

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

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

9
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

23 WHEREAS, In 2003, after a competitive bid process, the TIDA Board of Directors
24 selected Treasure Island Community Development, LLC (“Developer”) as the master
25 developer for portions of Treasure Island and Yerba Buena Island; and

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

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

19 WHEREAS, On June 7, 2011, in Motion No. M11-0092, the Board of Supervisors
20 unanimously affirmed certification of the FEIR, on that same date, the Board of Supervisors, in
21 Resolution No. 246-11, adopted CEQA findings and the MMRP, and made certain
22 environmental findings under CEQA, on June 14, 2011, the Board of Supervisors, in
23 Ordinance No. 95-11, approved the Original DDA and other transaction documents, including
24 the Transportation Plan and Infrastructure Plan; and

25

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

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

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

22 WHEREAS, On January 24, 2012, pursuant to Resolution No. 11-12, the Board of
23 Supervisors rescinded designation of TIDA as the redevelopment agency for Treasure Island
24 under California Community Redevelopment Law but such rescission does not affect TIDA’s
25

1 status as the Local Reuse Authority for NSTI or the Tidelands Trust trustee for the portions of
2 NSTI subject to the Tidelands Trust, or any of the other powers or authority; and

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

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

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

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

25

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
13 secured by the Net Available Increment (as defined in the IFP) for the IRFD as a
14 whole as a result of the additional bonding capacity generated by the addition of
15 the 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 3, 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
3 and I”): “Project Area F of the City and County of San Francisco Infrastructure and
4 Revitalization Financing District No. 1 (Treasure Island),” “Project Area G of the City and
5 County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure
6 Island),” “Project Area H of the City and County of San Francisco Infrastructure and
7 Revitalization Financing District No. 1 (Treasure Island),” and “Project Area I of the City and
8 County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure
9 Island)”; and

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

15 WHEREAS, Pursuant to Resolution No. 378-26, adopted by the Board of Supervisors
16 on June 16, 2026, and signed by the Mayor on June 26, 2026, the Board of Supervisors
17 ordered preparation of an appendix to the IFP for the IRFD and Project Areas F, G, H and I
18 (the “Annexation Supplement”) consistent with the requirements of the IRFD Law; and

19 WHEREAS, As required by the IRFD Law and the Resolution of Intention to Annex
20 Territory, the Clerk of the Board of Supervisors caused to be mailed a copy of the Resolution
21 of Intention to Annex Territory to each owner of land (as defined in the IRFD Law) within the
22 Annexation Territory and to any affected taxing entities, and in addition, in accordance with
23 IRFD Law Section 53369.17, the Clerk of the Board of Supervisors caused notice of a public
24 hearing on the proposed adoption of the Annexation Supplement to be published not less
25

1 than once a week for four successive weeks in a newspaper of general circulation published
2 in the City; and

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

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

14 WHEREAS, The Clerk of the Board of Supervisors made the Annexation Supplement
15 and the reports required by CEQA available for public inspection; and

16 WHEREAS, On _____, the Board of Supervisors, as the legislative body of the
17 IRFD, considered and adopted its Resolution No. ____ which the Mayor signed on [____],
18 2026 (“Resolution of Intention to Issue Bonds”), pursuant to which the Board of Supervisors,
19 declared its intention to issue one or more series of bonds or other debt as a result of the
20 additional bonding capacity derived from the addition of the Annexation Territory to the IRFD
21 for the purpose of financing the costs of the IRFD Improvements, in the maximum aggregate
22 principal amount of \$520 million, which amount shall be in addition to the \$780 million of
23 bonds and other debt authorized in the IRFD Formation Ordinance and additional amounts
24 approved in the future in connection with the annexation of territory to the IRFD; and

25

1 WHEREAS, On _____, the Board of Supervisors, as the legislative body of the City,
2 which is the only affected taxing entity that is subject to the division of taxes pursuant the
3 IRFD Law, considered and adopted its Resolution No. _____, which the Mayor signed on
4 [____], 2026, pursuant to which the Board of Supervisors, as the governing body of the City,
5 in its capacity as an affected taxing entity, approved the Annexation Supplement; and

6 WHEREAS, On _____, following publication of a notice consistent with the
7 requirements of the IRFD Law, this Board of Supervisors held a public hearing as required by
8 the IRFD Law relating to the proposed Annexation Supplement; and

9 WHEREAS, At the hearing any persons having any objections to the Annexation
10 Supplement, or the regularity of any of the prior proceedings, and all written and oral
11 objections, and all evidence and testimony for and against the adoption of the Annexation
12 Supplement, were heard and considered, and a full and fair hearing was held; and

13 WHEREAS, This Board of Supervisors wishes to propose annexation of the
14 Annexation Territory to the IRFD as Project Areas F, G, H and I, and adoption of the
15 Annexation Supplement; and

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

23 WHEREAS, The Planning Department has determined that no additional environmental
24 review is required, beyond what was already studied in the certified FEIR, because the
25 proposed annexation of the Annexation Territory to the IRFD does not trigger any of those

1 circumstances listed in CEQA and the CEQA Guidelines for additional environmental review;
2 now, therefore, be it

3 RESOLVED, That the Board of Supervisors is adopting this resolution in its capacity as
4 the legislative body of the IRFD and as the “legislative body” as defined in the IRFD Law; and,
5 be it

6 FURTHER RESOLVED, That the foregoing recitals are true and correct; and, be it

7 FURTHER RESOLVED, That all prior proceedings taken by this Board of Supervisors
8 in connection with the annexation of the Annexation Territory to the IRFD and the Annexation
9 Supplement have been duly considered and are hereby found and determined to be valid and
10 in conformity with the IRFD Law; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors hereby proposes the
12 annexation of Annexation Territory to the IRFD as Project Areas F, G, H and I; the boundaries
13 of the Annexation Territory and Project Areas F, G, H and I are described in a map and legal
14 descriptions of the proposed boundaries that are part of the Annexation Supplement on file
15 with the Clerk of the Board of Supervisors, to which map and legal descriptions reference is
16 hereby made for further particulars, and such boundaries are hereby approved; and, be it

17 FURTHER RESOLVED, That the Board of Supervisors hereby proposes adoption of
18 the Annexation Supplement in the form on file with the Clerk of the Board of Supervisors; and,
19 be it

20 FURTHER RESOLVED, That pursuant to the provisions of the IRFD Law, the
21 proposition to annex the Annexation Territory to the IRFD as Project Areas F, G, H and I and
22 the adoption of the Annexation Supplement, along with a proposition approving the
23 appropriations limit and a proposition authorizing the issuance of bonds and other debt in
24 accordance with the Resolution of Intention to Issue Bonds, shall be submitted to the qualified
25 electors of the IRFD at an election, and the time, place and conditions of the election shall be

1 as specified by a separate resolution of this Board of Supervisors, and the Board of
2 Supervisors directs staff, within three business days, to provide the Director of Elections of the
3 City and County of San Francisco, as the official to conduct the election, with the following:
4 this Resolution, a certified map of sufficient scale and clarity to show the proposed boundaries
5 of the Annexation Territory and each of Project Areas F, G, H and I, and a sufficient
6 description (including the assessor's parcel numbers in a landowner election) to allow the
7 Director of Elections to determine the proposed boundaries of the Annexation Territory and
8 each of Project Areas F, G, H and I; and, be it

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

14 FURTHER RESOLVED, That if any section, subsection, sentence, clause, phrase, or
15 word of this resolution, or any application thereof to any person or circumstance, is held to be
16 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision
17 shall not affect the validity of the remaining portions or applications of this Resolution, this
18 Board of Supervisors hereby declaring that it would have passed this Resolution and each
19 and every section, subsection, sentence, clause, phrase, and word not declared invalid or
20 unconstitutional without regard to whether any other portion of this Resolution or application
21 thereof would be subsequently declared invalid or unconstitutional; and, be it

22 FURTHER RESOLVED, That the Mayor, the Controller, the Director of the Office of
23 Public Finance, the Clerk of the Board of Supervisors and any and all other officers of the City
24 are hereby authorized, for and in the name of and on behalf of the IRFD, to do any and all
25 things and take any and all actions, including execution and delivery of any and all

1 documents, assignments, certificates, requisitions, agreements, notices, consents,
2 instruments of conveyance, warrants and documents, which they, or any of them, may deem
3 necessary or advisable in order to effectuate the purposes of this Resolution, including, after
4 consultation with the City Attorney, amendments of the IFP and the Annexation Supplement
5 (including any attachments); provided however that any such actions be solely intended to
6 further the purposes of this Resolution, and are subject in all respects to the terms of the
7 resolution; and, be it

8 FURTHER RESOLVED, That all actions authorized and directed by this Resolution,
9 consistent with any documents presented herein, and heretofore taken are hereby ratified,
10 approved and confirmed by this Board of Supervisors; and, be it

11 FURTHER RESOLVED, That this Resolution shall take effect upon its adoption.

12

13 APPROVED AS TO FORM:
14 DAVID CHIU, CITY ATTORNEY

15 By /s/ Heidi J. Gewertz
16 HEIDI J. GEWERTZ
Deputy City Attorney

17

18

19

20

21

22

23

24

25