and how it will influence public art on the island.

Commissioner Keehn reported that the plan has been reviewed several times, in some detail, by the Visual Arts Committee. The Commission praised the plan and the work that has gone into it, expressing excitement about its impact on this important new neighborhood and gateway for San Francisco. They discussed the plan, including funding, timeline, the selection process for artworks, how the various agencies impact the process, and the roles of both the Visual Arts Committee and the Civic Design Review Committee in reviewing future development.

There was no public comment, and the motion was unanimously approved as follows.

RESOLUTION NO. 0605-17-124: Motion to approve the Treasure Island Arts Master Plan, which will guide the implementation of an art program to be funded over a twenty-year period with the proceeds of the 1%-for-Art requirement generated by the private construction and redevelopment of Treasure Island and Yerba Buena Island.

6. Committee Reports and Committee Matters

1. Executive Committee—JD Beltran, Chair

1. In the absence of President Beltran, Vice President Ordeñana reported that the Committee met in May and approved several grants, as well as discussing a draft agreement with the Mayor's Office of Housing and Community Development.

Vice President Ordeñana presented the following motion. Commissioner Chew recused himself from consideration of the motion because his employer, the YMCA, is involved with the project at 88 Broadway, and may also be involved with the project at 280 Geneva. Commissioner Chew left the room at 3:34 p.m.

There was no public comment, and the motion was unanimously approved as follows, with the recusal of Commissioner Collins.

2. **RESOLUTION NO. 0605-17-125:** Motion to exempt projects at 88 Broadway and 735 Davis, and at 260 Geneva (Balboa Park Upper Yard), from the agreement as amended between the San Francisco Arts Commission and the Mayor's Office of Housing and Community Development regarding Civic Design Review and Public Art requirements for affordable housing projects.

Commissioner Collins returned to the room at 3:35 p.m.

Commissioner Sklar left the meeting at 3:35 p.m.

2. Civic Design Review Committee—Kimberlee Stryker, Chair

1. Commissioner Stryker reported that the Committee reviewed several projects.

Commissioner Stryker presented the following motion regarding the paint palette for Bayview Opera House, and praised Ms. Nemzoff's work on behalf of the Opera House.

Bob Buckter spoke, explaining that he had created the paint design ten years ago, and he briefly described the process of creating the new palette, and some of the thinking that went into it.

There was no public comment, and the motion was unanimously approved as follows.

2. **RESOLUTION NO. 0605-17-126:** Motion to approve exterior color design for the Bayview Opera House, one of four City-owned Cultural Centers under the auspices of the San Francisco Arts Commission.

Commissioner Stryker reported that, as Chair of the Committee, she has visited with several of the department heads which it serves, to

facilitate relationships and hear their concerns. She relayed a compliment from the Airport, which considers the Committee's work an incredible service, bringing beauty to San Francisco.

3. **Visual Arts Committee—Dorka Keehn, Chair**

1. Commissioner Keehn reported that the Committee reviewed several projects, including artworks at the Bill Graham Civic Auditorium and the Van Ness Bus Rapid Transit project.

There was no public comment.

7. **Consent Calendar**

Vice President Ordeñana explained that he needed to recuse himself from consideration of agenda items 38 and 41, regarding grants to Cultural Equity grants and Cultural Center advances respectively, because his employer, the Lesbian Gay Bisexual Transgender Center, has a financial relationship with the Queer Cultural Center. He severed these two items and called for a motion on the remainder of the Consent Calendar. There was no public comment, and the remainder of the Consent Calendar was approved unanimously as follows.

RESOLUTION NO. 0605-17-127:

Approval: RESOLVED, that this Commission does hereby adopt the following items on the Consent Calendar and their related Resolutions:

1. **RESOLUTION NO. 0605-17-128:** Motion to approve the Executive Committee Meeting Minutes of April 24, 2017.
2. **RESOLUTION NO. 0605-17-129:** Motion to approve the Community Arts, Education and Grants Committee Meeting Minutes of April 27, 2017.
3. **RESOLUTION NO. 0605-17-130:** Motion to approve the Civic Design Review Committee Meeting Minutes of May 15, 2017.
4. **RESOLUTION NO. 0605-17-131:** Motion to approve the Visual Arts Committee Meeting Minutes of May 17, 2017.
5. **RESOLUTION NO. 0605-17-132:** Motion to approve the Executive Committee Meeting Minutes of May 22, 2017.

Civic Design Review Committee Recommendations (May 15, 2017)

6. **RESOLUTION NO. 0501-17-090:** Motion to approve an honorarium payment of \$4,000 to Alison Pebworth for the installation of her work, A San Francisco Wunderkammer, as part of the SFAC ENTRY126 annual commission program. The work will be installed and open to the public on April 26, 2017 and close in early 2018 (date TBD).
7. **RESOLUTION NO. 0605-17-133:** Motion to approve new text for the Jerry Garcia Plaque #2 to be installed at 5099 Mission Street.
8. **RESOLUTION NO. 0605-17-134:** Motion to approve Phase 3 of the San Francisco Terminal 1 Boarding Area B Project.
9. **RESOLUTION NO. 0605-17-135:** Motion to approve Phase 1 of the Southeast Plant Biosolids Digester Facilities Project.

Visual Arts Committee Recommendations (May 17, 2017)

10. **RESOLUTION NO. 0605-17-136:** Motion to approve Miguel Arzabe, artist, and Susie Kantor, Curatorial Associate, Yerba Buena Center for the Arts, as panelists for public art selection panels for the 2017-2018 Fiscal Year.

11. **RESOLUTION NO. 0605-17-137:** Motion to approve and to accept into the Civic Art Collection the artwork entitled *Shadow Kingdom*, 2015, by Adriane Colburn. The artwork consists of five laser-cut, painted steel panels, each in varying heights from 75 in. to 144 in. The individual panels feature abstracted designs of flora and fauna that once inhabited the area. All of the panels are installed within the landscape so that when viewed from a distance they visually line up and take the shape of a California grizzly bear, while creating shadow designs on the ground. The installation is also inclusive of the surrounding granite curb stones, marking the perimeter of the site. The artwork is located at Daggett Plaza on 16th Street between Hubbell and 7th streets.
12. **RESOLUTION NO. 0605-17-138:** Motion to approve and to accept into the Civic Art Collection the artwork entitled *Garden Guardians*, 2016 by the artist team Wowhaus (Ene Osteraas-Constable and Scott Constable). The artwork is composed of two stylized bronze owls, the first measuring 36 by 24 by 16 inches; and the second 28 by 18 by 12 inches. The artwork is located in Noe Valley Town Square at 3861–24th Street.
13. **RESOLUTION NO. 0605-17-139:** Motion to approve the final full-scale clay figures for *Women's Column of Strength*, by Stephen Whyte, with approval to proceed to fabrication and approval of proposed site at the Kearny and Pine Street corner of St. Mary's Square Extension Plaza.
14. **RESOLUTION NO. 0605-17-140:** Motion to approve the projection of floral images by Obscura Digital onto the façade of the Conservatory of Flowers for a duration of five months, from June until October 2017.
15. **RESOLUTION NO. 0605-17-141:** Motion to approve an honorarium payment of \$1,000 to Cliff Hengst for the research and development of a public program related to the termination of the SFAC Galleries window installation program at 155 Grove Street.
16. **RESOLUTION NO. 0605-17-142:** Motion to approve the following curatorial consultants to develop a list of artists whose work may be considered for purchase for San Francisco International Airport, and approval to pay each an honorarium of \$1,500 for their services:
Janet Bishop, Curator of Painting and Sculpture, San Francisco Museum of Art
2Abby Chen, Curator and Artistic Director, Chinese Culture Center
René de Guzman, Curator, Oakland Museum of California
Lizzetta LeFalle-Collins, Independent Curator
Aimee Le Duc, Independent Curator, Director of Exhibition and Public Programs at the Fort Mason Center for the Arts
Reynold Pritikin, Chief Curator, Jewish Museum of Art
Lawrence Rinder, Director of the Berkeley Art Museum
17. **RESOLUTION NO. 0605-17-143:** Motion to approve the construction document phase deliverables (final drawings and final budget) by Leslie Shows for the Central Subway: Yerba Buena/Moscone Station Ticketing Hall.
18. **RESOLUTION NO. 0605-17-144:** Motion to authorize the Director of Cultural Affairs to increase Leslie Shows's contract for the Central Subway: Yerba Buena/Moscone Station Ticketing Hall from \$350,000 to \$439,502 (an increase of \$89,502) to increase artwork size, increase the number of individual glass panels, and upgrade to low-iron glass.
19. **RESOLUTION NO. 0605-17-145:** Motion to approve the proposal entitled *W.F.T. (San Francisco)*, 2016 submitted by Joseph Kosuth for a text-based illuminated neon artwork to be installed on the western-facing façades of the Bill Graham Civic Auditorium for a total project budget of \$1,200,000.
20. **RESOLUTION NO. 0605-17-146:** Motion to approve the selected finalists Miguel Arzabe, Favianna Rodriguez, Muzae Sesay and alternate Benicia Gantner for the Garfield Pool public art project as recommended by the artist selection panel.
21. **RESOLUTION NO. 0605-17-147:** Motion to approve the revised site location, the Geary Street Stations for Jorge Pardo's artwork for the Van Ness Bus Rapid Transit (VNBRT) Project.

22. **RESOLUTION NO. 0605-17-148:** Motion to approve the final design development deliverables for Jason Jagel's When Pink Elephants Fly, a temporary mural at the San Francisco International Airport: Terminal 1, Temporary Boarding Area B.
23. **RESOLUTION NO. 0605-17-149:** Motion to approve the final design development documents and construction document phase deliverables for Kota Ezawa's artwork, Mondrian Meets the Beatles for the San Francisco International Airport: International Terminal, Boarding Area G, Gate Room 100.
24. **RESOLUTION NO. 0605-17-150:** Motion to approve the selected finalists for the San Francisco International Airport: Terminal 1, TSA Security Checkpoint, Suspended Artwork Project as recommended by the SFO Terminal 1 and Hotel Suspended Public Art Project Artist Selection Panel: Liz Glynn (Liz Glynn Studio), Jacob Hashimoto Studio, Ranjani Shettar (Talwar Gallery) and Tomás Saraceno (Tanya Bonakdar Gallery).
25. **RESOLUTION NO. 0605-17-151:** Motion to approve the selected finalists for the San Francisco International Airport: Terminal 1, Boarding Area B, Suspended Artwork Project as recommended by the SFO Terminal 1 and Hotel Suspended Public Art Project Artist Selection Panel: Mark Handforth (Gavin Brown's Enterprise), Tomás Saraceno (Tanya Bonakdar Gallery), and Ranjani Shettar (Talwar Gallery).
26. **RESOLUTION NO. 0605-17-152:** Motion to approve the selected finalists for the SFO Hotel, Suspended Artwork Project as recommended by the SFO Terminal 1 and Hotel Suspended Public Art Project Artist Selection Panel: Jacob Hashimoto Studio, Dana Hemenway and Tahiti Pehrson.
27. **RESOLUTION NO. 0605-17-153:** Motion to approve the selected finalists for the San Francisco International Airport: AirTrain Extension, North Concourse, Art Glass Project as recommended by the SFO Art Glass Public Art Projects Artist Selection Panel: Sarah Cain, Jeffery Gibson, Sarah Morris (Parallax) and Meghann Riepenhoff.
28. **RESOLUTION NO. 0605-17-154:** Motion to approve the following finalists for the San Francisco International Airport: International Terminal, Boarding Area A, Art Glass Project as recommended by the SFO Art Glass Public Art Projects Artist Selection Panel: Bernadette Jiyong Frank, Alicia McCarthy and Meghann Riepenhoff.
29. **RESOLUTION NO. 0605-17-155:** Motion to approve the following finalists for the N-Judah Gateway Plaza Project as recommended by the N-Judah Gateway Plaza Project Selection Panel: Aileen Barr, Sarah Hotchkiss and Jesse Schlesinger.
30. **RESOLUTION NO. 0605-17-156:** Motion to approve the selected finalists Sanaz Mazinani, Tomás Saraceno (Tanya Bonakdar Gallery), Ranjani Shettar (Talwar Gallery), Sarah Sze (Sarah Sze Studio), and alternate Liz Glynn (Liz Glynn Studio) for the atrium lobby of the 1500 Mission Street Office Building as recommended by the project selection panel.
31. **RESOLUTION NO. 0605-17-157:** Motion to approve Final Design deliverables for the public art project by Cliff Garten for Bayview Gateway.
32. **RESOLUTION NO. 0605-17-158:** Motion to approve the artist Jetro Martinez and proposal for the Westside Pump Station Reliability Improvements Public Art Project as recommended by the Artist Selection Panel.
33. **RESOLUTION NO. 0605-17-159:** Motion to authorize the Director of Cultural Affairs to enter into contract with artist Jetro Martinez for an amount not to exceed \$136,000 for design and installation of an artwork for the Westside Pump Station Reliability Improvements Project.
34. **RESOLUTION NO. 0605-17-160:** Motion to approve the selected artists Jefferson Pinder, Chris Sickels (Red Nose Studios), and Kate

Rhodes for the Peephole Cinema project at the San Francisco International Airport: Terminal 1, Temporary Boarding Area B.

35. **RESOLUTION NO. 0605-17-161:** Motion to authorize the Director of Cultural Affairs to enter into contract with artist Jefferson Pinder for an amount not to exceed \$9,990 for a video artwork for the San Francisco International Airport: Terminal 1, Temporary Boarding Area B.
36. **RESOLUTION NO. 0605-17-162:** Motion to authorize the Director of Cultural Affairs to enter into contract with artist Chris Sickels (Red Nose Studios) for an amount not to exceed \$9,990 for a video artwork for the San Francisco International Airport: Terminal 1, Temporary Boarding Area B.
37. **RESOLUTION NO. 0605-17-163:** Motion to authorize the Director of Cultural Affairs to enter into contract with artist Kate Rhodes for an amount not to exceed \$9,990 for a video artwork for the San Francisco International Airport: Terminal 1, Temporary Boarding Area B.

Executive Committee Recommendations (May 22, 2017)

38. **RESOLUTION NO. 0605-17-164:** Motion to rescind Resolution Number 1981-988, which reads as follows:
"RESOLVED, that this Commission does hereby approve the adoption of a provision for the issuance of two certificates to each street artist: one to be affixed to the the [sic] display in a prominent location at all times while the artist is selling; the other to be carried by the artist for use in entering in and participating in the Art Commission's lottery system for the assignment of sales spaces."
39. **RESOLUTION NO. 0605-17-166:** Motion to approve recommendations to award one grant totaling \$25,000 in the 2016-2017 cycle of Cultural Equity Initiatives ("CEI") to the following organization, and to authorize the Director of Cultural Affairs to enter into a grant agreement with the organization for an amount not to exceed the following:
Chinese Historical Society of America, \$25,000
40. **RESOLUTION NO. 0605-17-167:** Motion to authorize advances to the following Cultural Centers for FY2017-2018 based on the prior year's total grant allocation and pending approval of the City budget, in the following amounts: Bayview Opera House, \$86,186
Mission Cultural Center for Latino Arts, \$144,609
SOMArts Cultural Center, \$188,331 (including \$161,598 to SOMArts Cultural Center and \$26,733 to Asian Pacific Islander Cultural Center as sub-grantee of SOMArts Cultural Center)
41. **RESOLUTION NO. 0605-17-169:** Motion to enter into a grant agreement with Mission Economic Development Agency in an amount not to exceed \$115,000 to provide affordable housing counseling to artists and arts workers.
42. **RESOLUTION NO. 0605-17-170:** Motion to increase the 2016-2017 Special Project Grant with Precita Eyes Muralists Association, Inc. (authorized by Resolution No. 0912-16-246) by \$25,000 for a total grant amount not to exceed \$50,000, and to extend the grant window to June 30, 2018. The grant is to complete a mural at the entrance of Laguna Honda Hospital with funding from the Participatory Budget process in District 7.
43. **RESOLUTION NO. 0605-17-171:** Motion to enter into a grant agreement with Economic Development on Third for an amount not to exceed \$25,000 for a Jazz Street festival in the Bayview, as selected by the District 10 Participatory Budget process.
44. **RESOLUTION NO. 0605-17-172:** Motion to approve the following resolution.
Whereas Oceanwide Center LLC ("Oceanwide") desires to contribute \$1,000,000 to the Public Artwork Trust Fund ("trust fund") for distribution to the Museum of the African Diaspora as partial fulfillment of Oceanwide's Public Art Fee; and
Whereas Oceanwide may elect a refund of trust fund monies should the contribution not be distributed to the Museum of the African Diaspora; and
Whereas the nature of Oceanwide's contribution to the trust fund is such that competitive proposals would be unavailing, and a competitive process is impracticable;

Therefore be it resolved that the contribution by Oceanwide Center LLC of \$1,000,000 to the Public Artwork Trust Fund for distribution to the Museum of the African Diaspora is approved, pending final approval by the Arts Commission; and

Be it resolved that the Director of Cultural Affairs is authorized to enter into a Memorandum of Understanding with Oceanwide Center LLC regarding Oceanwide's contribution of \$1,000,000 to the Public Artwork Trust Fund for distribution to the Museum of the African Diaspora, pending final approval by the Arts Commission.

45. **RESOLUTION NO. 0605-17-173:** Motion to approve an agreement as amended between the San Francisco Arts Commission and the Mayor's Office of Housing and Community Development regarding Civic Design Review and Public Art requirements for affordable housing projects, excluding the exemptions for projects at 88 Broadway and 735 Davis, and at 260 Geneva (Balboa Park Upper Yard).

Vice President Ordeñana left the room at 3:46 p.m., and Commissioner Keehn called for a vote on the following items. There was no public comment, and the motions were unanimously approved as follows, with the recusal of Vice President Ordeñana.

RESOLUTION NO. 0605-17-165: Motion to approve recommendations to award three grants totaling \$77,251 in the 2016-2017 cycle of Cultural Equity Initiatives ("CEI") to the following organizations, and to authorize the Director of Cultural Affairs to enter into grant agreements with each organization for amounts not to exceed the following:

Creative Labor (Fiscal Sponsor: Queer Cultural Center), \$7,666

OX (Fiscal Sponsor: CounterPulse), \$35,000

Queer Rebels Productions (Fiscal Sponsor: Queer Cultural Center), \$34,585

RESOLUTION NO. 0605-17-168: Motion to authorize advances to the following Cultural Centers for FY2017-2018 based on the prior year's total grant allocation and pending approval of the City budget, in the following amounts:

African American Art and Culture Complex ("AAACC") \$163,826 (including \$137,093 to AAACC and \$26,733 to Queer Cultural Center as sub-grantee of AAACC)

Vice President Ordeñana returned to the meeting room at 3:47 p.m.

8. New Business and Announcements

In response to a question, Mr. DeCaigny reminded the Commission that its July meeting would be held on the second Monday, July 10, because of the July 4 Independence Day holiday.

Commissioner Melania announced the dedication of the restored mural *Spirit of the Arts* at the Mission Cultural Center for Latino Arts on June 22.

Mr. DeCaigny announced the book party for *O Glorious City*, the book of drawings by City Hall Artist in Residence Jeremy Fish, on Tuesday, June 6 at City Hall.

There was no further news or announcements, and there was no public comment.

9. Adjournment

Mr. DeCaigny sadly announced the passing of a Bayview neighborhood arts leader, Mary L. Booker, at the age of 81 on May 11. She was a poet, a passionate speaker and a teacher of voice, diction and theater who influenced many in the Bayview community over the years.

There being no further business, the meeting was adjourned at 3:51 p.m. in memory of Ms. Mary L. Booker.

posted 6/19/17, 3:30 p.m. spr
approved 7/10/17

Language Accessibility

Translated written materials and interpretation services are available to you at no cost. For assistance, please notify Commission Secretary Sharon Page Ritchie, 415-252-2256, sharon.page_ritchie@sfgov.org.

我們將為閣下提供免費的書面翻譯資料和口譯服務 如需協助， Commission Secretary Sharon Page Ritchie, 415-252-2256, sharon.page_ritchie@sfgov.org .

Materiales traducidos y servicios de interpretación están disponibles para usted de manera gratuita. Para asistencia, notifique a Commission Secretary Sharon Page Ritchie, 415-252-2256, sharon.page_ritchie@sfgov.org.

Ang mga materyales na nakasalin sa ibang wika at ang mga serbisyong tagapagsalin sa wika ay walang bayad. Para sa tulong, maaring i-contact si Commission Secretary Sharon Page Ritchie, 415-252-2256, sharon.page_ritchie@sfgov.org.

STAY CONNECTED



City Seal of the City and County of San Francisco

City and County of San Francisco



San Francisco Ethics Commission

25 Van Ness Avenue, Suite 220, San Francisco, CA 94102

Phone: 415.252.3100 . Fax: 415.252.3112

ethics.commission@sfgov.org . www.sfethics.org

Received On:

File #: 230033

Bid/RFP #:

Notification of Contract Approval

SFEC Form 126(f)4

(S.F. Campaign and Governmental Conduct Code § 1.126(f)4)

A Public Document

Each City elective officer who approves a contract that has a total anticipated or actual value of \$100,000 or more must file this form with the Ethics Commission within five business days of approval by: (a) the City elective officer, (b) any board on which the City elective officer serves, or (c) the board of any state agency on which an appointee of the City elective officer serves. For more information, see: <https://sfethics.org/compliance/city-officers/contract-approval-city-officers>

1. FILING INFORMATION

TYPE OF FILING	DATE OF ORIGINAL FILING (for amendment only)
Original	
AMENDMENT DESCRIPTION – Explain reason for amendment	

2. CITY ELECTIVE OFFICE OR BOARD

OFFICE OR BOARD	NAME OF CITY ELECTIVE OFFICER
Board of Supervisors	Members

3. FILER'S CONTACT

NAME OF FILER'S CONTACT	TELEPHONE NUMBER
Angela Calvillo	415-554-5184
FULL DEPARTMENT NAME	EMAIL
office of the clerk of the Board	Board.of.Supervisors@sfgov.org

4. CONTRACTING DEPARTMENT CONTACT

NAME OF DEPARTMENTAL CONTACT	DEPARTMENT CONTACT TELEPHONE NUMBER
Mary Chou	415-252-2233
FULL DEPARTMENT NAME	DEPARTMENT CONTACT EMAIL
ART Arts Commission	mary.chou@sfgov.org

5. CONTRACTOR	
NAME OF CONTRACTOR Treasure Island Series 1, LLC	TELEPHONE NUMBER 786-218-3561
STREET ADDRESS (including City, State and Zip Code) 2603 Camino Ramon, Ste. 525, San Ramon, CA 94583	EMAIL Jing.Ng@tidgsf.com

6. CONTRACT		
DATE CONTRACT WAS APPROVED BY THE CITY ELECTIVE OFFICER(S)	ORIGINAL BID/RFP NUMBER	FILE NUMBER (If applicable) 230033
DESCRIPTION OF AMOUNT OF CONTRACT \$274,076		
NATURE OF THE CONTRACT (Please describe) To manage a construction contract for the installation of a foundation for a sculpture by artist Hiroshi Sugimoto at Hilltop Park on Yerba Buena Island.		

7. COMMENTS

8. CONTRACT APPROVAL	
This contract was approved by:	
<input type="checkbox"/>	THE CITY ELECTIVE OFFICER(S) IDENTIFIED ON THIS FORM
<input checked="" type="checkbox"/>	A BOARD ON WHICH THE CITY ELECTIVE OFFICER(S) SERVES Board of Supervisors
<input type="checkbox"/>	THE BOARD OF A STATE AGENCY ON WHICH AN APPOINTEE OF THE CITY ELECTIVE OFFICER(S) IDENTIFIED ON THIS FORM SITS

9. AFFILIATES AND SUBCONTRACTORS

List the names of (A) members of the contractor's board of directors; (B) the contractor's principal officers, including chief executive officer, chief financial officer, chief operating officer, or other persons with similar titles; (C) any individual or entity who has an ownership interest of 10 percent or more in the contractor; and (D) any subcontractor listed in the bid or contract.

#	LAST NAME/ENTITY/SUBCONTRACTOR	FIRST NAME	TYPE
1	Subsidiary of TICD, LLC		Shareholder
2	Goldberg/Lennar Corp.	Sandy	Other Principal Officer
3	Fancher/Stockbridge Cap.	Terry	Other Principal Officer
4	Drake/Stockbridge Cap.	Darren	Other Principal Officer
5	Meany/Wilson Meany LP	Christopher	Other Principal Officer
6	Galovich/Poly USA Galovich	Alexandra	Other Principal Officer
7	Affiliate-Kenwood Invest.		Shareholder
8	Jensen Landscape		Subcontractor
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9. AFFILIATES AND SUBCONTRACTORS

List the names of (A) members of the contractor’s board of directors; (B) the contractor’s principal officers, including chief executive officer, chief financial officer, chief operating officer, or other persons with similar titles; (C) any individual or entity who has an ownership interest of 10 percent or more in the contractor; and (D) any subcontractor listed in the bid or contract.

#	LAST NAME/ENTITY/SUBCONTRACTOR	FIRST NAME	TYPE
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#	LAST NAME/ENTITY/SUBCONTRACTOR	FIRST NAME	TYPE
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<input type="checkbox"/>	Check this box if you need to include additional names. Please submit a separate form with complete information. Select "Supplemental" for filing type.		

10. VERIFICATION

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information I have provided here is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

<p>SIGNATURE OF CITY ELECTIVE OFFICER OR BOARD SECRETARY OR CLERK</p> <p>BOS Clerk of the Board</p>	<p>DATE SIGNED</p>
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Introduction Form

(by a Member of the Board of Supervisors or the Mayor)



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor inquires..."
- 5. City Attorney Request
- 6. Call File No. from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: