

1 [Resolution of Intention to Add Territory to the City and County of San Francisco Infrastructure
and Revitalization Financing District No. 1 (Treasure Island)]

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3 **Resolution of intention to add territory to the City and County of San Francisco**
4 **Infrastructure and Revitalization Financing District No. 1 (Treasure Island) as new**
5 **project areas; ordering and setting a time and place for a public hearing of the Board of**
6 **Supervisors, sitting as a Committee of the Whole, on the proposed annexation, on**
7 **September 15, 2026, at 3:00 p.m., and to provide public notice thereof; and determining**
8 **other matters in connection therewith.**

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10 WHEREAS, Naval Station Treasure Island (“NSTI”) is a former United States Navy
11 base located in the City and County of San Francisco (“City”) that consists of two islands
12 connected by a causeway: 1) Treasure Island, and 2) an approximately 90-acre portion of
13 Yerba Buena Island; and

14 WHEREAS, Under the Treasure Island Conversion Act of 1997, which amended
15 California Health and Safety Code, Section 33492.5, and added Section 2.1 to Chapter 1333
16 of the Statutes of 1968, the California Legislature: (i) designated the Treasure Island
17 Development Authority, a California non-profit public benefit corporation (“TIDA”), as a
18 redevelopment agency under California redevelopment law with authority over NSTI upon
19 approval of the City’s Board of Supervisors, which approval was granted in 1997, and (ii) with
20 respect to those portions of NSTI which are subject to Tidelands Trust, vested in TIDA the
21 authority to administer the public trust for commerce, navigation and fisheries as to such
22 property; and

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1 WHEREAS, In 2003, after a competitive bid process, the TIDA Board of Directors
2 selected Treasure Island Community Development, LLC (Developer") as the master
3 developer for portions of Treasure Island and Yerba Buena Island; and

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

14 WHEREAS, On April 21, 2011, the Planning Commission by Motion No. 18325 and the
15 Board of Directors of TIDA, by Resolution No. 11-14-04/21, as co-lead agencies, certified the
16 completion of the Final Environmental Impact Report for the Project ("FEIR"), and
17 unanimously approved a series of entitlement and transaction documents relating to the
18 Project, including certain environmental findings under the California Environmental Quality
19 Act ("CEQA"), a mitigation and monitoring and reporting program ("MMRP"), and the Original
20 DDA (defined below), the Original Development Agreement (defined below) and other
21 transaction documents; and

22 WHEREAS, On June 7, 2011, in Motion No. M11-0092, the Board of Supervisors
23 unanimously affirmed certification of the FEIR; on that same date, the Board of Supervisors, in
24 Resolution No. 246-11, adopted CEQA findings and the MMRP, and made certain
25 environmental findings under CEQA; on June 14, 2011, the Board of Supervisors, in

1 Ordinance No. 95-11, approved the Original DDA and other transaction documents, including
2 the Transportation Plan and Infrastructure Plan; and

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

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

17 WHEREAS, Pursuant to Ordinance No. 95-11, passed by the Board of Supervisors on
18 June 14, 2011, the City and the Developer entered into that certain Development Agreement
19 dated for reference purposes only as of June 28, 2011 ("Original Development Agreement")
20 related to the Project Site to eliminate uncertainty in the City's land use planning for the
21 Project Site and secure orderly development of the Project consistent with the Original DDA
22 and other applicable requirements, and the Original Financing Plan was also an exhibit to the
23 Original Development Agreement; and

24 WHEREAS, On January 24, 2012, pursuant to Resolution No. 11-12, the Board of
25 Supervisors rescinded designation of TIDA as the redevelopment agency for Treasure Island

1 under California Community Redevelopment Law but such rescission does not affect TIDA's
2 status as the Local Reuse Authority for NSTI or the Tidelands Trust trustee for the portions of
3 NSTI subject to the Tidelands Trust, or any of the other powers or authority; and

4 WHEREAS, Under Chapter 2.6 of Part 1 of Division 2 of Title 5 of the California
5 Government Code, commencing with Section 53369 ("IRFD Law"), this Board of Supervisors
6 is authorized to establish an infrastructure and revitalization financing district and to act as the
7 legislative body for an infrastructure and revitalization financing district; and

8 WHEREAS, Pursuant to IRFD Law Section 53369.5, an infrastructure and revitalization
9 financing district may be divided into project areas, and the legislative body of an
10 infrastructure and revitalization financing district may, at any time, add territory to a district or
11 amend the infrastructure financing plan for the district by conducting the same procedures for
12 the formation of a district or approval of bonds as provided in the IRFD Law; and

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

20 WHEREAS, Pursuant to the Original Financing Plan and the IRFD Law, the Board of
21 Supervisors passed Ordinance No. 21-17 on January 31, 2017, which the Mayor signed on
22 February 9, 2017 ("IRFD Formation Ordinance"), pursuant to which the Board of Supervisors
23 declared the IRFD and certain initial project areas within the IRFD (collectively, "Initial Project
24 Areas," and together with any future project areas that may be established in the IRFD, the
25 "Project Areas") to be fully formed with full force and effect of law; and

1 WHEREAS, Pursuant to the IRFD Formation Ordinance, the Board of Supervisors also
2 approved an infrastructure financing plan for the IRFD, which infrastructure financing plan was
3 subsequently amended and restated by the Board of Supervisors pursuant to Ordinance No.
4 29-22, which was passed by the Board of Supervisors on February 15, 2022, and signed by
5 the Mayor on February 25, 2022 (“IFP”); and

6 WHEREAS, the IFP lists the following procedures for annexation of property to the
7 IRFD:

- 8 (i) this Board of Supervisors adopts a resolution of intention to annex property
9 (“annexation territory”) into the IRFD and describes whether the annexation
10 territory will be included in one of the then-existing Project Areas or in a new
11 Project Area,
- 12 (ii) this Board of Supervisors adopts a resolution of intention to issue bonds secured
13 by the Net Available Increment (as defined in the IFP) for the IRFD as a whole
14 as a result of the additional bonding capacity generated by the addition of the
15 annexation territory to the IRFD,
- 16 (iii) the resolution of intention to annex the annexation territory is mailed to each
17 owner of land in the annexation territory and each affected taxing entity in the
18 annexation territory,
- 19 (iv) this Board of Supervisors designates TIDA to prepare an appendix to the IFP for
20 the annexation territory,
- 21 (v) the appendix to the IFP is sent to each owner of land and each affected taxing
22 entity within the annexation territory,
- 23 (vi) this Board of Supervisors notices and holds a public hearing on the proposed
24 annexation,

- 1 (vii) this Board of Supervisors adopts a resolution proposing the adoption of the
2 appendix to the IFP and annexation of the annexation territory to the IRFD, and
3 submits the proposed annexation to the qualified electors in the annexation
4 territory, with the ballot measure to include the question of the proposed
5 annexation of the annexation territory into the IRFD, approval of the
6 appropriations limit for the IRFD and approval of the issuance of bonds for the
7 IRFD, and
- 8 (viii) after the canvass of returns of any election, and if two-thirds of the votes cast
9 upon the question are in favor of the ballot measure, this Board of Supervisors
10 may, by ordinance, adopt the appendix to the IFP, if any, and approve the
11 annexation of the annexation territory to the IRFD; and

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

18 WHEREAS, Pursuant to Ordinance No. 93-24, passed by the Board of Supervisors on
19 April 30, 2024, Developer and the City entered into a First Amendment to Development
20 Agreement dated as of August 1, 2024 (the Original Agreement, as amended by the First
21 Amendment to Development Agreement, “Amended Development Agreement”), which
22 amendment replaced, among other things, the Original Financing Plan with the Amended and
23 Restated Financing Plan; and

24 WHEREAS, Treasure Island Series 2, LLC and Treasure Island Series 2, LLC have
25 submitted petitions to this Board of Supervisors to initiate the annexation of certain property

1 owned by them on Treasure Island (“Annexation Territory”) into the IRFD, and requested that
2 the Annexation Territory be designated as four new Project Areas (“Project Areas F, G, H and
3 I”): “Project Area F of the City and County of San Francisco Infrastructure and Revitalization
4 Financing District No. 1 (Treasure Island),” “Project Area G of the City and County of San
5 Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure Island),” “Project
6 Area H of the City and County of San Francisco Infrastructure and Revitalization Financing
7 District No. 1 (Treasure Island),” and “Project Area I of the City and County of San Francisco
8 Infrastructure and Revitalization Financing District No. 1 (Treasure Island)”; and

9 WHEREAS, CEQA mandates that "when an environmental impact report has been
10 prepared for a project, no subsequent or supplemental environmental impact report shall be
11 required by the lead agency," unless the lead agency determines, on the basis of substantial
12 evidence that the project or its circumstances have changed, or there is new information, and
13 that those changes or new information would cause new significant impacts, or a substantial
14 increase in the severity of previously identified impacts (CEQA Section 21166; CEQA
15 Guidelines Section 15162); and

16 WHEREAS, The Planning Department has determined that no additional environmental
17 review is required, beyond what was already studied in the certified FEIR, because the
18 proposed annexation of the Annexation Territory to the IRFD does not trigger any of those
19 circumstances listed in CEQA and the CEQA Guidelines for additional environmental review;
20 and

21 WHEREAS, The Board of Supervisors wishes to declare its intention to annex the
22 Annexation Territory to the IRFD in the manner required by the IRFD Law and the IFP; now,
23 therefore, be it

1 RESOLVED, That the Board of Supervisors is adopting this Resolution in its capacity
2 as the legislative body of the City and as the “legislative body” as defined in the IRFD Law;
3 and, be it

4 FURTHER RESOLVED, That this Board of Supervisors proposes to conduct
5 proceedings to annex the Annexation Territory to the IRFD as Project Areas F, G, H and I
6 pursuant to the IRFD Law; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors hereby determines that the
8 proposed boundaries of the Annexation Territory and the new Project Areas are as shown on
9 the map of said Annexation Territory and Project Areas F, G, H and I on file with the Clerk of
10 the Board of Supervisors in File No. 260549; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors hereby determines and finds
12 that the Base Year (as defined in the IFP) for determining the Net Available Increment to be
13 derived from the Annexation Territory and Project Areas F, G, H and I shall be Fiscal Year
14 2016-17, as provided in the IFP; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors hereby declares that, upon the
16 annexation of the Annexation Territory to the IRFD in accordance with the IFP and the IRFD
17 Law, the IRFD Improvements described in the IFP may be financed with the Net Available
18 Increment derived from the Annexation Territory, including any additional Bond proceeds that
19 may be generated as the result of the increased allocation of Net Available Increment derived
20 from the Annexation Territory; and, be it

21 FURTHER RESOLVED, That the Board of Supervisors hereby determines and
22 establishes that (i) for each new Project Area, the Net Available Increment from the Project
23 Area will commence to be allocated by the City (but no other affected taxing entities, as
24 defined in the IRFD Law) to the IRFD in the fiscal year that follows the fiscal year in which at
25 least \$150,000 of tax increment is generated by the Project Area and received by the City

1 (“Commencement Year”), unless otherwise agreed to in writing by TIDA, and (ii) for each new
2 Project Area, the termination date shall be the final day of the fiscal year that is 40 years after
3 the Commencement Year (or such longer period permitted by the IRFD Law and approved by
4 this Board of Supervisors); and, be it

5 FURTHER RESOLVED, That the Board of Supervisors hereby declares that a
6 resolution authorizing the annexation of the Annexation Territory to the IRFD will include an
7 authorization to issue a maximum additional principal amount of Bonds (as defined in the IFP)
8 above the \$780 million previously authorized for the Initial Project Areas as a result of the
9 additional bonding capacity generated by the addition of the annexation territory to the IRFD,
10 upon the same terms, and subject to the same limitations, as the Bonds set forth in the
11 proceedings establish the IRFD; and, be it

12 FURTHER RESOLVED, That the Board of Supervisors hereby declares that, upon the
13 annexation of the annexation territory to the IRFD as Project Areas F, G, H and I, the
14 Annexation Territory will be subject to the appropriations limit established for the IRFD; and,
15 be it

16 FURTHER RESOLVED, That Tuesday, September 15, 2026, at 3:00p.m., or as soon
17 as possible thereafter, in the Board of Supervisors Chamber, 1 Dr. Carlton B. Goodlett Place,
18 City Hall, San Francisco, California, be, and the same are hereby appointed and fixed as the
19 time and place when and where this Board of Supervisors, as legislative body for the IRFD,
20 will conduct a public hearing on the proposed annexation of the Annexation Territory to the
21 IRFD as Project Areas F, G, H and I; and, be it

22 FURTHER RESOLVED, That the Clerk of the Board of Supervisors is hereby directed
23 to mail a copy of this Resolution to each owner of land (as defined in the IRFD Law) within the
24 Annexation Territory and to any affected taxing entities, and in addition, in accordance with
25 IRFD Law Section 53369.17, the Clerk of the Board of Supervisors is hereby directed to

1 cause notice of the public hearing to be published not less than once a week for four
2 successive weeks in a newspaper of general circulation published in the City, and the notice
3 shall describe the proposed annexation of the Annexation Territory to the IRFD as Project
4 Areas F, G, H and I, and state the day, hour, and place when and where any persons having
5 any objections to the proposed annexation of the Annexation Territory to the IRFD as Project
6 Areas F, G, H and I, or the regularity of any of the prior proceedings, may appear before this
7 Board of Supervisors and object to the approval of the annexation of the Annexation Territory
8 to the IRFD as Project Areas F, G, H and I by the Board of Supervisors; and, be it

9 FURTHER RESOLVED, That this resolution in no way obligates the Board of
10 Supervisors or the IRFD to annex the Annexation Territory; the annexation of the Annexation
11 Territory is subject to all requirements of IRFD Law, including the Board of Supervisors'
12 approval of (i) the Annexation Territory and (ii) the appendix to the IFP for the Annexation
13 Territory, following a public hearing conducted pursuant to the IRFD Law; and, be it

14 FURTHER RESOLVED, That the Board of Supervisors has reviewed and considered
15 the FEIR and finds that the FEIR is adequate for its use for the actions taken by this resolution
16 and that no further environmental review is required, and incorporates the FEIR and the
17 CEQA findings contained in Board of Supervisors Resolution No. 196-24 by this reference;
18 and, be it

19 FURTHER RESOLVED, That if any section, subsection, sentence, clause, phrase, or
20 word of this resolution, or any application thereof to any person or circumstance, is held to be
21 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision
22 shall not affect the validity of the remaining portions or applications of this resolution, this
23 Board of Supervisors hereby declaring that it would have passed this resolution and each and
24 every section, subsection, sentence, clause, phrase, and word not declared invalid or
25

1 unconstitutional without regard to whether any other portion of this resolution or application
2 thereof would be subsequently declared invalid or unconstitutional; and, be it

3 FURTHER RESOLVED, That the Mayor, the Controller, the Director of the Office of
4 Public Finance, the Clerk of the Board of Supervisors and any and all other officers of the City
5 are hereby authorized, for and in the name of and on behalf of the City, to do any and all
6 things and take any and all actions, including execution and delivery of any and all
7 documents, assignments, certificates, requisitions, agreements, notices, consents,
8 instruments of conveyance, warrants and documents, which they, or any of them, may deem
9 necessary or advisable in order to effectuate the purposes of this resolution, including
10 amendments of the IFP, the Amended and Restated Financing Plan or other transaction
11 documents; provided however that any such actions be solely intended to further the
12 purposes of this resolution, and are subject in all respects to the terms of the resolution; and,
13 be it

14 FURTHER RESOLVED, That all actions authorized and directed by this resolution,
15 consistent with any documents presented herein, and heretofore taken are hereby ratified,
16 approved and confirmed by this Board of Supervisors; and, be it

17 FURTHER RESOLVED, That this resolution shall take effect upon its adoption.

18 APPROVED AS TO FORM:
19 DAVID CHIU, City Attorney

20 By: /s/ Grace H. Park
21 GRACE H. PARK
22 Deputy City Attorney

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24 4911-4059-2300, v. 1
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