

1 [Apply for Grant - Treasure Island Development Authority - Assumption of Liability -
2 Department of Housing and Community Development Infill Infrastructure Grant Program -
3 Treasure Island Major Subphase 1]

4 **Resolution authorizing the Treasure Island Development Authority (“Authority”), on**
5 **behalf of the City and County of San Francisco, to execute a grant application under**
6 **the Department of Housing and Community Development Infill Infrastructure Program**
7 **(“IIG Program”) as a sole applicant or joint applicant with the San Francisco County**
8 **Transportation Authority and/or the San Francisco Public Utilities Commission for**
9 **qualifying infrastructure projects within Treasure Island Major Subphase 1; and, if**
10 **successful, authorizing the City to assume any joint and several liability for completion**
11 **of the projects required under the terms of any grant awarded under the IIG Program.**

12
13 WHEREAS, Former Naval Station Treasure Island is a military base located on
14 Treasure Island and Yerba Buena Island (together, the “Base”); and

15 WHEREAS, The Base was selected for closure and disposition by the Base
16 Realignment and Closure Commission in 1993, acting under Public Law 101-510, and its
17 subsequent amendments; and

18 WHEREAS, On May 2, 1997, the Board of Supervisors passed Resolution No. 380-
19 97, authorizing the Mayor’s Treasure Island Project Office to establish a nonprofit public
20 benefit corporation known as the Treasure Island Development Authority (the “Authority”) to
21 act as a single entity focused on the planning, redevelopment, reconstruction, rehabilitation,
22 reuse and conversion of the Base for the public interest, convenience, welfare and common
23 benefit of the inhabitants of the City and County of San Francisco, which is on file with the
24 Clerk of the Board of Supervisors and is incorporated herein by reference; and

1 WHEREAS, The Authority, acting by and through its Board of Directors (the "Authority
2 Board"), has the power, subject to applicable laws, to sell, lease, exchange, transfer, convey
3 or otherwise grant interests in or rights to use or occupy all or any portion of the Base; and

4 WHEREAS, In 2003, Treasure Island Community Development, LLC (the "Master
5 Developer") was selected as master developer for the Base following a competitive process;
6 and

7 WHEREAS, The Authority, the Authority Board, the Treasure Island Citizens Advisory
8 Board, the City, and the Master Developer worked for more than a decade to plan for the
9 reuse and development of Treasure Island, and as a result of this community-based planning
10 process, Authority and the Developer negotiated the Disposition and Development Agreement
11 ("DDA") to govern the disposition and subsequent development of the proposed development
12 project (the "Project"); and

13 WHEREAS, The Financing Plan, an exhibit to the DDA, calls for the Authority and
14 Master Developer to work together to seek appropriate grants for the Project; and

15 WHEREAS, The State of California Department of Housing and Community
16 Development ("Department") has issued a Notice of Funding Availability ("NOFA") dated
17 October 30, 2019, under the Infill Infrastructure Program ("IIG Program") established under
18 Division 31, Part 12.5 of the Health and Safety Code commencing with Section 53559; and

19 WHEREAS, The Department is authorized to approve funding allocations for the IIG
20 Program, subject to the terms and conditions of the NOFA IIG Program Grant Guidelines
21 adopted by the Department on October 30, 2019 ("Program Guidelines"), an application
22 package released by the Department for the IIG Program ("Application Package"), and an IIG
23 standard agreement with the State of California ("Standard Agreement"), and to administer the
24 approved funding allocations of the IIG Program; and

25 WHEREAS, The IIG Program provides infrastructure grants for Capital Improvement

1 Projects in support of Qualifying Infill Projects or Qualifying Infill Areas to applicants identified
2 through a competitive process for the development of projects that, per the Program
3 Guidelines, support higher-density affordable and mixed-income housing and mixed-use infill
4 developments; and

5 WHEREAS, The IIG Program requires that joint applicants for a project will be held
6 jointly and severally liable for completion of such project; and

7 WHEREAS, The Authority is consulting with the San Francisco County Transportation
8 Authority (“SFCTA”), the San Francisco Public Utilities Commission (“SFPUC”) and the
9 Master Developer to develop the scope of the proposed application which may include
10 roadway widening, bike and pedestrian improvements, open space improvements, and/or
11 water and wastewater infrastructure, pending further analysis to determine the cost and
12 eligibility of scope elements and ensure a competitive application that will benefit residents,
13 workers, and visitors to Treasure Island; and

14 WHEREAS, If it is determined necessary or desirable to deliver the final scope of
15 proposed improvements, the Authority may desire to include the SFCTA and/or the SFPUC as
16 a joint applicant; and

17 WHEREAS, The Program Guidelines require applications to be authorized by the
18 governing body having jurisdiction and the Board of Supervisors must approve resolutions
19 delegating authority, on behalf of the City; now, therefore, be it

20 RESOLVED, That the Board of Supervisors delegates to the Authority, on behalf of the
21 City, the authority to execute an Application Package for the IIG Program as detailed in the
22 NOFA dated October 30, 2019 (“Application”), in a total amount not to exceed \$30,000,000 of
23 which the entire amount will be provided as a grant for Capital Infrastructure Improvements
24 (“IIG Grant”) as defined in the IIG Program Guidelines; and, be it

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1 FURTHER RESOLVED, That the Board of Supervisors specifically agrees that if the
2 Application is successful and the Board of Supervisors accepts the grant and approves the IIG
3 Standard Agreement, the City shall assume any joint and several liability for completion of the
4 project required by the terms of any grant awarded to the Authority, SFCTA and/or SFPUC if
5 joint applicants under the IIG Program; and, be it

6 FURTHER RESOLVED, That the Board of Supervisors acknowledges that if the
7 Application is successful, the City, through the Authority, shall seek Board of Supervisors
8 approval of the IIG Standard Agreement, with terms and conditions that IIG Program funds
9 are to be used for allowable capital asset project expenditures to be identified in the Standard
10 Agreement, that the Application Package in full is incorporated as part of the Standard
11 Agreement, and that any and all activities funded, information provided, and timelines
12 represented in the application are enforceable through the Standard Agreement; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors authorizes the Authority
14 Director (or his designee) to execute and deliver the Application Package and, if the SFCTA
15 and/or the SFPUC are joint applicants, any documents in the name of the City that are
16 necessary, appropriate or advisable to apply for the IIG Program funds from the Department,
17 and all amendments thereto; and, be it

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1 FURTHER RESOLVED, That all actions authorized and directed by this Resolution and
2 heretofore taken are ratified, approved and confirmed by this Board of Supervisors.

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4 RECOMMENDED:

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7 Robert Beck, Director
8 Treasure Island Development Authority
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