

1 [Resolution of Intention to Issue Bonds - Annexation of Property to Infrastructure and  
2 Revitalization Financing District No. 1 (Treasure Island)]

3 **Resolution of intention to issue bonds as a result of an annexation of property to the**  
4 **City and County of San Francisco Infrastructure and Revitalization Financing District**  
5 **No. 1 (Treasure Island) as new project areas and determining other matters in**  
6 **connection therewith, as defined herein.**

7  
8 WHEREAS, Naval Station Treasure Island (“NSTI”) is a former United States Navy  
9 base located in the City and County of San Francisco (“City”) that consists of two islands  
10 connected by a causeway: (1) Treasure Island, and (2) an approximately 90-acre portion of  
11 Yerba Buena Island; and

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

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

24 WHEREAS, The Developer proposed developing the Treasure Island/Yerba Buena  
25 Island Project ("Project"), which anticipated (1) up to 8,000 new residential units, at least 25%

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

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

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

23 WHEREAS, Pursuant to Resolution No. 242-11, adopted by the Board of Supervisors  
24 on June 7, 2011, the United States of America, acting by and through the Department of the  
25 Navy ("Navy"), and TIDA entered into that certain Economic Conveyance Memorandum of

1 Agreement (as amended and supplemented from time to time, the “Conveyance Agreement”)  
2 that governs the terms and conditions for the transfer of NSTI from the Navy to TIDA; and

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

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

19 WHEREAS, On January 24, 2012, pursuant to Resolution No. 11-12, the Board of  
20 Supervisors rescinded designation of TIDA as the redevelopment agency for Treasure Island  
21 under California Community Redevelopment Law but such rescission does not affect TIDA’s  
22 status as the Local Reuse Authority for NSTI or the Tidelands Trust trustee for the portions of  
23 NSTI subject to the Tidelands Trust, or any of the other powers or authority; and

24 WHEREAS, Under Chapter 2.6 of Part 1 of Division 2 of Title 5 of the California  
25 Government Code, commencing with Section 53369 (“IRFD Law”), this Board of Supervisors

1 is authorized to establish an infrastructure and revitalization financing district and to act as the  
2 legislative body for an infrastructure and revitalization financing district; and

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

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

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

21 WHEREAS, Pursuant to the IRFD Formation Ordinance, the Board of Supervisors also  
22 approved an infrastructure financing plan for the IRFD, which infrastructure financing plan was  
23 subsequently amended and restated by the Board of Supervisors pursuant to Ordinance No.  
24 29-22, which was passed by the Board of Supervisors on February 15, 2022, and signed by  
25 the Mayor on February 25, 2022 (“IFP”); and

1           WHEREAS, the IFP lists the following procedures for annexation of property to the  
2 IRFD:

- 3           (i)     this Board of Supervisors adopts a Resolution of Intention to annex property  
4                   ("annexation territory") into the IRFD and describes whether the annexation  
5                   territory will be included in one of the then-existing Project Areas or in a new  
6                   Project Area,
- 7           (ii)    this Board of Supervisors adopts a Resolution of Intention to issue bonds  
8                   secured by the Net Available Increment (as defined in the IFP) for the IRFD as a  
9                   whole as a result of the additional bonding capacity generated by the addition of  
10                  the annexation territory to the IRFD,
- 11          (iii)   the Resolution of Intention to annex the annexation territory is mailed to each  
12                  owner of land in the annexation territory and each affected taxing entity in the  
13                  annexation territory,
- 14          (iv)    this Board of Supervisors designates TIDA to prepare an appendix to the IFP for  
15                  the annexation territory,
- 16          (v)     the appendix to the IFP is sent to each owner of land and each affected taxing  
17                  entity within the annexation territory,
- 18          (vi)    this Board of Supervisors notices and holds a public hearing on the proposed  
19                  annexation,
- 20          (vii)   this Board of Supervisors adopts a Resolution proposing the adoption of the  
21                  appendix to the IFP and annexation of the annexation territory to the IRFD, and  
22                  submits the proposed annexation to the qualified electors in the annexation  
23                  territory, with the ballot measure to include the question of the proposed  
24                  annexation of the annexation territory into the IRFD, approval of the  
25

1 appropriations limit for the IRFD and approval of the issuance of bonds for the  
2 IRFD, and

3 (viii) after the canvass of returns of any election, and if two-thirds of the votes cast  
4 upon the question are in favor of the ballot measure, this Board of Supervisors  
5 may, by Ordinance, adopt the appendix to the IFP, if any, and approve the  
6 annexation of the annexation territory to the IRFD; and

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

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

19 WHEREAS, Treasure Island Series 2, LLC and Treasure Island Series 3, LLC have  
20 submitted petitions to this Board of Supervisors to initiate the annexation of certain property  
21 owned by them on Treasure Island (“Annexation Territory”) into the IRFD, and requested that  
22 the Annexation Territory be designated as four new Project Areas (“Project Areas F, G, H  
23 and I”): “Project Area F of the City and County of San Francisco Infrastructure and  
24 Revitalization Financing District No. 1 (Treasure Island),” “Project Area G of the City and  
25 County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure

1 Island),” “Project Area H of the City and County of San Francisco Infrastructure and  
2 Revitalization Financing District No. 1 (Treasure Island),” and “Project Area I of the City and  
3 County of San Francisco Infrastructure and Revitalization Financing District No. 1 (Treasure  
4 Island)”; and

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

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

14 WHEREAS, The IFP includes a list of IRFD Improvements to be financed by the IRFD  
15 and the Project Area; and

16 WHEREAS, Pursuant to IRFD Law, Section 53369.40, the Board of Supervisors may,  
17 by majority vote, initiate proceedings to issue additional bonds as a result of the additional  
18 bonding capacity derived from the addition of the Annexation Territory to the IRFD pursuant to  
19 the IRFD Law by adopting a resolution stating its intent to issue the bonds, and pursuant to  
20 IRFD Law, Section 53369.14, the Annexation Supplement must contain a detailed description  
21 of any intention to incur debt for financing facilities for the IRFD; and

22 WHEREAS, United States Income Tax Regulations, Section 1.150-2 provides generally  
23 that proceeds of tax-exempt debt are not deemed to be expended when such proceeds are  
24 used for reimbursement of expenditures made prior to the date of issuance of such debt  
25 unless certain procedures are followed, one of which is a requirement that (with certain

1 exceptions), prior to the payment of any such expenditure, the issuer declares an intention to  
2 reimburse such expenditure; and

3 WHEREAS, It is in the public interest and for the public benefit that the City declares its  
4 official intent to reimburse the expenditures referenced herein; and

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

12 WHEREAS, The Planning Department has determined that no additional environmental  
13 review is required, beyond what was already studied in the certified FEIR, because the  
14 proposed annexation of the Annexation Territory to the IRFD does not trigger any of those  
15 circumstances listed in CEQA and the CEQA Guidelines for additional environmental review;  
16 now, therefore, be it

17 RESOLVED, That the Board of Supervisors is adopting this Resolution in its capacity  
18 as the legislative body of the IRFD and as the "legislative body" as defined in the IRFD Law;  
19 and, be it

20 FURTHER RESOLVED, That the Board of Supervisors proposes issuing one or more  
21 series of bonds or other debt ("Bonds") as a result of the additional bonding capacity derived  
22 from the addition of the Annexation Territory to the IRFD for the purpose of financing the costs  
23 of the IRFD Improvements, including acquisition and improvement costs and all costs  
24 incidental to or connected with the accomplishment of said purposes and of the financing  
25 thereof. The Board of Supervisors hereby declares that it reasonably expects (i) to pay certain

1 costs of the IRFD Improvements prior to the date of issuance of the proposed additional  
2 Bonds and (ii) to use a portion of the proceeds of the proposed additional Bonds for  
3 reimbursement of expenditures for the IRFD Improvements that are paid before the date of  
4 issuance of the proposed additional Bonds; and, be it

5 FURTHER RESOLVED, That the proposed additional Bonds will be paid from property  
6 tax revenues allocated to the IRFD, including all of the Initial Project Areas and Project Areas  
7 F, G, H and I; and, be it

8 FURTHER RESOLVED, That the IFP estimates that the total cost of the IRFD  
9 Improvements will be \$3.02 billion (in 2016 dollars), and that the estimated costs of preparing  
10 and issuing the Bonds will be equal to up to 10.0% of the par amount of the Bonds; and, be it

11 FURTHER RESOLVED, That this Board of Supervisors intends to authorize the  
12 issuance and sale of the Bonds as a result of the additional bonding capacity derived from the  
13 addition of the Annexation Territory to the IRFD in one or more series for the IRFD in the  
14 maximum aggregate principal amount of \$520 million, which amount shall be in addition to the  
15 \$780 million of Bonds authorized in the IRFD Formation Ordinance and additional amounts  
16 approved in the future in connection with the annexation of territory to the IRFD, so long as  
17 the Board of Supervisors makes the finding specified in IRFD Law, Section 53369.41(f), and  
18 the Bonds shall bear interest payable semi-annually or in such other manner as this Board of  
19 Supervisors shall determine, at a rate not to exceed the maximum rate of interest as may be  
20 authorized by applicable law at the time of sale of the Bonds; and, be it

21 FURTHER RESOLVED, That the Board of Supervisors estimates, based on the  
22 analysis set forth in the Annexation Supplement prepared in connection with the annexation of  
23 the Annexation Territory to the IRFD, that the incremental property tax revenues that are  
24 expected to be available to the IRFD from Project Areas F, G, H and I to pay principal of and  
25 interest on the Bonds is \$1.737 billion, and in accordance with IRFD Law Section 53369.41(f),

1 the Board of Supervisors hereby finds that the amount necessary to pay principal of and  
2 interest on the initial maximum principal amount of Bonds intended to be issued as a result of  
3 the additional bonding capacity derived from the addition of the Annexation Territory to the  
4 IRFD specified in the preceding paragraph is less than or equal to the incremental property  
5 tax revenues that are expected to be available to the IRFD from the Annexation Territory and  
6 Project Areas F, G, H and I to pay principal of and interest on the Bonds intended to be issued  
7 as a result of the additional bonding capacity derived from the addition of the Annexation  
8 Territory to the IRFD; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors will call a special landowner  
10 election for September 28, 2026 (or such later date determined by the Director of Elections),  
11 to consider the proposed authorization to issue Bonds in the maximum principal amount of (i)  
12 (i) the \$780 million, plus (ii) \$520 million as a result of the additional bonding capacity derived  
13 from the addition of the Annexation Territory to the IRFD, plus (iii) the principal amount of  
14 Bonds approved in the future by this Board of Supervisors and the qualified electors of the  
15 annexation territory in connection with each annexation of annexation territory to the IRFD, so  
16 long as the Board makes the finding specified in IRFD Law Section, 53369.41(f); the election  
17 will be consolidated with the election on the issue of the proposed annexation of the  
18 Annexation Territory to the IRFD, the approval of the proposed Annexation Supplement and  
19 the IRFD appropriations limit and the Director of Elections is hereby designated as the official  
20 to conduct the election in the IRFD and to receive all ballots until 12:00 p.m. on September  
21 28, 2026, and pursuant to IRFD Law Section 53369.20, the election shall be conducted by  
22 personal service or mail-delivered ballot; and, be it

23 FURTHER RESOLVED, That all references in this resolution to Bonds shall be  
24 deemed to include a reference to debt (as defined in the IRFD Law), to the extent applicable;  
25 and, be it

1 FURTHER RESOLVED, That this resolution shall in no way obligate the Board of  
2 Supervisors to propose annexation of the Annexation Territory or Project Areas F, G, H and I  
3 or to authorize the issuance of Bonds as a result of the additional bonding capacity derived  
4 from the addition of the Annexation Territory to the IRFD, and the authorization to issue Bonds  
5 as a result of the additional bonding capacity derived from the addition of the Annexation  
6 Territory to the IRFD shall be subject to the approval of this Board of Supervisors by  
7 Resolution following the elections of the qualified electors described above; and, be it

8 FURTHER RESOLVED, That the Board of Supervisors hereby finds that the provisions  
9 of IRFD Law, Section 53369.42 requiring publication of this Resolution are for the protection  
10 of the qualified electors, and there is on file with the Clerk of the Board of Supervisors and the  
11 Director of Elections of the City and County of San Francisco one or more written waivers  
12 executed by all of the qualified electors of the Annexation Territory waiving, among other  
13 things, any requirement for notice and publication in connection with the election including  
14 specifically the publication of this Resolution, and accordingly, this Board of Supervisors finds  
15 and determines that the qualified electors have been fully apprised of the proposed election to  
16 authorize the issuance of Bonds as a result of the additional bonding capacity derived from  
17 the addition of the Annexation Territory to the IRFD and have waived publication of this  
18 resolution in accordance with Section 53369.42; and, be it

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

24 FURTHER RESOLVED, That if any section, subsection, sentence, clause, phrase, or  
25 word of this resolution, or any application thereof to any person or circumstance, is held to be

1 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision  
2 shall not affect the validity of the remaining portions or applications of this Resolution, this  
3 Board of Supervisors hereby declaring that it would have passed this Resolution and each  
4 and every section, subsection, sentence, clause, phrase, and word not declared invalid or  
5 unconstitutional without regard to whether any other portion of this Resolution or application  
6 thereof would be subsequently declared invalid or unconstitutional; and, be it

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

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

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

21

22 APPROVED AS TO FORM:  
23 DAVID CHIU, City Attorney

24 By: /s/ Heidi J. Gewertz  
25 HEIDI J. GEWERTZ  
Deputy City Attorney