



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** May 16, 2013  
**TO:** Honorable Planning Commissioners  
**FROM:** Elizabeth Watty, Planning Department staff  
**RE:** CPMC: Development Agreement Director's Report

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

Chapter 56 of the San Francisco Administrative Code sets forth the procedure by which any request for a Development Agreement (DA) will be processed and approved in the City and County of San Francisco. Administrative Code Section 56.10(a) states that the Planning Director shall prepare a report on DA negotiations between the applicant and the City, and that report must be distributed to the Commission and Board of Supervisors, and be available for public review. The report must include, for each negotiation session between the applicant and the City: (1) an attendance list; (2) a summary of the topics discussed; and (3) a notation as to any terms and conditions of the DA agreed upon between the applicant and the City.

Attached is the Planning Director's report on the negotiation sessions for the DA between California Pacific Medical Center (CPMC) and the City, written in accordance with S.F. Administrative Code Section 56.10(a).

If you have any questions or concerns, please contact Planning Department staff, Elizabeth Watty, at 415-558-6620 or [Elizabeth.Watty@sfgov.org](mailto:Elizabeth.Watty@sfgov.org).



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** April 19, 2012 (updated May 3, 2013)  
**TO:** Members of the San Francisco Planning Commission  
**FROM:** John Rahaim, Planning Director  
**RE:** California Pacific Medical Center (CPMC)  
Development Agreement

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

## Update: Director's Report Regarding CPMC Development Agreement Negotiations

### 1. Introduction.

Chapter 56 of the San Francisco Administrative Code sets forth the procedure by which any request for a Development Agreement will be processed and approved in the City and County of San Francisco. This report is being written in accordance with S.F. Administrative Code Section 56.10(a).

Sutter West Bay Hospitals doing business as California Pacific Medical Center (CPMC) proposes Near-Term Projects on certain real property in the City and County of San Francisco, California located on the existing St. Luke's and Davies Campuses and on a new site at Van Ness Avenue and Geary Street referred to as the Cathedral Hill Campus. CPMC also proposes certain Long-Term Projects at the existing Davies, Pacific, and California Campuses. The sites of the Near-Term and Long-Term Projects are referred to collectively as the "Project Sites," and are further described in Exhibit A to the proposed Development Agreement, described below. The Near-Term Projects and Long-Term Projects are referred to collectively as the CPMC LRDP Project, and are further defined in Exhibit B to the Development Agreement.

CPMC filed an application with the City's Department of Planning for approval of a Development Agreement for the Project Sites under Administrative Code Chapter 56. CPMC also filed applications with the Department of Planning for (1) General Plan Amendments under Planning Code section 340; (2) Zoning Map Amendment under section 302; (3) Planning Code amendment to create the Cesar Chavez/Valencia Streets Medical Special Use District, Planning Code section 249.68; (4) Planning Code amendment to create the Van Ness Medical Use Subdistrict within the Van Ness Special Use District, Planning Code section 243; and (5) Office Allocation Approval under Planning Code section 321.

On April 26, 2012, the Planning Commission certified the Final EIR (FEIR) for the CPMC LRDP Project, adopted CEQA findings, approved the Development Agreement, and adopted other

Motions and Resolutions with respect to the CPMC LRDP Project. On May 16, 2012, an appeal of the Planning Commission's FEIR certification was filed with the Board. On March 12, 2013, the Board rejected the appeal, affirmed the decision of the Planning Commission to certify the FEIR, and adopted Resolution No. 77-13, endorsing a term sheet for a revised CPMC LRDP Project ("Term Sheet"), which includes an increase in size of the new hospital at the St. Luke's Campus (from 80 to 120 beds), and a decrease in the size of the new hospital at the Cathedral Hill Campus (from 555 beds to 274-304 beds). The Resolution urged City staff to make the preparation of revised planning approval documents among its highest priorities and to present to the Planning Commission the revised documents and approvals necessary for the revised CPMC LRDP Project.

On April 9, 2013, CPMC submitted a letter asking the Planning Department to modify the CPMC LRDP Project applications, including the Development Agreement application, as required to reflect the Term Sheet. Staff subsequently worked with CPMC to identify revisions to the April 26, 2012, Planning Commission approvals to reflect the revised CPMC LRDP Project. On April 11, 2013, the Planning Commission initiated General Plan Amendments for the revised CPMC LRDP Project. The approvals for the revised CPMC LRDP Project, including the Development Agreement, are scheduled for your review and possible approval on May 23, 2013.

## **2. Background.**

State law (SB 1953, as modified by successor legislation) requires that all acute care hospitals be seismically upgraded such that they are operational after a major earthquake. Three of CPMC's four acute care hospitals must be rebuilt or de-licensed in order to comply with state law, including the hospitals at California, Pacific, and St. Luke's Campuses.

The Near-Term Projects outlined in the CPMC LRDP Project will result in a five campus system with three acute care hospitals – on the Davies, St. Luke's, and Cathedral Hill Campuses – providing approximately 692 licensed beds and three full-service emergency departments (one at each of the acute care hospitals). The Davies Hospital North Tower was retrofitted in 2008 to remain operational to 2030. The St. Luke's Hospital will be replaced by a new hospital built on campus, adjacent to the existing hospital, followed by construction of a Medical Office Building after the demolition of the existing Hospital Tower. The California and Pacific Campuses will remain operational as acute care hospitals until the proposed Cathedral Hill Campus Hospital is constructed and operational. Once the proposed Cathedral Hill Campus Hospital is built, as part of the Near-Term Project implementation activities, the acute care services at California and Pacific Campuses will be transferred primarily to the Cathedral Hill Campus Hospital, and the Pacific Campus's existing 2333 Buchanan Street Hospital will undergo renovation and reuse as an ambulatory care center. In the long-term, the Pacific Campus will become an outpatient facility, and CPMC proposes an additional medical office building on the Davies Campus.

### 3. Development Agreement Negotiations.

The City's Department of Planning has negotiated a Development Agreement for the Project. The parties began negotiations in October 2010 and continued negotiating through hearings in the spring and summer of 2012. The parties subsequently entered into a mediation process, and reached tentative agreement on the Term Sheet in late February, 2013. A copy of the drafts of the Development Agreement that were exchanged between the parties can be found in the files of the City Department of Planning at 1650 Mission Street. These exchanged drafts reflect the items under negotiation throughout the process. Without limiting the foregoing, we note that the negotiations between the parties included the following meetings:

- 1) October 26, 2010. Meeting to discuss general term of the Development Agreement. Attendees include Ken Rich (Office of Economic and Workforce Development (OEWD)), Anita Wood (Deputy City Attorney), Audrey Pearson (Deputy City Attorney), Tay Via (Coblentz, Patch, Duffy, Bass), Pam Duffy (Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC). No agreements reached.
- 2) January 24, 2011. Meeting to discuss general term of the Development Agreement. Attendees include, Jennifer Matz (OEWD), Ken Rich (OEWD), Anita Wood (Deputy City Attorney), Audrey Pearson (Deputy City Attorney), Tay Via (Coblentz, Patch, Duffy, Bass), Pam Duffy (Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay). No agreements reached.
- 3) February 23, 2011. Meeting to discuss general terms of the Development Agreement. Attendees include, Ken Rich (OEWD), Anita Wood (Deputy City Attorney), Audrey Pearson (Deputy City Attorney), Tay Via (Coblentz, Patch, Duffy, Bass), Pam Duffy (Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay). No agreements reached.
- 4) March 17, 2011. Meeting to discuss general terms of the Development Agreement. Attendees include, Ken Rich (OEWD), Anita Wood (Deputy City Attorney), Audrey Pearson (Deputy City Attorney), Tay Via (Coblentz, Patch, Duffy, Bass), Pam Duffy (Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay). No agreements reached.
- 5) April 20, 2011. Meeting to discuss the hospital commitment and general terms of the Development Agreement. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Anita Wood (Deputy City Attorney), Audrey Pearson (Deputy City Attorney), Tay Via (Coblentz, Patch, Duffy, Bass), Pam Duffy (Coblentz, Patch, Duffy, Bass), Mark

Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay). No agreements reached.

- 6) May 18, 2011. Meeting to discuss general terms of the Development Agreement, including termination, the hospital commitment, timing of community benefits, remedies and priority processing. Attendees include, Ken Rich (OEWD), Anita Wood (Deputy City Attorney), Audrey Pearson (Deputy City Attorney), Tay Via (Coblentz, Patch, Duffy, Bass), Pam Duffy (Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay). No agreements reached.
- 7) June 1, 2011. Meeting to discuss general terms of the Development Agreement, including title of document, definition of terms, timing of community benefits, city cost recovery, termination, transfer of agreement, and future changes to existing standards. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Anita Wood (Deputy City Attorney), Audrey Pearson (Deputy City Attorney), Matthew Bove (Coblentz, Patch, Duffy, Bass), Pam Duffy (Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay). No agreements reached.
- 8) August 10, 2011. Meeting to discuss the healthcare and housing obligations in the Development Agreement. Attendees include, Steve Kawa (Mayor's Office), Starr Terrell (OEWD), Malcolm Yeung (Mayor's Office), Jennifer Matz (OEWD), Ken Rich (OEWD), Tamsen Drew (OEWD), Barbara Garcia (Department of Public Health (DPH), Collen Chawla (DPH), Warren Browner (CPMC), Judy Li (Sutter West Bay), Mark Farrar (CPMC). No agreements reached.
- 9) August 24, 2011. Meeting to discuss the healthcare and housing obligations in the Development Agreement. Attendees include, Steve Kawa (Mayor's Office), Malcolm Yeung (Mayor's Office), Ken Rich (OEWD), Tamsen Drew (OEWD), Barbara Garcia (Department of Public Health (DPH), Collen Chawla (DPH), Warren Browner (CPMC), Judy Li (Sutter West Bay). No agreements reached.
- 10) September 7, 2011. Meeting to discuss housing and pedestrian safety obligations, St. Luke's Operating Commitment and grants to community clinics in the Development Agreement. Attendees include, Steve Kawa (Mayor's Office), Malcolm Yeung (Mayor's Office), Jennifer Matz (OEWD), Ken Rich (OEWD), Tamsen Drew (OEWD), Barbara Garcia (Department of Public Health (DPH), Collen Chawla (DPH), Michael Duncheon (General Counsel, Sutter West Bay), Judy Li (Sutter West Bay). No agreements reached.
- 11) October 5, 2011. Meeting to discuss CPMC Operating Margin and CPMC Community Benefits. Attendees include, John Gates, (Sutter West Bay), Judy Li (Sutter West Bay),

Mark Farrar (CPMC), Henry Yu (Sutter West Bay), Emily Webb (CPMC), Robert Gamble (Public Financial Management (PFM)), Robert Guadagno (PFM), Greg Wagner (DPH), Ken Rich (OEWD), Tamsen Drew (OEWD). No agreements reached.

- 12) October 10, 2011. Meeting to discuss remedies and damages for breach of the Development Agreement. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Charles Sullivan (Deputy City Attorney), Matthew Bove (Coblentz, Patch, Duffy, Bass), Pam Duffy (Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay). No agreements reached.
- 13) October 13, 2011. Meeting to discuss cost of 10,000 Medi-Cal Managed Care Beneficiaries. Attendees include John Gates, (Sutter West Bay), Judy Li (Sutter West Bay), Mark Farrar (CPMC), Henry Yu (Sutter West Bay), Emily Webb (CPMC), Paige Siepes-Metzler (Aon-Hewitt), Greg Wagner (DPH), Ken Rich (OEWD), Tamsen Drew (OEWD). No agreements reached.
- 14) October 17, 2011. Meeting to discuss cost of 10,000 Medi-Cal Managed Care Beneficiaries. Attendees include, John Gates, (Sutter West Bay), Judy Li (Sutter West Bay), Mark Farrar (CPMC), Henry Yu (Sutter West Bay), Emily Webb (CPMC), Paige Siepes-Metzler (Aon-Hewitt), Greg Wagner (DPH), Colleen Chawla (DPH), Tamsen Drew (OEWD). No agreements reached.
- 15) October 19, 2011. Meeting to discuss CPMC Operating Margin and CPMC Community Benefits. Attendees include, John Gates, (Sutter West Bay), Judy Li (Sutter West Bay), Mark Farrar (CPMC), Henry Yu (Sutter West Bay), Robert Gamble (Public Financial Management (PFM)), Robert Guadagno (PFM), Greg Wagner (DPH), Colleen Chawla (DPH), Ken Rich (OEWD), Tamsen Drew (OEWD). No agreements reached.
- 16) October 26, 2011. Meeting to discuss hospital commitment and other general terms in the Development Agreement. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Charles Sullivan (Deputy City Attorney), Matthew Bove (Coblentz, Patch, Duffy, Bass), Pam Duffy (Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay). No agreements reached.
- 17) October 31, 2011. Meeting to discuss health care terms in the Development Agreement including St. Luke's commitments. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Charles Sullivan (Deputy City Attorney), Matthew Bove (Coblentz, Patch, Duffy, Bass), Pam Duffy (Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay). No agreements reached.

- 18) January 9, 2012. Meeting to discuss healthcare terms including innovation fund, St. Luke's operating commitment, 10,000 Medi-Cal Managed Care Beneficiaries, and Baseline Healthcare obligation. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Malcolm Yeung (Mayor's Office), Colleen Chawla (DPH), Judy Li (Sutter West Bay), Mark Farrar (CPMC). No agreements reached.
- 19) January 11, 2012. Meeting to discuss healthcare obligations including the innovation fund. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Malcolm Yeung (Mayor's Office), Barbara Garcia (DPH), Greg Wagner (DPH), Colleen Chawla (DPH), Judy Li (Sutter West Bay), Mark Farrar (CPMC). No agreements reached.
- 20) January 20, 2012. Meeting to discuss healthcare obligations and financial thresholds. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Greg Wagner (DPH), Judy Li (Sutter West Bay), Mark Farrar (CPMC), John Gates (Sutter West Bay), Henry Yu (Sutter West Bay). No agreements reached.
- 21) January 23, 2012. Meeting to discuss healthcare obligations and financial thresholds. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Greg Wagner (DPH), Judy Li (Sutter West Bay), Mark Farrar (CPMC), John Gates (Sutter West Bay), Henry Yu (Sutter West Bay). No agreements reached.
- 22) January 24, 2012. Meeting to discuss healthcare obligations and financial thresholds. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Greg Wagner (DPH), Judy Li (Sutter West Bay), Mark Farrar (CPMC), John Gates (Sutter West Bay), Henry Yu (Sutter West Bay). No agreements reached.
- 23) February 27, 2012. Meeting to discuss proposed term sheet on business terms, including healthcare, housing, workforce, transit, and pedestrian safety. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Malcolm Yeung (Mayor's Office), Cyndi Kettmann (CPMC), Mark Farrar (CPMC). Tentative agreement reached.
- 24) March 3, 2012. Meeting to discuss outstanding business terms for transportation, housing and public improvements. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Malcolm Yeung (Mayor's Office), Mark Farrar (CPMC). No agreement reached.
- 25) March 7, 2012. Meeting to discuss hospital commitment, transportation, and tolling. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Charles Sullivan (Deputy City Attorney), Matthew Bove (Coblentz, Patch, Duffy, Bass), Pam Duffy (Coblentz,

Patch, Duffy, Bass), Mark Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay). No agreement reached.

- 26) March 12, 2012. Meeting to discuss healthcare commitments including Baseline Healthcare Commitment, Medi-cal Managed Care Beneficiaries, Operating Margin, and Innovation Fund. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Charles Sullivan (Deputy City Attorney), Joshua Steinhauer (Coblentz, Patch, Duffy, Bass), Pam Duffy (Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay). No agreement reached.
- 27) March 15, 2012. Meeting to discuss outstanding issues including transportation fees, damages, healthcare commitments. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Charles Sullivan (Deputy City Attorney), Colleen Chawla (DPH), Matthew Bove (Coblentz, Patch, Duffy, Bass), Pam Duffy (Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay), Cyndi Kettmann (CPMC). Tentative agreements reached.
- 28) March 19, 2012. Meeting to discuss outstanding business terms including public improvements, housing, healthcare and effect on City's Health Services System (HSS). Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Charles Sullivan (Deputy City Attorney), Joshua Steinhauer (Coblentz, Patch, Duffy, Bass), Pam Duffy (Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay). Tentative agreement reached.
- 29) April 17, 2012. Meeting to discuss Community Advisory Groups (CAG) and provisions for mental healthcare. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Colleen Chawla (DPH), Charles Sullivan (Deputy City Attorney), Pam Duffy (Coblentz, Patch, Duffy, Bass), Tay Via (Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC), Judy Li (CPMC). Tentative agreement reached.
- 30) June 19, 2012. Meeting to discuss revised financial projections. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Warren Browner (CPMC), Greg Wagner (DPH), John Gates (Sutter West Bay), Mark Farrar (CPMC), Henry Yu (Sutter West Bay), Judy Li (CPMC), Bob Gamble (PPM), Bob Guadagno (PPM). No agreement reached.
- 31) June 22, 2012. Meeting to discuss revised financial projections. Attendees include, Ken Rich (OEWD), Tamsen Drew (OEWD), Warren Browner (CPMC), Greg Wagner (DPH), John Gates (Sutter West Bay), Mark Farrar (CPMC), Henry Yu (Sutter West Bay), Judy Li (CPMC), Bob Gamble (PPM), Bob Guadagno (PPM). No agreement reached.



- 32) October 31, 2012. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 33) September 1, 2012. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 34) November 5, 2012. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 35) November 8, 2012. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 36) November 13, 2012. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 37) November 14, 2012. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 38) November 27, 2012. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu

(District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.

- 39) November 28, 2012. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 40) November 30, 2012. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 41) December 3, 2012. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 42) December 7, 2012. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 43) December 10, 2012. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 44) December 12, 2012. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.

- 45) December 13, 2012. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 46) December 17, 2012. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 47) January 3, 2013. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 48) January 9, 2013. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 49) January 25, 2013. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 50) February 11, 2013. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.
- 51) February 25, 2013. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Girauda (Mediator), David Campos (District 9 Supervisor), David Chiu

(District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). No agreement reached.

52) February 28, 2013. Meeting to discuss revised project description, healthcare commitments, and other community commitments. Attendees include, Ken Rich (OEWD), Lou Giraud (Mediator), David Campos (District 9 Supervisor), David Chiu (District 3 Supervisor), Mark Farrell (District 2 Supervisor), Michael Cohill (Sutter Health), Warren Browner (CPMC). Tentative agreement reached.

53) March 20, 2013. Meeting to negotiate final Development Agreement documents. Attendees include, Ken Rich (OEWD), Charles Sullivan (Deputy City Attorney), Pam Duffy ((Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay), Tay Via (Coblentz, Patch, Duffy, Bass), Josh Steinhauer (Coblentz, Patch, Duffy, Bass). No agreement reached (ongoing discussions re drafting and implementation of tentative mediation agreement).

54) March 25, 2013. Meeting to negotiate final Development Agreement documents. Attendees include, Ken Rich (OEWD), Charles Sullivan (Deputy City Attorney), Pam Duffy ((Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay), Tay Via (Coblentz, Patch, Duffy, Bass), Josh Steinhauer (Coblentz, Patch, Duffy, Bass). No agreement reached (ongoing discussions redrafting and implementation of tentative mediation agreement).

55) April 16, 2013. Meeting to negotiate final Development Agreement documents. Attendees include, Ken Rich (OEWD), Charles Sullivan (Deputy City Attorney), Pam Duffy ((Coblentz, Patch, Duffy, Bass), Mark Farrar (CPMC), Michael Duncheon (General Counsel, Sutter West Bay), Tay Via (Coblentz, Patch, Duffy, Bass), Josh Steinhauer (Coblentz, Patch, Duffy, Bass). Tentative agreement reached (ongoing discussions redrafting and implementation of tentative mediation agreement).

#### **4. Conclusion.**

We believe that both parties negotiated in good faith and the end result is a project that, if constructed, will benefit the City.

This summary is prepared for information purposes only, and is not intended to change, supplant, or be used in the interpretation of, any provision of the Development Agreement. For any specific question or interpretation, or for any additional detail, reference should be made to the Development Agreement itself. I and my staff, as well as the City Attorney's Office, are

available to answer any questions that you may have regarding the Development Agreement or the negotiation process.