

17-06-03/08

FILE NO. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

1 [Wastewater Treatment Facility Memorandum of Understanding]  
 2 **Resolution Approving a Memorandum of Understanding Between the Treasure**  
 3 **Island Development Authority and the San Francisco Public Utilities Commission**  
 4 **for the Design and Construction of New Wastewater Treatment Facilities to Serve**  
 5 **Treasure Island and Yerba Buena Island**

6 WHEREAS, Former Naval Station Treasure Island (the "Base" or "Treasure Island") is  
 7 a former military base located in the City and County of San Francisco (the "City") consisting  
 8 of approximately 550 acres on Treasure Island and Yerba Buena Island; and,

9 WHEREAS, The Base was selected for closure and disposition by the Base  
 10 Realignment and Closure Commission in 1993, acting under Public Law 101-510, and its  
 11 subsequent amendments, and the Base ceased operations in 1997; and,

12 WHEREAS, Under the Treasure Island Conversion Act of 1997 (AB 699), which  
 13 amended Section 33492.5 of the California Health and Safety Code and added Section 2.1 to  
 14 Chapter 1333 of the Statutes of 1968, the State Legislature (i) granted to the Board of  
 15 Supervisors the authority to designate the Treasure Island Development Authority ("TIDA") as  
 16 a redevelopment agency under California Community Redevelopment Law with authority over  
 17 the Base; and (ii) with respect to those portions of the Base that are subject to the public trust  
 18 for commerce, navigation and fisheries (the "Public Trust"), vested in TIDA the authority to  
 19 administer the Public Trust as to such property; and,

20 WHEREAS, On April 21, 2011, the TIDA Board of Directors unanimously made certain  
 21 environmental findings under the California Environmental Quality Act ("CEQA") and approved  
 22 a package of legislation in furtherance of the development project (the "Project"), including a  
 23 Disposition and Development Agreement (the "DDA") with Treasure Island Community  
 24 Development, LLC ("TICD") and an Interagency Cooperative Agreement ("ICA") between  
 25 TIDA and several City agencies including, amongst others, the San Francisco Public Utilities

2020-20-11

1 Commission ("SFPUC"), Public Works, and the San Francisco Municipal Transportation  
2 Agency ("SFMTA"); and,

3 WHEREAS, On June 7, 2011, the Board of Supervisors unanimously confirmed  
4 certification of the final environmental impact report and made certain environmental findings  
5 under CEQA (collectively, the "FEIR") by Resolution No. 246-11 and approved a package of  
6 legislation in furtherance of the Project; and,

7 WHEREAS, The DDA and ICA included as an exhibit an Infrastructure Plan describing  
8 the site improvements and public infrastructure to be constructed under the Project; and,

9 WHEREAS, On December 21, 2016, the Director of Public Works, via Public Works  
10 Order No. 185562, adopted Subdivision Regulations for Treasure Island and Yerba Buena  
11 Islands ("TI/YBI Subdivision Regulations"); and,

12 WHEREAS, The DDA, ICA, Infrastructure Plan, and TI/YBI Subdivision Regulations  
13 contemplated that the SFPUC would provide new or upgraded wastewater treatment facilities  
14 to meet the flow and treatment requirements of the Project and reserved certain design and  
15 delivery considerations to the SFPUC and the SFPUC Commission; and

16 WHEREAS, The DDA, ICA, Infrastructure Plan, and TI/YBI Subdivision Regulations  
17 further anticipate that TIDA and the SFPUC would negotiate and enter into a Memorandum of  
18 Understanding (the "WWTF MOU") establishing, amongst other considerations and criteria,  
19 the terms upon which the SFPUC will provide new or upgraded wastewater treatment facilities  
20 ("WWTF"), a process for providing a service plan for each Major Phase, and meet and confer  
21 provisions between TIDA, SFPUC and TICD; and

22 WHEREAS, TIDA and SFPUC have prepared a Draft WWTF MOU on file with the  
23 Commission Secretary consistent with the provisions of the DDA, ICA, and Infrastructure  
24 Plan; and

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