

1 [Adding Territory - Adopting Annexation Supplement - Amended and Restated Infrastructure  
2 Financing Plan - Infrastructure and Revitalization Financing District No. 1 (Treasure Island)]

3 **Ordinance adding territory as new project areas to and adopting annexation**  
4 **supplement to the Amended and Restated Infrastructure Financing Plan for City and**  
5 **County of San Francisco Infrastructure and Revitalization Financing District No. 1**  
6 **(Treasure Island); and determining other matters in connection therewith, as defined**  
7 **herein.**

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10 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
11 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
12 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.  
13 **Board amendment additions** are in Arial font.  
14 **Board amendment deletions** are in ~~Arial font~~.  
15 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
16 subsections or parts of tables.

17 Be it ordained by the People of the City and County of San Francisco:

18 Section 1. The Board of Supervisors of the City and County of San Francisco hereby  
19 finds, determines and declares based on the record before it that:

20 A. Naval Station Treasure Island (“NSTI”) is a former United States Navy base  
21 located in the City and County of San Francisco (“City”) that consists of two islands connected  
22 by a causeway: (1) Treasure Island, and (2) an approximately 90-acre portion of Yerba Buena  
23 Island.

24 B. Under the Treasure Island Conversion Act of 1997, which amended Section  
25 33492.5 of the California Health and Safety Code and added Section 2.1 to Chapter 1333 of  
the Statutes of 1968, the California Legislature: (i) designated the Treasure Island  
Development Authority, a California non-profit public benefit corporation (“TIDA”), as a

1 redevelopment agency under California redevelopment law with authority over NSTI upon  
2 approval of the City's Board of Supervisors, which approval was granted in 1997, and (ii) with  
3 respect to those portions of NSTI which are subject to Tidelands Trust, vested in TIDA the  
4 authority to administer the public trust for commerce, navigation and fisheries as to such  
5 property.

6 C. In 2003, after a competitive bid process, the TIDA Board of Directors selected  
7 Treasure Island Community Development, LLC ("Developer") as the master developer for  
8 portions of Treasure Island and Yerba Buena Island.

9 D. The Developer proposed developing the Treasure Island/Yerba Buena Island  
10 Project ("Project"), which anticipated (1) up to 8,000 new residential units, at least 25% of  
11 which (2,000 units) would be made affordable to a broad range of very-low to moderate  
12 income households; (2) adaptive reuse of approximately 311,000 square feet of historic  
13 structures; (3) up to approximately 140,000 square feet of new retail uses and 100,000 square  
14 feet of commercial office space; (4) approximately 300 acres of parks and open space; (5)  
15 new and/or upgraded public facilities, including a joint police/fire station, a school, facilities for  
16 the Treasure Island Sailing Center, and other community facilities; (6) up to 500 hotel rooms  
17 across 2-3 sites; (7) landside improvements for a new 400 slip marina; and (8) transportation  
18 infrastructure, including a ferry/quay intermodal transit center.

19 E. On April 21, 2011, the Planning Commission by Motion No. 18325 and the  
20 Board of Directors of TIDA, by Resolution No. 11-14-04/21, as co-lead agencies, certified the  
21 completion of the Final Environmental Impact Report for the Project ("FEIR"), and  
22 unanimously approved a series of entitlement and transaction documents relating to the  
23 Project, including certain environmental findings under the California Environmental Quality  
24 Act ("CEQA"), a mitigation and monitoring and reporting program ("MMRP"), and the Original  
25

1 DDA (defined below), the Original Development Agreement (defined below) and other  
2 transaction documents.

3 F. On June 7, 2011, in Motion No. M11-0092, the Board of Supervisors  
4 unanimously affirmed certification of the FEIR. On that same date, the Board of Supervisors,  
5 in Resolution No. 246-11, adopted CEQA findings and the MMRP, and made certain  
6 environmental findings under CEQA. On June 14, 2011, the Board of Supervisors, in  
7 Ordinance No. 95-11, approved the Original DDA and other transaction documents, including  
8 the Transportation Plan and Infrastructure Plan.

9 G. Pursuant to Resolution No. 242-11, adopted by the Board of Supervisors on  
10 June 7, 2011, the United States of America, acting by and through the Department of the  
11 Navy ("Navy"), and TIDA entered into that certain Economic Conveyance Memorandum of  
12 Agreement (as amended and supplemented from time to time, the "Conveyance Agreement")  
13 that governs the terms and conditions for the transfer of NSTI from the Navy to TIDA.

14 H. Pursuant to Resolution No. 241-11, adopted by the Board of Supervisors on  
15 June 7, 2011, TIDA and the Developer entered into that certain Disposition and Development  
16 Agreement (Treasure Island/Yerba Buena Island) dated June 28, 2011 (the "Original DDA")  
17 that governs the disposition and development of a portion of NSTI (the "Project Site") after the  
18 Navy's transfer of NSTI to TIDA in accordance with the Conveyance Agreement. The Original  
19 DDA included a Financing Plan (Treasure Island/Yerba Buena Island) ("Original Financing  
20 Plan"), that governs the establishment of one or more infrastructure financing districts to  
21 finance the construction and acquisition of certain real and tangible property.

22 I. Pursuant to Ordinance No. 95-11 passed by the Board of Supervisors on June  
23 14, 2011, the City and the Developer entered into that certain Development Agreement dated  
24 for reference purposes only as of June 28, 2011 ("Original Development Agreement") related  
25 to the Project Site to eliminate uncertainty in the City's land use planning for the Project Site

1 and secure orderly development of the Project consistent with the Original DDA and other  
2 applicable requirements, and the Original Financing Plan was also an exhibit to the Original  
3 Development Agreement.

4 J. On January 24, 2012, pursuant to Resolution No. 11-12, the Board of  
5 Supervisors rescinded designation of TIDA as the redevelopment agency for Treasure Island  
6 under California Community Redevelopment Law but such rescission does not affect TIDA's  
7 status as the Local Reuse Authority for NSTI or the Tidelands Trust trustee for the portions of  
8 NSTI subject to the Tidelands Trust, or any of the other powers or authority.

9 K. Under Chapter 2.6 of Part 1 of Division 2 of Title 5 of the California Government  
10 Code, commencing with Section 53369 ("IRFD Law"), this Board of Supervisors is authorized  
11 to establish an infrastructure and revitalization financing district and to act as the legislative  
12 body for an infrastructure and revitalization financing district.

13 L. Pursuant to IRFD Law Section 53369.5, an infrastructure and revitalization  
14 financing district may be divided into project areas, and the legislative body of an  
15 infrastructure and revitalization financing district may, at any time, add territory to a district or  
16 amend the infrastructure financing plan for the district by conducting the same procedures for  
17 the formation of a district or approval of bonds as provided in the IRFD Law.

18 M. Pursuant to Resolution No. 503-16, adopted by the Board of Supervisors on  
19 December 6, 2016, and signed by the Mayor on December 16, 2016, the Board of  
20 Supervisors resolved, among other things, to establish the City and County of San Francisco  
21 Infrastructure and Revitalization Financing District No. 1 (Treasure Island) ("IRFD"), and that  
22 future annexations of property on Yerba Buena Island and Treasure Island into the IRFD may  
23 occur at any time after formation of the IRFD, but only if the Board of Supervisors has  
24 completed the procedures set forth in an infrastructure financing plan.

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1 N. Pursuant to the Original Financing Plan and the IRFD Law, the Board of  
2 Supervisors passed Ordinance No. 21-17 on January 31, 2017, which the Mayor signed on  
3 February 9, 2017 (“IRFD Formation Ordinance”), pursuant to which the Board of Supervisors  
4 declared the IRFD and certain initial project areas within the IRFD (collectively, “Initial Project  
5 Areas,” and together with any future project areas that may be established in the IRFD, the  
6 “Project Areas”) to be fully formed with full force and effect of law.

7 O. Pursuant to the IRFD Formation Ordinance, the Board of Supervisors also  
8 approved an infrastructure financing plan for the IRFD, which infrastructure financing plan was  
9 subsequently amended and restated by the Board of Supervisors pursuant to Ordinance No.  
10 29-22, which was passed by the Board of Supervisors on February 15, 2022, and signed by  
11 the Mayor on February 25, 2022 (“IFP”).

12 P. the IFP lists the following procedures for annexation of property to the IRFD:

13 (i) this Board of Supervisors adopts a resolution of intention to annex  
14 property (“annexation territory”) into the IRFD and describes whether the annexation  
15 territory will be included in one of the then-existing Project Areas or in a new Project  
16 Area,

17 (ii) this Board of Supervisors adopts a resolution of intention to issue bonds  
18 secured by the Net Available Increment (as defined in the IFP) for the IRFD as a whole  
19 as a result of the additional bonding capacity generated by the addition of the  
20 annexation territory to the IRFD,

21 (iii) the resolution of intention to annex the annexation territory is mailed to  
22 each owner of land in the annexation territory and each affected taxing entity in the  
23 annexation territory,

24 (iv) this Board of Supervisors designates TIDA to prepare an appendix to the  
25 IFP for the annexation territory,

1 (v) the appendix to the IFP is sent to each owner of land and each affected  
2 taxing entity within the annexation territory,

3 (vi) this Board of Supervisors notices and holds a public hearing on the  
4 proposed annexation,

5 (vii) this Board of Supervisors adopts a resolution proposing the adoption of  
6 the appendix to the IFP and annexation of the annexation territory to the IRFD, and  
7 submits the proposed annexation to the qualified electors in the annexation territory,  
8 with the ballot measure to include the question of the proposed annexation of the  
9 annexation territory into the IRFD, approval of the appropriations limit for the IRFD and  
10 approval of the issuance of bonds for the IRFD, and

11 (viii) after the canvass of returns of any election, and if two-thirds of the votes  
12 cast upon the question are in favor of the ballot measure, this Board of Supervisors  
13 may, by ordinance, adopt the appendix to the IFP, if any, and approve the annexation  
14 of the annexation territory to the IRFD.

15 Q. Pursuant to Resolution No. 196-24, adopted by the Board of Supervisors on  
16 April 23, 2024, Developer and TIDA entered into an Amended and Restated Disposition and  
17 Development Agreement (Treasure Island/Yerba Buena Island) dated August 1, 2024  
18 (“Amended and Restated DDA”), including an Amended and Restated Financing Plan  
19 (Treasure Island/Yerba Buena Island) (“Amended and Restated Financing Plan”) which  
20 replaced, respectively, the Original DDA and Original Financing Plan.

21 R. Pursuant to Ordinance No. 93-24, passed by the Board of Supervisors on April  
22 30, 2024, Developer and the City entered into a First Amendment to Development Agreement  
23 dated as of August 1, 2024 (the Original Agreement, as amended by the First Amendment to  
24 Development Agreement, “Amended Development Agreement”), which amendment replaced,  
25

1 among other things, the Original Financing Plan with the Amended and Restated Financing  
2 Plan.

3 S. Treasure Island Series 2, LLC and Treasure Island Series 3, LLC have  
4 submitted petitions to this Board of Supervisors to initiate the annexation of certain property  
5 owned by them on Treasure Island (“Annexation Territory”) into the IRFD, and requested that  
6 the Annexation Territory be designated as four new Project Areas (“Project Areas F, G, H  
7 and I”): “Project Area F of the City and County of San Francisco Infrastructure and  
8 Revitalization Financing District No. 1 (Treasure Island),” “Project Area G of the City and  
9 County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure  
10 Island),” “Project Area H of the City and County of San Francisco Infrastructure and  
11 Revitalization Financing District No. 1 (Treasure Island),” and “Project Area I of the City and  
12 County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure  
13 Island)”.

14 T. Pursuant to Resolution No. 352-26, adopted by the Board of Supervisors on  
15 June 9, 2026, and signed by the Mayor on June 11, 2026 (“Resolution of Intention to Annex  
16 Territory”), the Board of Supervisors stated its intention to (i) annex the Annexation Territory  
17 into the IRFD pursuant to the IRFD Law, and (ii) for the purpose of financing the IRFD  
18 Improvements described in the IFP, form Project Areas F, G, H and I.

19 U. Pursuant to Resolution No. \_\_\_\_, adopted by the Board of Supervisors on June  
20 16, 2026, and signed by the Mayor on \_\_\_\_, 2026, the Board of Supervisors ordered  
21 preparation of an appendix to the IFP for the IRFD and Project Areas F, G, H and I  
22 (“Annexation Supplement”) consistent with the requirements of the IRFD Law.

23 V. As required by the IRFD Law and the Resolution of Intention to Annex Territory,  
24 the Clerk of the Board of Supervisors caused to be mailed a copy of the Resolution of  
25 Intention to Annex Territory to each owner of land (as defined in the IRFD Law) within the

1 Annexation Territory and to any affected taxing entities, and in addition, in accordance with  
2 IRFD Law Section 53369.17, the Clerk of the Board of Supervisors caused notice of a public  
3 hearing on the proposed adoption of the Annexation Supplement to be published not less  
4 than once a week for four successive weeks in a newspaper of general circulation published  
5 in the City.

6 W. As further required by the IRFD Law and the Resolution Directing Annexation  
7 Supplement Preparation, the Executive Director of TIDA (or designee) caused to be prepared  
8 the Annexation Supplement, and the Director of the Office of Public Finance, or the designee  
9 thereof, sent the Annexation Supplement to (i) the planning commission of the City, (ii) this  
10 Board of Supervisors, (iii) each owner of land within the proposed Annexation Territory and  
11 (iv) each affected taxing entity (if any).

12 X. As further required by the IRFD Law, the Director of the Office of Public Finance,  
13 or the designee thereof, sent to (i) the owners of land within the proposed Annexation  
14 Territory, (ii) the affected taxing entities (if any), (iii) the planning commission of the City and  
15 (iv) this Board of Supervisors, any report required by CEQA that pertains to the Project.

16 Y. The Clerk of the Board of Supervisors made the Annexation Supplement and  
17 the reports required by CEQA available for public inspection.

18 Z. On July 28, 2026, the Board of Supervisors, as the legislative body of the City,  
19 which is the only affected taxing entity that is subject to the division of taxes pursuant the  
20 IRFD Law, considered and adopted its Resolution No. \_\_\_\_\_, which the Mayor signed on  
21 [\_\_\_\_], 2026, pursuant to which the Board of Supervisors, as the governing body of the City,  
22 in its capacity as an affected taxing entity, approved the Annexation Supplement (“Resolution  
23 Approving Annexation Supplement”).

24 AA. On July 28, 2026, the Board of Supervisors, as the legislative body of the IRFD,  
25 considered and adopted its Resolution No. \_\_\_\_\_ which the Mayor signed on [\_\_\_\_], 2026

1 (“Resolution of Intention to Issue Bonds”), pursuant to which the Board of Supervisors,  
2 declared its intention to issue one or more series of bonds or other debt (“Bonds”) as a result  
3 of the additional bonding capacity derived from the addition of the Annexation Territory to the  
4 IRFD for the purpose of financing the costs of the IRFD Improvements, in the maximum  
5 aggregate principal amount of \$520 million, which amount shall be in addition to the \$780  
6 million of Bonds authorized in the IRFD Formation Ordinance and additional amounts  
7 approved in the future in connection with the annexation of territory to the IRFD.

8 BB. On September 15, 2026, following publication of a notice consistent with the  
9 requirements of the IRFD Law, this Board of Supervisors held a public hearing as required by  
10 the IRFD Law relating to the proposed Annexation Supplement.

11 CC. On September 15, 2026, after holding the public hearing described above, the  
12 Board of Supervisors, as the legislative body of the IRFD, (i) adopted its Resolution No. \_\_\_\_,  
13 which the Mayor signed on \_\_\_\_\_, 2026 (“Resolution Proposing Annexation”), proposing  
14 annexation of the Annexation Territory to the IRFD as Project Areas F, G, H and I, and  
15 adoption of the Annexation Supplement and (ii) adopted its Resolution No. \_\_\_\_, which the  
16 Mayor signed on \_\_\_\_\_, 2026 (“Resolution Calling Election”), pursuant to which the Board of  
17 Supervisors submitted the propositions to approve the annexation of the Annexation Territory  
18 to the IRFD as Project Areas F, G, H and I, to adopt the Annexation Supplement, to establish  
19 an annual appropriations limit for the IRFD, and to authorize the issuance of Bonds for the  
20 IRFD.

21 DD. The Board of Supervisors recited in the Resolution Calling Election that there  
22 was on file with the Clerk of the Board of Supervisors and the Director of Elections of the City  
23 and County of San Francisco one or more written waivers executed by all of the qualified  
24 electors of the Annexation Territory, and those waivers, as permitted by the IRFD Law, waived  
25 time limits specified in the IRFD Law and any requirement of applicable law pertaining to the

1 conduct of the election in order to expedite the approval of the annexation of the Annexation  
2 Territory and the adoption of the Annexation Supplement.

3 EE. Pursuant to the terms of the Resolution Calling Election, the special election was  
4 held on September 28, 2026, and all of the qualified electors in the Annexation Territory  
5 submitted ballots and voted in favor of the propositions.

6 FF. The Director of Elections of the City and County of San Francisco filed with the  
7 Board of Supervisors a Canvass and Statement of Results of Election (“Canvass”) regarding  
8 the special election.

9 GG. This Board of Supervisors reviewed the Canvass, and, on September 29, 2026,  
10 the Board of Supervisors, as the legislative body of the IRFD, adopted its Resolution No. \_\_\_\_,  
11 which the Mayor signed on \_\_\_\_, 2026 (“Election Results Resolution”), pursuant to which it  
12 approved the Canvass and determined that the issues presented at the special election within  
13 the Annexation Territory were approved by all of the qualified electors of the Annexation  
14 Territory.

15 HH. CEQA mandates that "when an environmental impact report has been prepared  
16 for a project, no subsequent or supplemental environmental impact report shall be required by  
17 the lead agency," unless the lead agency determines, on the basis of substantial evidence  
18 that the project or its circumstances have changed, or there is new information, and that those  
19 changes or new information would cause new significant impacts, or a substantial increase in  
20 the severity of previously identified impacts (CEQA Section 21166; CEQA Guidelines Section  
21 15162). The Planning Department has determined that no additional environmental review is  
22 required, beyond what was already studied in the certified FEIR, because the proposed  
23 annexation of the Annexation Territory to the IRFD does not trigger any of those  
24 circumstances listed in CEQA and the CEQA Guidelines for additional environmental review  
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1           Section 2. By the passage of this ordinance this Board of Supervisors hereby declares  
2 that (i) the Annexation Territory has been annexed to the IRFD and Project Areas F, G, H and  
3 I have been formed as shown in the boundary map and described in the legal descriptions set  
4 forth in the Annexation Supplement with full force and effect of law, (ii) the Annexation  
5 Supplement has been adopted with full force and effect of law, (iii) the appropriations limit of  
6 the IRFD has been established in accordance with applicable law, and (iv) the Board of  
7 Supervisors has the authority to issue from time to time Bonds in one or more series for the  
8 IRFD in the maximum aggregate principal amount of (i) \$780 million plus (ii) \$520 million plus  
9 (iii) the principal amount of Bonds approved in the future by this Board of Supervisors and the  
10 qualified electors of annexation territory in connection with each annexation of annexation  
11 territory to the IRFD, so long as the Board makes the finding specified in IRFD Law Section  
12 53369.41(f), all as provided in the proceedings for the IRFD and in the IRFD Law.

13           Section 3. The Board of Supervisors hereby ratifies, approves and confirms all actions  
14 heretofore taken with respect to the matters described in this ordinance, including the  
15 Resolution Approving Annexation Supplement, the Resolution Proposing Annexation, the  
16 Resolution Calling Election, the Election Results Resolution and the election at which all of the  
17 qualified electors voted in favor of the propositions.

18           Section 4. The Board of Supervisors has reviewed and considered the FEIR and finds  
19 that the FEIR is adequate for its use for the actions taken by this ordinance and that no further  
20 environmental review is required, and incorporates the FEIR and the CEQA findings  
21 contained in Board of Supervisors Resolution No. 196-24 by this reference.

22           Section 5. If any section, subsection, sentence, clause, phrase, or word of this  
23 ordinance, or any application thereof to any person or circumstance, is held to be invalid or  
24 unconstitutional by a decision of a court of competent jurisdiction, such decision shall not  
25 affect the validity of the remaining portions or applications of this ordinance, this Board of

1 Supervisors hereby declaring that it would have passed this ordinance and each and every  
2 section, subsection, sentence, clause, phrase, and word not declared invalid or  
3 unconstitutional without regard to whether any other portion of this ordinance or application  
4 thereof would be subsequently declared invalid or unconstitutional.

5 Section 6. This ordinance shall become effective 30 days after enactment. Enactment  
6 occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or  
7 does not sign the ordinance within 10 days of receiving it, or the Board of Supervisors  
8 overrides the Mayor's veto of the ordinance.

9 Section 7. The Director of the Office of Public Finance and the City Attorney, in  
10 consultation with bond counsel, are hereby authorized and directed to initiate a judicial  
11 validation action, in accordance with IRFD Law Section 53369.8 and Code of Civil Procedure  
12 Section 860 *et seq.*, with respect to the annexation of the Annexation Territory to the IRFD,  
13 the boundaries of Project Areas F, G, H and I, the adoption of the Annexation Supplement  
14 (including a division of taxes thereunder), or any election pursuant to the IRFD Law.

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16 APPROVED AS TO FORM:  
17 DAVID CHIU, City Attorney

18 By: /s/ Heidi J. Gewertz  
19 HEIDI J. GEWERTZ  
20 Deputy City Attorney

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